

	Planning Committee 2 February 2016	
Planning application no.	15/01422/FUL	
Site	Land adjacent to the Halfway House, 115 Tettenhall Road	
Proposal	Apartment development (20 flats)	
Ward	Park	
Applicant	Lyric Ltd	
Agent	Creative2 Architect Ltd	
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity	
Accountable director	Nick Edwards, City Assets	
Planning officer	Name	Phillip Walker
	Tel	01902 555632
	Email	phillip.walker@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Delegated authority to grant subject to s106 and conditions.

2. Application site

- 2.1 The site was previously the beer garden when the Halfway House was a public house. The land is now disused and overgrown. The Halfway House adjoins the site to the north, on the corner of Tettenhall Road and Paget Road. Adjoining the southern, western and north-western site boundaries is housing. There is a brick wall on the Tettenhall Road boundary. Vehicular access to the site is from Paget Road.
- 2.2 The site is located in the Tettenhall Road Conservation Area and the Halfway House is on the Council's 'local list' of buildings of historic interest.
- 2.3 The Halfway House ceased trading as a public house in February 2008 and is now used as a pharmacy and dental surgery. Permission for a medical surgery on the application site was approved in 2012 but has not been implemented.
- 2.4 There are several protected trees within the site, with a line of lime trees adjacent to the boundary with Tettenhall Road.

3. Application Details

- 3.1 The proposal is for an apartment block of 20 two bedroomed flats. The building would be set back 10.5 metres from Tettenhall Road behind the existing wall and trees. It would be three storeys at the front. To the rear the building would reduce to two storeys. Private shared amenity space would be around the sides of the building. Some of the ground floor flats would have private terrace areas and all but one of the upper floor flats would have balconies. The car park includes 30 spaces. Vehicular access would be from Paget Road.

4. Relevant Planning History

- 4.1 14/00230/RC. Variation of condition 15 of planning permission 12/00596/FUL to use the former Halfway House PH as a pharmacy, dentist and opticians. Granted 31.03.2014.
- 4.2 12/00596/FUL. Erection of a medical surgery and refurbishment of former public house to provide a pharmacy and opticians with residential accommodation above. Granted 24.08.2012.

5. Constraints

- 5.1 Tettenhall Road Conservation Area
Locally Listed Building (The Halfway House)
Tree Preservation Orders

6. Relevant Policy Documents

- 6.1 National Planning Policy Framework (NPPF)
- 6.2 The Development Plan:
Wolverhampton Unitary Development Plan (UDP)
Black Country Core Strategy (BCCS)

7. Publicity

- 7.1 Nine objections and one representation neither supporting nor objecting to the proposals. Comments summarised as follows:
- Unacceptable access onto Paget Road / detrimental to highway and pedestrian safety
 - Insufficient parking provision for residents / likely to result in parking on surrounding streets
 - Building too big / inappropriate modern design
 - Out of character with the Conservation Area
 - Unacceptable neighbour impact; overbearing, loss of light/outlook/privacy and noise
 - Drainage / flooding concerns
 - Loss of trees / Harm to wildlife

8. Internal Consultees

8.1 Environmental Health / Transportation / Trees – No objection subject to conditions.

9. External Consultees

9.1 Severn Trent Water Ltd - No objection subject to conditions.

10. Legal Implications

10.1 The legal implications arising from this report are set out in paragraph 11.2 below (LD/20012016/J).

11. Appraisal

11.1 The key issues are:

- Design and impact on the Conservation Area
- Access and parking
- Neighbour amenity
- Trees
- S106 requirements

Design and Impact on the Conservation Area

11.2 The building would be appropriately positioned within the site to preserve the openness of the land adjacent to the locally listed Halfway House. The siting of the building would not disturb the line of protected Lime trees.

11.3 The scale and massing of the building would be appropriate in regard to the Halfway House and surrounding housing. The modern design of the building is acceptable. The proposals would bring back into use a disused and overgrown site and preserve the character and appearance of the Conservation Area.

Access and Parking

11.4 There is sufficient car parking provision to meet expected demand.

11.5 The proposed residential development would intensify the use of the access from Paget Road compared to the current situation. However the level of parking generated by twenty flats is unlikely to have a significant impact on surrounding traffic flows and safety. There is the potential for vehicles to block oncoming traffic approaching from the signalised junction when turning right out of the access. To ensure the free flow of traffic it would be appropriate to condition the provision of signage and “keep clear” road surface markings to deter vehicles from turning right when exiting the site. This approach was considered acceptable when permission was previously approved in 2012 for a medical centre.

Neighbour amenity

11.6 The proposed design takes account of surrounding housing and respects neighbour amenity. There would not be an unacceptable overbearing impact, loss of light, outlook or privacy to occupiers of surrounding housing.

Trees

- 11.7 The majority of protected trees would be sufficiently distant from the proposed development to avoid harm. The development would require the removal of three protected trees which are to the rear of the site but these are not particularly prominent and as such their loss could be mitigated by the provision of replacement tree planting within the proposed amenity space.

Section 106 requirements

- 11.8 There is a policy requirement for the following to be secured through a Section 106 planning obligation:
- £53,392 off-site open space contribution to be spent on improvements to West Park
 - Five affordable housing units
 - 10% renewable energy
 - Targeted recruitment and training
 - Management company for communal areas
- 11.9 The applicant is seeking a reduction in Section 106 obligations on the grounds of a lack of viability and the submitted viability information is being assessed.
- 11.10 It would be appropriate to reduce the Section 106 requirements commensurate with any lack of viability which may be demonstrated, with such a reduction being on a pro-rata basis for flats that are ready for occupation within 3 years of the date that a lack of viability is established, to reduce the likelihood that the developers would benefit unduly from rising home prices making the development viable.

12. Conclusion

- 12.1 Subject to conditions and a Section 106 as recommended, the proposal would be acceptable and in accordance with the Development Plan.

13. Detailed Recommendation

- 13.1 That the Service Director of City Assets be given delegated authority to grant planning application 15/01422/FUL subject to:

If the development is financially viable:

- (i) A Section 106 planning obligation for the following
- £53,392 off-site open space contribution to be spent on improvements to West Park
 - Five affordable housing units
 - 10% renewable energy
 - Management company for communal areas
 - Targeted recruitment and training

If the development is not fully financially viable:

A reduction in Section 106 requirements (except for target recruitment and management company) commensurate with the shortfall in viability on a pro-rata basis for all flats that are ready for occupation within 3 years of the date that a lack of viability is established,

with the full (pro-rata) requirement falling on all dwellings that are not ready for occupation by that date.

(ii) any appropriate conditions including:

- Materials:
- Landscaping;
- Tree protection measures;
- Construction management plan;
- Drainage
- Hours of construction to be between 0800 to 1800 Monday to Friday; 0800 to 1300 Saturday and at no time on Sundays or Bank and Public Holidays
- Boundary treatments
- Provision and retention of car parking and cycle/motorcycle parking
- Existing ground levels and proposed finished ground floor levels
- Bin stores
- Obscure glazing for en-suite bathroom windows for upper floor flats numbered 11, 12, 13 and 19
- Ecological protection measures
- Car park signage.
- 'Left turn only' signage and road markings to deter right hand turns
- External lighting
- Privacy screen for balcony serving flat 19



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Wolverhampton CC Licence No 100019537. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.