

<b>Planning application no.</b>	18/00078/OUT	
<b>Site</b>	Wolverhampton Environment Centre, Westacre Crescent, Wolverhampton	
<b>Proposal</b>	Outline permission for the demolition of derelict glasshouses and ancillary buildings, to include the derelict bungalow and the redevelopment of the site with 14 x two-storey dwellings, along with access road and car parking (all matters reserved)	
<b>Ward</b>	Tettenhall Wightwick	
<b>Applicant</b>	City of Wolverhampton Council	
<b>Cabinet member with lead responsibility</b>	Councillor John C Reynolds Cabinet Member for City Economy	
<b>Accountable Director</b>	Keren Jones, Service Director, City Economy	
<b>Originating service</b>	Planning	
<b>Accountable employee</b>	Colin Noakes	Planning Officer
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## 1.0 Summary recommendation

- 1.1 Grant subject to conditions.
- 1.2 Require and authorise a Section106 Agreement (to be signed by the purchaser from City of Wolverhampton Council immediately after the purchase and after planning permission, having already been granted) requiring a payment to meet the costs of 10 years maintenance of the remainder of the WEC as part of the Smestow Valley Local Nature Reserve.

## 2.0 Background

- 2.1 The redevelopment of the Wolverhampton Environment Centre (WEC) was the subject of extensive public engagement, prior to the submission of the planning application. Residents were leafleted and four public meetings were held in 2016 which were facilitated by the Finchfield and Castlecroft Community Association and the Tettenhall

Neighbourhood Plan Steering Group. A further public meeting was held on 13 June 2017 to show residents indicative layouts.

- 2.2 In November 2017 planning permission was granted for change of use of the undeveloped part of the WEC to public open space and nature reserve, with provision for allotments. This will allow works to be undertaken to facilitate public access and the enhancement of biodiversity and for future management and maintenance.
- 2.3 To generate income to pay for capital works and future management and maintenance it is proposed to obtain planning permission for residential development on the previously developed part of the WEC and then sell that part.
- 2.4 It is not possible to use a capital receipt for revenue expenditure (e.g. management and maintenance). However, it is possible for a Section 106 obligation to make such provision. Therefore, it was the resolution of Cabinet (Resources) Panel on 28 February 2017 that the purchaser of the housing site (WV Living) will enter into a Section 106 Agreement to pay £80,000 to meet the costs of maintenance of the remainder of the WEC for 10 years. If Councillors are minded to grant permission for this application they are asked to authorise this Section 106.

### **3.0 Application site**

- 3.1 The application relates to a previously developed (brownfield) site located within the former Wolverhampton Environment Centre (WEC). The remainder of the WEC mainly comprises overgrown woodland. There is a fence around the WEC and there is no public access.
- 3.2 The WEC is within the Green Belt. It is surrounded on three sides by the Smestow Valley Local Nature Reserve. To the east, on the other side of the former railway line is housing in Westacre Crescent. The application site is currently occupied by dilapidated glasshouses, ancillary buildings and a bungalow. The site was previously used as an education facility which closed in 2014 and has remained vacant since.

### **4.0 Application details**

- 4.1 The application proposes the demolition of the existing dilapidated buildings and redevelopment of fourteen, two-storey houses. All matters of detail are reserved for subsequent approval. Vehicular access would be from Westacre Crescent, as it is now.

### **5.0 Relevant policy documents**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 The Development Plan:  
Wolverhampton Unitary Development Plan (UDP)  
Black Country Core Strategy (BCCS)  
Tettenhall Neighbourhood Plan (TNP)

## **6.0 Publicity**

6.1 12 letters of objection have been received.

The reasons for objection include:

- (i) Impact on the Green Belt.
- (ii) Increase in road traffic and road parking.
- (iii) Impact on wildlife.
- (iv) Contrary to policy.
- (v) The setting of a precedent for future development.

6.2 Two letters of support from representatives of the Finchfield and Castlecroft Community Association were received.

They gave broad support to the proposal, providing:

- (i) The developed area is contained within the brownfield site.
- (ii) Restrictions on house extensions are placed on future occupiers.
- (iii) Houses are no more than two-storeys high.
- (iv) Monies generated from the future sale are used on the wider WEC area.

## **7.0 Consultees**

7.1 Ecology: The submitted ecological and protected species surveys are satisfactory. No further ecological survey work is required. Recommend a condition requiring implementation of the report's recommendations.

7.2 Highways: no objections subject to conditions.

## **8.0 Legal implications**

8.1 The requirement for the £80,000 would ordinarily be included in a planning obligation pursuant to Section 106 of the Town and Country Act 1990 (as amended) provided by the landowner. The landowner is the City Council which cannot enter into a Section 106 planning obligation with itself. Therefore, immediately after the transfer of land from the City Council the purchaser must complete the Section 106 planning obligation.  
[LD/06032018]

## **9.0 Appraisal**

9.1 The main issues for consideration are:

- Principle of development (including Green Belt policy).
- Ecology.
- Access and car parking.

- 9.2 The application site is within the Green Belt. The NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate. However, an exception is “partial or complete redevelopment of previously developed sites (brownfield land)...which would not have a greater impact on the openness of the Green Belt ...”.
- 9.3 The application site comprises previously developed brownfield land. The proposed development would not extend beyond the previously developed area, would be no more than two-storey and would have a volume no greater than the volume of the existing buildings. Therefore, the development would have no greater impact on openness and so would not be inappropriate.
- 9.4 Policy TNP6 of the TNP sets out aspirations for the WEC. There is a desire for the site to be used for community purposes, preserve the openness of the green belt and nature conservation. While there is no provision within the Policy for residential use, the application site equates to only 10% of the WEC and its sale would generate funds to achieve the policy’s aspirations for the other 90%.
- 9.5 The WEC provides a wildlife habitat and is surrounded on three sides by the Smestow Valley Local Nature Reserve. Ecological surveys have been carried out and these have been appraised by the Council’s Ecologist. He has raised no objections to the proposal providing the recommendations contained within the submitted reports are followed. The proceeds from the sale of the housing site would allow 90% of the WEC to be incorporated into the adjoining Nature Reserve, to be managed for nature and public access.
- 9.6 The existing private drive from Westacre Crescent will need to be widened and upgraded. The details of this and of parking provision will be covered at the reserved matters stage.

## **10.0 Conclusion**

- 10.1 The proposal would be in accordance with Green Belt Policy and would facilitate aspirations of the TNP for 90% of the WEC. Therefore, the proposal is acceptable and in accordance with the development plan.

## **11.0 Detail recommendation**

- 11.1 That planning application 18/00078OUT be granted planning permission subject to conditions including:
- Levels survey.
  - Drainage details.
  - Removal of PD rights.
  - Control external lighting.
  - Demolition and Construction Management Plan.
  - Implementation of ecological report recommendations.
  - Max two-storey.

- Max volume.
- Parking only in designated areas.
- Parking spaces only to be used for parking.

11.2 That a Section 106 agreement is required and authorised (to be signed by the purchaser from City of Wolverhampton Council immediately after the purchase after planning permission is granted) requiring the payment of £80,000 to meet the costs of 10 years maintenance of the remainder of the WEC as part of the Smestow Valley Local Nature Reserve.

