

# Planning Committee

## Minutes - 25 April 2017

### Attendance

#### Councillors

Cllr Linda Leach (Chair)  
Cllr Dr Michael Hardacre (Vice-Chair)  
Cllr Greg Brackenridge  
Cllr Louise Miles  
Cllr Anwen Muston  
Cllr Phil Page  
Cllr John Rowley  
Cllr Judith Rowley  
Cllr Wendy Thompson

#### Employees

Helen Tambini	Democratic Services Officer
Stephen Alexander	Head of Planning
Lisa Delrio	Senior Solicitor
Ragbir Sahota	Planning Officer
Paul Lester	Planning Officer
Andrew Johnson	Planning Officer
Colin Noakes	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 Councillors Banger and Yardley.

**2        Declarations of interest**

There were no declarations of interest.

**3        Minutes of the previous meeting - 7 March 2017**

Resolved:

That the minutes of the previous meeting held on 7 March 2017 be approved as a correct record and signed by the Chair.

**4        Matters Arising**

There were no matters arising from the minutes of the previous meeting.

**5 17/00246/FUL - New Style Windows, 210 Newhampton Road West, Wolverhampton**

The Committee considered a report regarding application 17/00246/FUL, change of use to micro-pub (Use Class A4).

Andrew Johnson, Planning Officer reported on updates to the report since it had been published. An additional petition containing 12 signatures objecting to the proposal had been received, the total of objecting petitioners was now 26. A petition containing 159 signatures in support of the proposal, together with a letter of support from the Campaign for Real Ale (CAMRA) organisation had been received. Additional conditions were recommended restricting patrons to smoking at the rear of the premises, prohibiting smoking at the front of the premises and prohibiting outdoor drinking and beer gardens.

James McCann addressed the Committee and spoke in support of the application.

Councillor John Rowley referred to previous initial concern from local residents when another micro-pub had been established; however, those concerns had soon been allayed and that business was now well supported by the local community and it was hoped that this micro-pub would also provide the same community benefits.

In response to a question regarding parking provision, Tim Philpot, Lead Transport Officer confirmed that based on analysis from a similar establishment it was considered that there would be adequate provision.

Andrew Johnson confirmed that the additional conditions he had referred to would be included.

Resolved:

That planning application 17/00246/FUL be approved subject to the following conditions:

- Hours of operation (maximum 1100hours to 2300hours) and servicing.
- Noise attenuation scheme.
- Refuse storage.
- Restricting patrons to smoking at the rear of the premises.
- Prohibiting smoking at the front of the premises.
- Prohibiting outdoor drinking and beer gardens.

**6 16/01435/FUL - 37 Coseley Road, Wolverhampton**

The Committee considered a report regarding application 16/01435/FUL, extension to existing hand car wash to cover an area of adjacent grassed land.

A representative of the applicant addressed the Committee and spoke in support of the application.

In answer to a question regarding traffic flows, Tim Philpot, Lead Transport Officer confirmed that if the premises were to be extended it would require the exit for the premises to be moved closer to the roundabout and further information would be required.

Members of the Committee expressed concern that if the proposal was allowed it would result in the loss of a landscaped area along the Black Country Route and although it was acknowledged that the business was sound, the overall environmental impact, including a loss in biodiversity had to be considered.

Resolved:

That planning application 16/01435/FUL be refused for the following reasons:

- The proposal would result in the loss of the landscaped area to the Black Country Route which has a significant area of maturing tree cover. This would exacerbate the effects of climate change and lead to a loss in biodiversity and impact visual amenities.
- The application lacks a noise impact assessment in order to fully appraise the impacts of the proposal on the lack of amenities.
- The application lacks sufficient detail in respect of egress details and visibility, layout/circulation space, retaining wall and drainage details in order to fully appraise the impacts of the proposal on the adjacent highway.

**7 16/01407/FUL - Land at 33-37 Victoria Street, Wolverhampton**

The Committee considered a report regarding application 16/01407/FUL, erection of new building comprising 18, 1-2 bed apartments with 645sqm of retail space at ground floor level.

Members of the Committee stated that the proposed development would be a significant improvement to the current vacant site which was in a poor condition and should be commended.

Resolved:

That the Service Director, City Economy be granted delegated authority to approve planning application 16/01/01407/FUL subject to:

- (i) Completion of a Section 106 Agreement to secure:
  - Off-site public open space contribution of £30,000 for Canalside Quarter Public Realm Improvements.
  - 25% affordable housing.
  - 10% renewable energy.
- (ii) Any necessary conditions to include:
  - Submission of materials.
  - Details of bin stores.
  - Details of cycle parking.
  - Acoustic glazing to all habitable rooms.
  - Construction Method Statement.
  - Construction Management Plan.
  - Levels.

**8 17/00303/FUL - 4-6 High Street, Tettenhall, Wolverhampton**

The Committee considered a report regarding application 17/00303/FUL, change of use from shop (Class A1) to wine bar (Class A4).

Paul Lester, Planning Officer reported on updates to the report since it had been published. Additional conditions were recommended to restrict the storage of waste to inside the property only; to prohibit drinking outdoors and to regulate opening hours.

In answer to a question regarding the provision of a smoking area and how the issue of the access and use of the rear of the property would be resolved, Paul Lester confirmed that by imposing a condition to prohibit drinking outdoors it was envisaged that smokers would be discouraged from standing outside. The premises close by were an optician and an estate agents so in the evening it was likely to be quiet with little pedestrian traffic. Regarding the yard, if the applicant was unable to come to an agreement with the owner of the premises at the rear, the additional condition would ensure that any waste would have to be stored inside the premises.

Members of the Committee expressed concern that there was a degree of ambiguity in how the proposed business would operate in respect of opening hours, provision for smoking and access to the rear of the property, including an appropriate access for fire safety and suggested that further clarification on those matters was required.

Paul Lester confirmed that he would seek clarification from the Fire Authority regarding the access issue.

Resolved:

That consideration of application 17/00303/FUL be deferred to allow further dialogue and consultation with the applicant and related parties on the issues raised by the Committee.

**9 17/00278/TEL - Severn Trent Water Authority, Regis Road, Wolverhampton**

The Committee considered a report regarding an application for prior notification 17/00278/TEL, the installation of a 15m green monopole with 3 antennas and 1 microwave dish, 3 equipment cabinets and a meter cabinet within a fenced compound and works ancillary thereto.

Ragbir Sahota, Planning Officer, reported on updates to the report since it had been published. It had been confirmed that if the existing mast was to be shared the height of the mast would have to be increased to such an extent that it would be visually detrimental and therefore the application for the second mast had been submitted. The street furniture/fire tower was also not appropriate to house any telecommunications equipment and its height would make it visually more prominent.

In answer to a question he confirmed that a similar application at a different site was refused by Committee on the grounds of visual intrusion; however, the Council had lost on appeal. He confirmed that this application was less visually intrusive.

Councillor John Rowley stated that although he understood the concerns of local residents, the site would be well screened and the environmental impact would not be significant.

Councillor Thompson expressed concern that an additional mast so close to an existing mast was not ideal and it would be more appropriate to consider modifying

the existing mast. However, if an additional mast was required additional screening to reduce the visual impact should be considered.

Councillor Miles expressed concern that this application had generated considerable public interest; however, due to the tight deadline, the Committee had to make a decision today and it was requested that timescales were reviewed.

Stephen Alexander, Head of Planning confirmed that if the existing mast was modified it would be considerably higher and visually intrusive. The additional mast would be more acceptable in terms of visual amenity. He also confirmed that if this was refused it was probable that the Council would lose on appeal.

Lisa Delrio, Senior Solicitor confirmed that under the Council's Constitution applications were decided by delegated authority. This application had come before the Committee due to the large number of objections from local residents.

Resolved:

That prior approval be granted.