

<b>Planning application no.</b>	23/00608/FUL
<b>Site</b>	Site of Former Bilston Tennis Courts, Villiers Avenue / Harper Road, Wolverhampton, West Midlands.
<b>Proposal</b>	Erection of 11 two and three bedroom semi-detached and detached dwellings.
<b>Ward</b>	Bilston North
<b>Applicant</b>	City of Wolverhampton Council
<b>Cabinet member with lead responsibility</b>	Councillor Steve Simkins, Leader of the Council
<b>Accountable Director</b>	Richard Lawrence, Director of Regeneration
<b>Originating service</b>	Planning
<b>Accountable employee</b>	Vijay Kaul                      Section Leader (Planning)  vijay.kaul@wolverhampton.gov.uk

## 1.0 Summary recommendation

1.1 Grant subject to conditions.

## 2.0 Application site

2.1 The site of Former Bilston Tennis Club, located on the corner of Villiers Avenue and Harper Road, it is currently vacant and has not been in use for several years.

2.2 The 0.27 hectare site is situated in a residential area, Villiers Avenue is to the west, Elm Avenue adjoins the eastern boundary and Harper Road to the north. There are a variety of house types in this area.

## 3.0 Application details

3.1 The application proposes the erection of eleven two and three bedroom dwellings to be managed by Wolverhampton Homes, each would be two storeys high, fronting Villiers Avenue.

3.2 A single vehicular access point would be created from Villiers Avenue leading to one off-street parking space per two bed dwelling and two off-street parking spaces for each

three bed dwelling. New tree planting and landscaping will be introduced within the site. New boundary treatment will be provided across the site.

- 3.3 Amended plans were submitted during to the course of the application to reduce these number of units from 12 to 11, and to create a single vehicular access point from Villiers Avenue rather than individual driveways.

#### **4.0 Relevant policy documents**

- 4.1 National Planning Policy Framework (NPPF)

- 4.2 The Development Plan:

Wolverhampton Unitary Development Plan (UDP)

Black Country Core Strategy (BCCS)

- 4.3 Open Space Strategy & Action Plan (Updated June 2018)

#### **5.0 Publicity**

- 5.1 The application was advertised by direct neighbour notification and site notices. Representations from six neighbours has been received and summarised as follows;

- Roads are narrow, will lead to disruption, increased traffic flows, congestion and increased danger to residents/children
- Local infrastructure cannot cope with demands of new residents
- Site has naturally vegetated for local wildlife. Should remain for community meeting place such as wildlife area, allotments or open space
- Loss of privacy, sunlight and noise pollution
- Development will disrupt peace and tranquility, particularly nearby disabled residents.
- Too dense and design of dwellings not in keeping with character of area
- Social housing is not in-keeping with the area
- Loss of market value
- Potential crime and anti-social behaviour during construction

#### **6.0 Consultees**

- 6.1 Highways: No objection subject to conditions.

- 6.2 Environmental Health: No objection subject to scheme to deal with land contamination and ground gases.

- 6.3 Tree Officer – No objection subject to conditions.

- 6.4 Coal Authority: No objection subject to a condition requiring a detailed remediation scheme to protect the development from the effects of land instability derived from past underground mining activity.
- 6.5 Severn Trent Water: No objection subject to a condition requiring drainage details.
- 6.6 Lead Local Flood Authority: No objection subject to condition.

## **7.0 Legal implications**

- 7.1 Any decision of the planning committee must be carried out in accordance with the relevant legislative, internal, external and Constitutional requirements/procedures as appropriate, taking into account the relevant provisions of the relevant Policy Documents as set out above. Further implications and considerations of the objections and proposed conditions as to the grant of the permission are set out below (CS/04012024/1)

## **8.0 Appraisal**

- 8.1 The main issues for consideration are:

- Principle of development
- Character and appearance
- Highways and Parking
- Impact on trees
- Residential amenity
- Ecology

### **Principle of development**

- 8.2 Following Bilston Tennis Club relinquishing their lease on the site several years ago, the site became vacant and fell into disrepair. In June 2017, the Cabinet (Resources) Panel approved the proposal to re-develop this site under the Housing Revenue Account (HRA) capital new build programme for the provision of affordable council housing to help meet the housing needs of residents in the City, managed by Wolverhampton Homes. The site has also been included in the Council's Strategic Housing Land Availability Assessment (SHLAA), as suitable for housing.
- 8.3 The principle of development has previously been established by a previous planning application 20/00673/FUL which comprised of 10 two-bedroom dwellings, granted planning permission on 10<sup>th</sup> February 2021 (following Planning Committee on 12<sup>th</sup> January 2021).
- 8.4 Sport England and the Lawn Tennis Association raised no objection to the use of this site for 100% affordable housing, subject to payment of £40,000 from HRA funds to mitigate

for the loss of the tennis courts, to be used to improve the tennis courts at East Park. This payment was authorised by the Cabinet (Resources) Panel.

- 8.5 The principle of residential development continues to be acceptable.

### **Character and appearance**

- 8.6 While the scheme is no longer being constructed to a Passivhaus Standard, the proposed houses would incorporate high quality design credentials that meet the Proposed new Future Homes Standard 2025, currently in public consultation. These would produce highly efficient buildings which use low-carbon heat and have the best fabric standards possible, ensuring they are better for the environment and fit for the future. These would incorporate a variety of proposals/measures including removal of gas heating (electric radiant heating in lieu), high efficiency water tanks, solar PV and battery storage, high performance glazing, timber frame construction and highly insulated cavities.
- 8.7 The position, scale and height of the two storey dwellings are acceptable when viewed in conjunction with surrounding development and the modern external design respects the local character and would contribute to the varied dwelling types already found in the area. A condition is required to agree the final materials schedule.
- 8.8 The end units would contain secondary windows contributing to an active street frontage to Harper Road, this in addition to new tree provision and landscaping ensures the development would not harm the character and appearance of the surrounding area.

### **Highways and Parking**

- 8.9 As Villiers Avenue is already traffic calmed, the proposed new single point vehicular access is acceptable which provides appropriate vehicular visibility splays. This addresses neighbours' concerns originally raised with access points being introduced along Harper Road.
- 8.10 In this location close to Bilston Town Centre, the Highways Officer confirms the off-street parking provision is acceptable, which comprises of one space per two-bedroom dwelling and two spaces per three-bedroom dwelling. There would be no unacceptable harm to highway safety.

### **Impact on trees**

- 8.11 The single vehicular access point has been designed to avoid conflict with street trees along Villiers Avenue. The layout ensures no harm to trees in adjacent residential gardens as dwellings would be constructed outside root protection areas (RPAs). A condition is required for a design and method statement.

## **Residential amenity**

- 8.12 The rear elevation of proposed dwellings would be at least 22m away from habitable rooms of dwellings located in Elm Avenue. Boundary treatment would further protect the relationship between dwellings. No harm upon these neighbours would arise.
- 8.13 The dwellings have been arranged to protect the immediate outlook from and daylight to adjacent neighbours. The semi-detached pair closest to 'Tregonwel' (immediately south of site) have been designed to have a lower eaves height to replicate the scale of the previously approved dormer bungalows, therefore reducing any overbearing impact. Any side facing first floor windows would need to be obscure glazed and openers restricted to no less than 1.7m high from the internal room level. This would protect the privacy of 'Tregonwel' and 33 Villiers Avenue, and 12 Elm Avenue.
- 8.14 Each new dwelling would be provided with sufficient private amenity space in separate rear gardens.

## **Ecology**

- 8.15 The accompanying Preliminary Ecological Assessment confirms no harm to protected species. A condition is required to implement recommendations, Ecological Mitigation and Enhancement Strategies.

## **9.0 Conclusion**

- 9.1 The proposed development is acceptable and in accordance with the development plan.

## **10.0 Detail recommendation**

- 10.1 That planning application 23/00608/FUL is granted subject to the following conditions:

- External materials
- Levels
- Construction Management Plan (inc operational hours)
- Land contamination and ground gas
- Detailed remediation scheme (coal mining)
- Drainage
- Landscaping
- Tree protection measures
- Ecological Mitigation and Enhancement
- Visibility Splays
- Implement access and parking
- Agree street furniture to be removed or relocated
- Boundary/retaining treatments
- Electric charging points
- Renewable energy
- Remove PD rights for rear extensions / dormers
- Obscure glazing / top openers (1.7m from room level) to first floor side elevation windows

