



Planning Committee

20 January 2015

Planning application no.	14/01161/FUL
Site	The Bushbury Arms, Showell Circus
Proposal	Construction of 24 houses and 4 apartments, and conversion of former public house into 10 apartments
Ward	Bushbury South and Low Hill
Applicant	Wonderful Homes & Wrekin Housing Trust
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Tim Johnson, Education and Enterprise
Planning officer	Name Andy Carter Tel 01902 551132 Email andy.carter@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Delegated authority to grant subject to a S106 agreement.

2. Application site

2.1 The application site is 0.7ha in size and located 3 miles north of the city centre. The locally listed public house is in a prominent position fronting Showell Circus. The site is bounded by houses to the north and west. On the opposite side of Jenks Avenue is Low Hill Library, a grade II listed building.

2.2 A number of mature protected trees are located in the former beer garden.

3. Application Details

3.1 The proposals are to convert the original public house into ten, one bedroom apartments. 24 houses and 4 one bedroom apartments would be built on land surrounding the public house (previously the car park and beer garden). Access to the houses and apartments is proposed from Jenks Avenue in a cul-de-sac arrangement. The applicant states that the development would comprise affordable housing throughout (although the planning requirement is only for 25% of the dwellings to be affordable).

3.2 Each house would have off-road parking at a minimum of one space, and in the majority of cases two spaces. The apartments would have one parking space each.

4. Planning History

4.1 10/00862/FUL - Erection of five, three bed dwellings on land fronting Thorne Avenue - granted.

4.2 10/00244/FUL - Erection of nine 2 bedroom flats – granted

5. 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)

6. Environmental Impact Assessment Regulations

6.1 A “screening opinion” as to whether or not a formal Environmental Impact Assessment has been provided to the developer advising that an EIA is not required.

7. Publicity

7.1 No representations have been received.

8. Internal Consultees

8.1 Transportation, Landscape & Ecology, and Environmental Health – No objection

9. Legal Implications

9.1 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or its setting the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possess. Legal implications Reference LM/05/05012015/Q.

10. Appraisal

10.1 The key issues are:-

- Loss of the Public House
- Heritage, Design and Layout
- Impact on neighbouring properties
- Impact on trees
- Section 106 requirements

Loss of a Community Meeting Place

- 10.2 The pub closed a number of years ago and has suffered arson attacks since. Following a period of unsuccessful marketing to continue the use as a pub, it was concluded that it would be economically unviable, and an alternative use was required to retain the building. The regeneration benefits of the proposals, and conversion of locally significant building outweigh the loss of the community meeting place.

Heritage, Design and Layout

- 10.3 The development would see the retention of the locally listed former public house. Built in 1928, it is a prominent building in the street scene. The unsympathetic side extensions would be demolished to provide amenity space for the ten apartments within the conversion. The proposals are to frame the locally listed former public house with two storey buildings on either side. Gabled roof forms and proposed materials (brickwork and render) draw on the design themes of the pub.

- 10.5 The proposed houses fronting Jenks Avenue, maintain consistency in the street scene and do not negatively impact on the scale and townscape benefits which the listed Low Hill library provides.

- 10.6 Semi-detached housing is the predominant house type along Jenks Avenue and Thorn Avenue. The proposed development would continue this characteristic in the street scene, reinforcing the sense of scale in the local area.

- 10.7 The proposed layout would achieve minimum garden sizes for all houses, and would provide an area of shared amenity space for the 14 apartments. All parking is design to be within curtilage and achieves minimum parking space requirements.

- 10.8 The housing development would make a positive contribution to the local area, introducing new affordable housing stock, and re-using a currently vacant pub site.

Impact on neighbouring properties

- 10.9 The distance separation between the proposed houses and the existing dwellings surrounding the site is above the 22m required within the Council's standards. The site includes part of the rear garden of 2 Jenks Avenue. The resultant garden at this property would achieve minimum garden space requirements of 55sqm.

Impact on trees

- 10.10 The proposed layout would incorporate the majority of the mature protected trees within the gardens of the houses. The protected trees alongside Jenks Road would be removed, but are deemed to be of limited value. Further trees would be planted within the development as part of the landscaping scheme.

Section 106 requirements

- 10.11 There is a policy requirement for the following to be secured through a S106 agreement:
- £161,428 off-site open space contribution
 - 25% affordable housing
 - Targeted recruitment and training

10.12 The applicants have advised that they will submit a financial viability appraisal with the intention of demonstrating that the development is not sufficiently viable to fund all of the normal S106 requirements.

10.13 It would be appropriate to reduce the S106 requirements, on a pro-rata basis, commensurate with any lack of viability which may be demonstrated, with such a reduction being for a 3 year period only, to reduce the likelihood that the developers would benefit unduly from rising home prices making the development viable.

11. Conclusion

11.1 Subject to conditions and a S106 as recommended, the proposal would be acceptable and in accordance with the development plan.

12. Detailed Recommendation

12.1 That the Strategic Director Place be given delegated authority to grant planning application 14/01161/FUL subject to:

(i) A S106 agreement for the following (if the development is sufficiently financially viable) :

- £161,428 off-site open space contribution
- 25% affordable housing
- Targeted recruitment and training

If the development is not fully financially viable:

A reduction in Section 106 requirements commensurate with the shortfall in viability on a pro-rata basis for all dwellings that are ready for occupation within 3 years of the date that a lack of viability is established, with the full (pro-rata) requirement falling on all dwellings that are not ready for occupation by that date

(ii) any appropriate conditions including:

- Materials;
- Landscaping;
- Tree protection measures;
- Construction Management Plan;
- Drainage
- Site Investigation
- 10% renewable energy
- Hours of construction;
 - 0800 to 1800 Monday to Friday
 - 0800 to 1300 Saturday,
 - at no time on Sundays or Bank and Public Holidays.

