

Planning Committee

Minutes - 19 April 2016

Attendance

Councillors

Cllr Linda Leach (Chair)
Cllr Harman Banger (Vice-Chair)
Cllr Greg Brackenridge
Cllr Dr Michael Hardacre
Cllr Keith Inston
Cllr Jasbir Jaspal
Cllr Phil Page
Cllr John Rowley
Cllr Judith Rowley
Cllr Wendy Thompson

Employees

Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Martyn Gregory	Section Leader
Andy Carter	Senior Planning Officer
Jenny Davies	Senior Planning Officer
Andy Fisher	Tree Officer
Dereck Francis	Democratic Support Officer
Charlotte Morrison	Section Leader
Colin Noakes	Planning Officer
Tim Philpott	Lead Transport Officer
Phillip Walker	Planning Officer

Part 1 – items open to the press and public

Item No. *Title*

- 1 Apologies for absence**
Apologies for absence were submitted on behalf of Cllr Jonathan Yardley.
- 2 Declarations of interest**
Stephen Alexander, Head of Planning declared a disclosable non pecuniary interest in application 16/00115/FUL, in so far as his daughter attends Wolverhampton Grammar School.

3 **Minutes of the previous meeting**

Resolved:

That the minutes of the previous meeting held on 2 February 2016 be approved as a correct record and signed by the Chair.

4 **Matters Arising**

With reference to Minute 8 (15/01422/FUL - land adjacent to halfway House, 115 Tettenhall Road), in response to a question from Cllr Judith Rowley, Tim Philpott, Lead Transport Officer advised that the Department for Transport (DfT) had declined to comment on the layout but outlined that they are responsible for the designation of signage. In the absence of any indication to the contrary he was of the view that the 'turn left only' signage could be displayed.

Stephen Alexander, Head of Planning reported that he would consider the response from the DfT and how the application should be taken forward and inform members of the Planning Committee accordingly.

5 **16/00098/RC Aldi Goldthorn Hill Wolverhampton West Midlands WV2 3HP**

The Committee received a report regarding application 16/00098/RC, removal of condition 6 from planning approval 10/00511/VV which states that only fresh perishable produce can be delivered on Sundays.

Mr Ryler addressed the Committee and spoke in opposition of the application.

Richard Conway also addressed the Committee and spoke in support of the application.

In response to questions from the Committee, Charlotte Morrison, Planning Officer reported that condition 6 failed to meet to test of 'a reasonable condition'. It was not a condition that Planning would apply here and now. In response to a further question Lisa Delrio, Senior Solicitor added that the Committee needed to consider the issue of fresh perishable goods.

Members of the Committee were concerned that the condition could not be maintained and that this had not been conveyed at the time the original planning approval was granted. They were also concerned that the condition might apply to other discount supermarkets and questioned whether they needed to consider the application as a precedent. The comment was also made that the applicant should be able to organise itself so that its deliveries are made on six days out of seven.

Resolved:

That the planning application 16/00098/RC be granted and the condition applied to the development requiring only fresh, perishable produce to take place on Sundays within the hours of 0900 and 1200 be removed.

6 **16/00115/FUL Wolverhampton Grammar School, Compton Road**

Having declared a disclosable non pecuniary interest, Stephen Alexander, Head of Planning left the meeting room whilst the application was considered.

The Committee received a report regarding application 16/00115/FUL, proposed new two story primary school with parking, playgrounds, car parking and artificial mini-football pitch including floodlighting park.

Phillip Walker, Planning Officer updated the Committee on the report and indicated that 68 responses had been received from the publicity; 67 objectors and one neutral response. He also reported that it was now considered unnecessary to provide acoustic fencing and that the recommendation in the report should be amended accordingly.

Mr K Bains addressed the Committee and spoke in opposition to the application.

Philip Sims also addressed the Committee and spoke in support of the application.

Members of the Committee expressed concerns on the application particularly; the effects of the proposed development on local residents; the need for a robust Traffic Management response to the highways/traffic management issues including parking, congestion, road safety, the travel plan, adequacy of planned drop off areas, access and egress to the site and the observations from Centro in terms of Strategic Transport Policy and the Fire Service; the environmental considerations relating to the protection of existing wildlife, the development exacerbating existing problems with flooding in the area, the loss of the open aspect of the area; the poor view for houses surrounding the new school; the design of the building and the necessity for it to be built in the planned location; the lack of information supporting the need for a new school and the Director of Education's view on the application; that the application failed under Planning Policy D3, HE2 and AM15; and that the list of proposed conditions contained in the report was too long and further work was required to resolve the need for such a lengthy set of conditions.

During the debate it was moved and seconded that consideration of the application be deferred to allow further dialogue and examination of the concerns raised. An amendment was moved and seconded that the application be refused. Upon a vote the amendment was put and lost. The original motion to defer the application for a further report was therefore put and carried.

Resolved:

That planning application 16/00115/FUL be deferred to allow further dialogue and examination of the concerns raised and a further report responding to those concerns be submitted to a future meeting of the Committee.

7 15/01423/FUL Grove Lane, Tettenhall

The Committee received a report regarding application 15/01423/FUL, conversion of a single dwelling into two dwellings with two storey side and rear extensions; and alterations to existing garage to accommodate four vehicles.

Martyn Gregory, Section Leader, Planning informed the Committee that three representations had been received from the publicity. The objectors were not opposed to the application but asked that the Committee take into account: that the area is a conservation area and they would want that to be maintained; that adequate off street parking and turning for the garages must be provided; and the sewerage and storm water drainage should be adequate for the scale of the development. They also sought an assurance that the lane should not be blocked by construction traffic when the works takes place. In response to the comments the Section Leader, Planning reported that the point regarding maintaining the aims and objectives of the conservation area had been considered. The house itself was one dwelling that was bland in appearance. The proposal would deliver an improved and more pleasant frontage. Regarding parking, two spaces were proposed for each

house. On the concern regarding construction traffic, this was something outside Planning's Authority's control and would be for the applicant to manage. Finally as the development was for a small extension to the property the sewerage system in place was sufficient for the size of the development.

Mrs Jane DeVille-Almond addressed the Committee and spoke in opposition to the application.

Mr S Tranter also addressed the Committee and spoke in support of the application

Cllr Wendy Thompson commented that storm water drainage had not previously been mentioned and that the drainage was an important point that should not be glossed over. She also commented that the issues regarding conservation standards were well made.

Resolved:

That application 15/01423/FUL be granted subject to conditions relating to external material, draining, boundary treatments and removal and relocation of external flue.

8 **16/00032/FUL 34 Westport Crescent, Wolverhampton**

The Chair reported that the report had been withdrawn from consideration. The applicant had amended the plans to one which the Planning Officer could support. It would therefore now be dealt with under officer delegation.

9 **15/01306/FUL Land to the rear of 32 and 33 Quail Green**

The Committee received a report regarding application 15/01306/FUL, proposed three detached houses.

Andy Carter, Planning Officer informed the Committee that an additional letter had been received from the objectors, the contents of which did not add any new evidence to that previously received.

Mr Alan Coe addressed the Committee and spoke in opposition of the application.

Mr Neal Blackie also addressed the Committee and spoke in support of the application.

Members of the Committee commented that the scale of the development was in keeping with that of the surrounding area. Comment was also made regarding the contrived entranceway to the proposed properties.

In response to a question from the Committee in the context of whether all the objections had been placed on the website which was raised by a speaker, Andy Carter, Senior Planning Officer confirmed that it was not a procedural requirement for this so long as the public were made known where they could access the objections which he confirmed was the case. Lisa Delrio, Senior Solicitor was asked by a Councillor whether in that case there were no legal irregularities in the way the application had been dealt with. She confirmed that as far as she was aware there were none in that case.

Cllr Judith Rowley indicated that she was minded to support the application but asked that it be placed on record that she was not happy to hear a threat with High Court Action.

Resolved:

That planning application 15/01306/FUL be granted, subject to any appropriate conditions including:

- Materials;
- Landscaping;
- Boundary treatments
- Hours of construction;
 - 0800 to 1800 Monday to Friday,
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
- Removing permitted development rights for upper floor windows in the east elevation of plot 3
- Bin store details
- Lighting
- Drainage

10

15/01421/FUL Land at Cross Street North

The Committee received a report regarding application 15/01421/FUL, proposed incinerator bottom ash recycling facility.

Andy Carter, Planning Officer reported that the Canal and River Trust had no objection to the application but had requested a detailed condition on the construction of the green wall alongside the canal.

Resolved:

That the Strategic Director Place be given delegated authority to grant planning application 15/01421/FUL subject to:

- (i) A Section 106 agreement for the following:
 - Transfer of 15m land strip for highway improvement scheme
 - £360 per annum maintenance sum for landscape works at land strip
- (ii) any appropriate conditions including:
 - Use restricted to IBA and no other waste activity
 - No additional openings in process building
 - Details of external loading hopper
 - Materials;
 - Landscaping including the land strip transfer;
 - Boundary treatments including 5m green wall;
 - Lighting layout
 - Drainage details
 - Hours of construction:
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
 - Hours of processing and handling of IBA on site:
 - 0700 to 2100 Monday to Friday
 - 0800 to 1300 Saturday,

- at no time on Sundays or Bank and Public Holidays.
- Hours of deliveries and despatch:
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.
- Additional hours for maintenance operations only:
 - 1300 to 1700 Saturdays
- Construction details of green wall alongside canal

11

13/00791/FUL Sutherland Wharf, Old Heath Road

The Committee received a report regarding application 13/00791/FUL, proposed residential development including parking and landscaping.

Cllr Keith Inston placed on record his delight that the site would change from a scrapyard to providing housing. In response to a question on access to the site, Tim Philpott, Lead Transport Officer reported that he was content that the radius of the bend by the access to the site would not cause visibility problems to vehicles exiting the site.

Resolved:

That the Strategic Director Place be given delegated authority to grant planning application 13/00791/FUL subject to:

- (i) A Section 106 agreement for the following:
 - 25% affordable housing
 - Targeted recruitment and training

 - Pro-rata off-site open space contribution and 10% renewable energy provision for all dwellings that are not ready for occupation within 3 years of the date that a lack of viability was established

- (ii) any appropriate conditions including:
 - Materials;
 - Landscaping;
 - Boundary treatments;
 - Construction Management Plan including method statement and risk assessment for works alongside operation railway land;
 - Acoustic glazing on or at right angles to Old Heath Road for habitable rooms
 - Acoustic trickle vents on or at right angles to Old Heath Road for habitable rooms
 - Covered cycle parking
 - Details of bin store
 - Completion of highway works prior to first occupation
 - Lighting layout
 - Drainage details
 - Contaminated land investigation and remediation
 - Details of any works within 3m of the canal's offside wall
 - Hours of construction;
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.

12 **16/00208/FUL Former Wood Hayes Pub, land north of 434 Wood End Road, Wolverhampton**

The Committee received a report regarding application 16/00208/FUL, proposed development of 14 one-bed residential flats for adults with long term conditions accommodation for a career, with shared facilities plus office space.

Cllr Greg Brackenridge commented that the size of the development provided for only eight parking places even though there was plenty of land not being used on the site. He suggested that the amount of parking provision on developments was something that the Committee would need to consider in the future.

Resolved:

That planning application 16/0208/FUL be granted, subject to the following conditions:

- Submission of materials
- Landscaping
- Boundary treatment
- Bat boxes
- Details of cycle store
- Bin storage
- External lighting
- Hours of construction
- Renewable energy
- Restrict use to residents in need of care
- Hours of operation during construction

13 **15/00011/TPO First Finchfield Scout Group Kingsclere Walk**

The Committee received a report regarding application 15/00011/TPO seeking confirmation of the tree preservation order.

Resolved:

That the Tree Preservation Order 15/00011 be confirmed.

13a **16/00107/FUL Caerleon Surgery, Dover Street, Wolverhampton**

The Committee received a report regarding application 16/00107/FUL, single storey extension to existing Doctors surgery to provide a staff room and a consulting room.

Dr Asghar addressed the Committee and spoke in support of the application.

Colin Noakes, Planning Officer reported that the design access statement for the scheme was to increase patient numbers from 3,500 to 6000. This differed from the figure Dr Asghar reported during his address to the Committee.

In the light of the differing information some members of the Committee suggested that the application should be deferred pending clarification of this point. Other members of the Committee felt that the main issues relating to the application were parking and the nature of the building and not the number of patients that would be using the surgery and for these reasons they felt that further clarification was unnecessary

It was proposed and seconded that the application be deferred for clarification of the point raised. An amendment was proposed and seconded that the application be refused. Upon a vote the amendment was declared lost. The substantive motion to defer the application was voted on and agreed.

Resolved:

That planning application 16/00107/FUL be deferred pending clarification of the point on patient numbers.