



Planning Committee

23 September 2014

Planning application no.	14/00697/OUT
Site	Observer Buildings, 2 Lower Street, Wolverhampton
Proposal	Application for Outline Planning Permission with all matters reserved for demolition of existing industrial buildings and redevelopment of site to provide five dwellings
Ward	Tettenhall Regis
Applicant	Mr J York
Agent	Mr S T Wright
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Ragbir Sahota Tel 01902 555616 Email ragbir.sahota@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions

2. Application site

- 2.1 The application site comprises a small number of single storey commercial/industrial buildings which are situated off Lower Street, Tettenhall. The units are all vacant and the site is locked up.
- 2.2 The area is characterised with predominantly residential properties comprising houses and flats. Adjacent to the site is an Infants and Junior School which shares the same access to the site. A number of other small commercial operations exist adjacent comprising a music academy and a builder's storage yard.
- 2.3 The access road is narrow and is steep up to the junction with Lower Street. The access is also in close proximity to a junction serving The Rock, Tettenhall Road, Henwood Road and Lower Street which is some 100 metres away.

3. Application Details

- 3.1 The application is for outline planning permission with all matters reserved for demolition of existing industrial buildings and redevelopment of the site for five dwellings.
- 3.2 The application is primarily to renew an existing permission 11/01114/OUT granted 22 September 2011 which expires on 22 September 2014. Application 11/01114/OUT was granted 22 September 2011 however under the changes in procedure, the applicant has to re-apply to renew the permission.

4 Planning History

- 4.1 11/01114/OUT Application for Outline Planning Permission with all matters reserved for demolition of existing industrial buildings and redevelopment of site to provide five dwellings. Granted 22/09/2011.

5. Constraints

- 5.1 Conservation Area
Flood Risk Zone

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)
- 6.3 Supplementary Planning Guidance Note 3 – Residential Development
- 6.4 A Neighbourhood Plan for the Tettenhall Wards 2014-2026

7. Environmental Impact Assessment Regulations

- 7.1 This development proposal is not included in the definition of Projects that requires a “screening opinion” as to whether or not a formal Environmental Impact Assessment as defined by the above regulations is required.

8. Publicity

- 8.1 Three representations have been received. The concerns relate to the loss of employment and industrial units, access and traffic issues.

9. Internal Consultees

- 9.1 Environmental Health and Transportation – No adverse comments.

10. External Consultees

- 10.1 Environment Agency – No objections subject to appropriate conditions to prevent further pollution to controlled waters.

11. Legal Implications

- 11.1 Planning permissions are granted subject to time limits for implementation, which are set out in a planning condition. This condition will specify that the development must be begun before a certain date. Under s. 91 of the Town and Country Planning Act 1990, there is a default time limit of three years for a full planning permission. Section 92 deals with time limits for outline permissions, where there is a default time limit of three years for submission of reserved matters, and a further two years for implementation following final approval of the last of the reserved matters. The local planning authority has discretion to impose different time limits, if there are good planning reasons for doing so.
- 11.2 An application can be made to renew a planning permission but this is not possible where permission or consent has already expired at the time of application, or where the permission was granted after 1 October 2010. In such cases, a new application will have to be made. KR/11092014/O

12. Appraisal

- 12.1 Although not specifically identified for development within the UDP, the site is situated within a predominantly residential area and the provision of dwellings is considered acceptable in principle.
- 12.2 The site currently comprises a small number of commercial/industrial units which are no longer in use as the applicant has stated that there is no demand for these types of units in this location, the units are of sub-standard construction and problems with deliveries/suppliers accessing the site.
- 12.3 Policy TNP1 'Diverse Local Economy' of the Tettenhall Neighbourhood Plan seeks to support the local economy by retaining employment land and proposals should be resisted unless it can be demonstrated that it is no longer viable. The applicant has stated that in addition to there being no demand in these types of units, there are other material factors which have resulted in the units not being let which include access to the site, the small scale nature of the units and the economic climate.
- 12.4 The applicant has submitted an indicative plan and whilst not for determination, it shows that the site can accommodate five detached properties.
- 12.5 The proposal is considered to be acceptable in respect of transportation as the number of vehicles using the access is considered acceptable as these will be reduced from those of a commercial/industrial site to that of a residential development.
- 12.6 The NPPF introduces a presumption in favour of sustainable development and states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposal would represent sustainable

development, would improve the appearance of this site, provide housing and create jobs through the construction of the development.

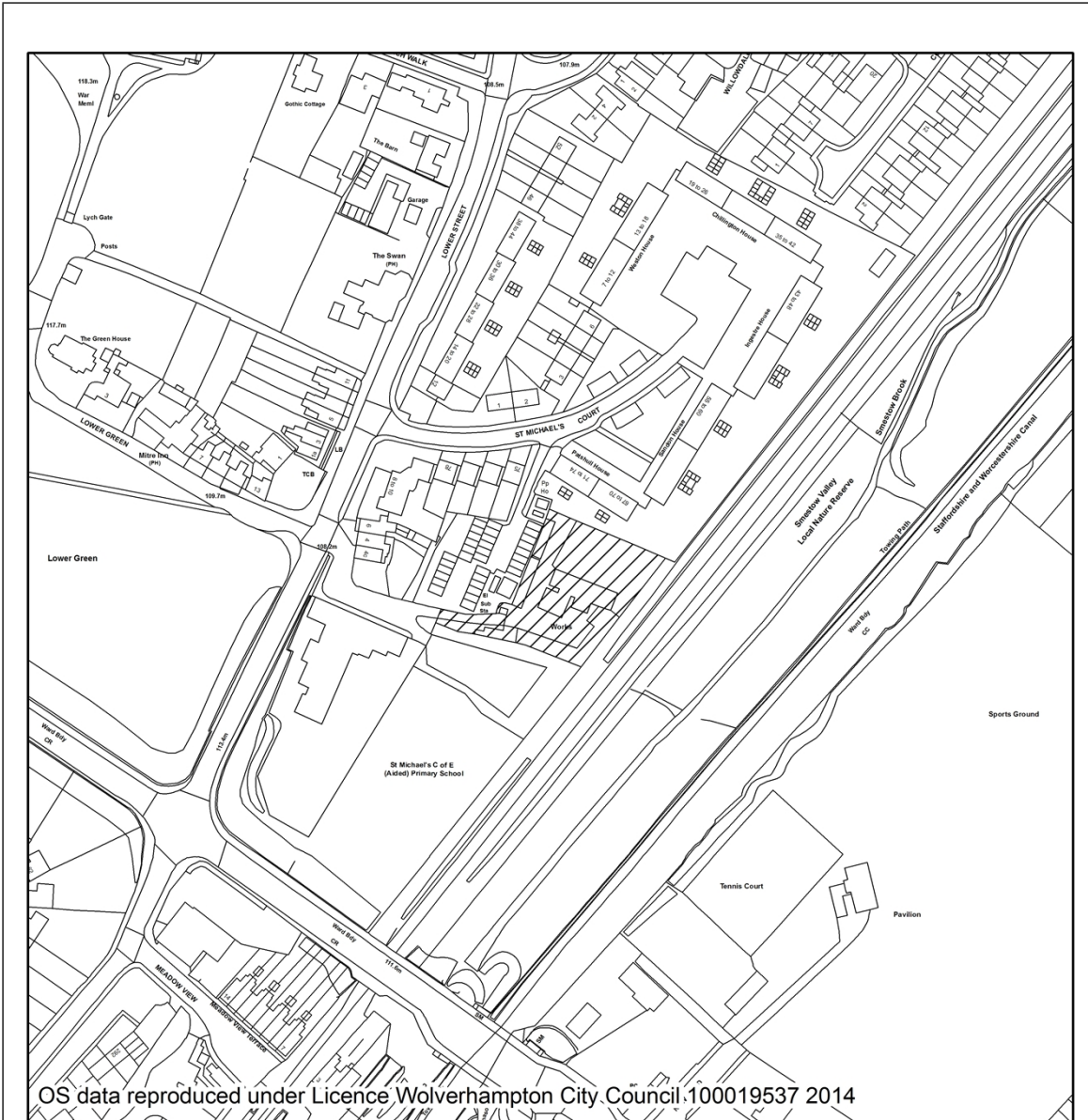
13. Conclusion

13.1 The development is considered acceptable and in accordance with the development plan.

14 Detailed Recommendation

14.1 That planning application 14/00697/OUT be granted, subject to any appropriate conditions including:

- Standard outline conditions
- Landscaping
- Detailed tree survey
- Transportation – access, site turning and parking layout
- Materials
- Bin stores
- Details of surface and foul water
- Flood risk assessment
- Contaminated land
- Construction Management Plan and hours of construction
- Removal of permitted development for extensions



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