



# Planning Committee

18 November 2014

<b>Planning application no.</b>	14/00934/FUL
<b>Site</b>	Former Police Station, Birmingham Road, Wolverhampton
<b>Proposal</b>	Conversion and extension to create 28 apartments
<b>Ward</b>	Blakenhall
<b>Applicant</b>	Mr K Samra
<b>Agent</b>	Mr Jacob Sedgemore
<b>Cabinet Member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Accountable director</b>	Tim Johnson, Education and Enterprise
<b>Planning officer</b>	Name Tracey Homfray Tel 01902 555641 Email Tracey.homfray@wolverhampton.gov.uk

## 1 Summary Recommendation

- 1.1 Delegated authority to the Strategic Director for Education and Enterprise to grant planning permission subject to negotiation and completion of a Section 106 Agreement and appropriate conditions.

## 2. Application site

- 2.1 This former Police Station occupies a prominent position on the corner of Grove Street and Birmingham Road. There are commercial uses adjoining the site, with a bus/car parking depot to the west, Enterprise Car Rental to the north, a Ford Dealership (Commercial and Domestic Vehicles) on the opposite side of the Birmingham Road and other industrial uses on the opposite side of Grove Street.
- 2.2 There is an enclosed yard at the rear of the building, accessed off Grove Street.

## 3. Application Details

- 3.1 This application follows an earlier application for the creation of 32 apartments (13/00763/FUL) which was refused at Planning Committee on 6<sup>th</sup> May 2014.

- 3.2 The revised proposal comprises of a conversion into apartments with the removal of rear outbuildings, two first floor rear extensions, and the inclusion of new windows in the eastern, southern and western elevations at second floor level. This amended scheme has been reduced in scale, from 32 apartments to 28 (13 with one bedroom and 15 with two bedrooms). The layout has been amended to include pockets of communal landscaped areas, green walls, green roof tops and deeper windows to the proposed basement apartments, to improve the amenities for future occupiers. The vehicle access from Grove Street would remain, leading to the secure car parking courtyard, where the proposal now includes an increased number of parking spaces, from 16 to 18, and providing areas of cycle/motorcycle parking and bin storage.

#### **4. 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)  
Supplementary Planning Guidance Note 3 Residential Development

#### **5. Environmental Impact Assessment Regulations**

- 5.1 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.

#### **6. Publicity**

- 6.1 One representation has been received, objecting on the following grounds:
- Potential for complaints about noise / smell from commercial uses could restrict businesses.

#### **7. Internal Consultees**

- 7.1 Transportation – no objection
- 7.2 Environmental Services – no objection subject to air quality / noise assessments and mitigation.

#### **8. Legal Implications**

- 8.1 Planning Obligations must as a matter of law comply with the following tests, namely they must be:
- i) Necessary to make the development acceptable in planning terms
  - ii) Directly related to the development and
  - iii) Fairly and reasonably related in scale and kind to the development
- [LD/28102014/A]

## 9. Appraisal

- 9.1 The area is identified in the Black Country Core Strategy for employment uses. However, because a Police Station is not categorised as an employment use in policy terms, there would be no loss of employment land and so no objection to the residential conversion. Also, the site has been vacant for approximately 24 months and it is important that it is brought back into use rather than fall into dereliction
- 9.2 The appearance from the surrounding roads would not change significantly.
- 9.3 Because this is a conversion of an existing building, there are some compromises with the internal layout, and external space. Some of the apartments would be single aspect and/or have a northerly aspect and some window to window distances are less than 11m. Also there would be little amenity space for residents. However, following the reasons for refusal on the previous application, the applicant has now reduced the number of apartments, increased the parking and provided alterations in the form of larger windows for the basement apartments, and introduced pockets of communal landscaped areas, wall climbers and roof top landscaped areas, to improve the amenities for future occupiers. Therefore, on balance and taking into account the desirability of bringing this prominent building back into use and the provision of 28 homes near to the facilities of the City Centre, the proposal would be considered acceptable.
- 9.4 The scheme of apartments has been reduced in number and the car parking/motorcycle and cycle provision has been increased, therefore, the proposal with respect to transportation is considered to be acceptable.
- 9.5 The close proximity of commercial uses and main roads has the potential to cause noise and air quality problems. A condition requiring a noise and air quality study and mitigation measures is therefore required.
- 9.6 In accordance with development plan policies there is a requirement for the following:
- Affordable housing (25%)
  - Off-site open space and play contribution (£71,876.10)
  - 10% renewable energy generation
  - Targetted recruitment and training
  - Management company
- 9.7 The applicant has requested that these requirements are waived on the basis of financial viability, supported by a financial viability appraisal. It would be appropriate and in accordance with local and national policy to reduce Section 106 requirements commensurate with the lack of financial viability.
- 9.8 The District Valuer has now confirmed that the development would not be sufficiently viable to provide an off-site open space/play contribution or renewable energy generation, and affordable housing.

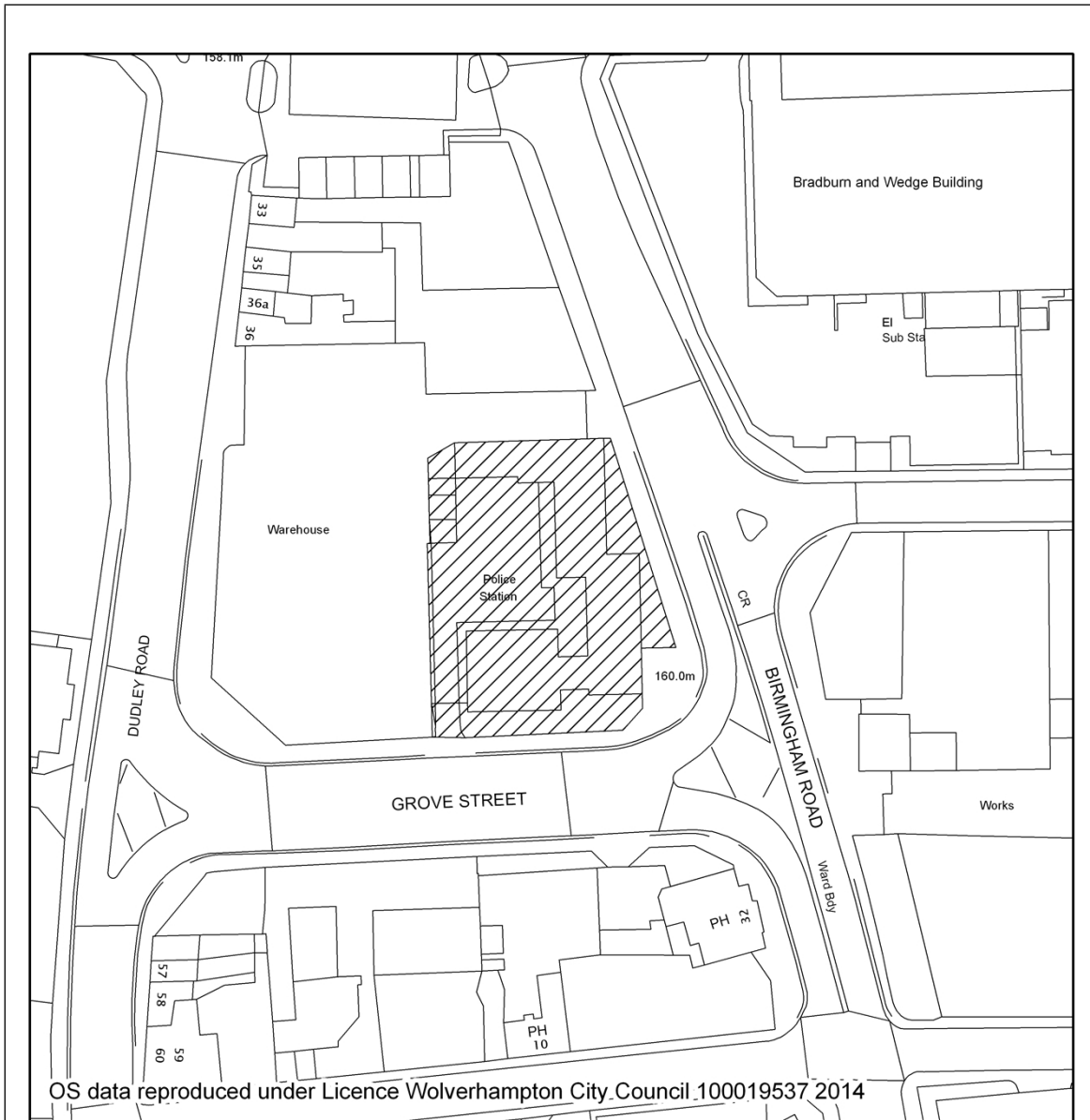
## 10. Conclusion

10.1 Subject to a Section 106 and conditions as recommended, the proposal would be acceptable and in accordance with the development plan.

## 11 Detailed Recommendation

11.1 That the Strategic Director of Education and Enterprise be given delegated authority to grant planning application 13/01262/FUL subject to:

- (i) Completion of a Section 106 Agreement requiring:
  - Open space / play contribution, renewable energy and the balance of the affordable housing to be waived, on a pro-rata basis, for all apartments which are ready for occupation within 3 years of the date that a lack of viability is demonstrated.
  
- (ii) Any appropriate conditions including:
  - Noise/air quality assessment and mitigation measures
  - Materials / window details;
  - Car/cycle/motorcycle parking provision
  - Security gates – details and provision
  - Bin store provision;
  - Landscaping



**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.