



# Planning Committee

1 April 2014

<b>Planning application no.</b>	13/01172/FUL
<b>Site</b>	92 Trysull Road
<b>Proposal</b>	Change of use from retail to children's day nursery (use class D1)
<b>Ward</b>	Merry Hill
<b>Applicant</b>	Banana Moon Day Nursery Ltd
<b>Agent</b>	Mr Joel Hancock
<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 Mark Elliot Tel 01902 555648 Email Mark.elliott@wolverhampton.gov.uk

## 1. Summary Recommendation

1.1 Grant subject to conditions

## 2. Application site

2.1 The site comprises 92 Trysull Road, a single storey detached retail unit. The premise has been vacant since July 2013.

2.2 The building is positioned to the front of the site with a car park to the rear which is accessed from Trysull Road and contains several unoccupied garages. There is also provision for parking to the front of the building. The surrounding area is predominantly residential.

## 3. Application Details

3.1 It is proposed to change the use of the existing building from retail to a children's nursery that could accommodate up to sixty-six children. The proposed use would provide up to fifteen full time and ten part time jobs.

3.2 The building would be accessed from the rear with the doors to the front of the building to be only used as a means of an emergency escape.

- 3.3 An outdoor play area is proposed to the rear of the building.
- 3.3 The proposed hours of opening would be 07.30 to 18.30 hours Monday to Friday.
- 3.4 The application has been supported by a Transport Statement.

#### **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)
- 4.3 Supplementary Planning Guidance Note 9 'Day Nurseries'

#### **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 Four letters of objection and a petition containing twenty-eight signatures opposing the proposal can be summarised as follows;
  - Inadequate vehicle access and parking provision
  - Adverse impact on highway safety and pedestrian safety
  - Increased traffic congestion and parking on surrounding streets
  - Noise disturbance
  - Loss of retail unit

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

- 7.1 Transportation – No objection
- 7.2 Environmental Health – No objection

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

- 8.1 There are no legal implications arising from this report (LD/18032014/A).

#### **9. Appraisal**

- 9.1 The key issues are:-

- Loss of retail unit
- Highway safety
- Noise and disturbance

9.2 Loss of retail unit

The site is in proximity to the Bradmore Local Centre and therefore the loss of a retail unit would not harm people's accessibility to nearby convenience facilities. The premise has been vacant since July 2013 and the change of use would bring the building back into an active use providing investment and job opportunities. The proposed loss of the retail unit is acceptable.

9.3 Highway safety

The proposal provides adequate parking facilities to the front and rear of the premises. Staff parking would be restricted to the front of the building with parking to the rear for customers. Although the access drive to the rear car park is narrow it is wide enough to allow two vehicles to pass. The proposal and accompanying Transport Statement satisfactorily demonstrates that the proposed use would not have a significant impact on highway safety.

9.4 Noise and disturbance

Objections have been made to the proposal on grounds of noise disturbance from children using the outdoor play space. It is stated that the space would generally only be used in the summer months and by no more than twelve children at any one time. The proposed use would therefore not have a significant impact on amenity in terms of noise disturbance.

**10. Conclusion**

10.1 The proposal would be acceptable and in accordance with the development plan.

**11 Detailed Recommendation**

11.1 That planning application 13/01172/FUL be granted, subject to any appropriate conditions including:

- Hours of use
- Signage for staff parking to front of building
- No more than 12 children playing outside at any one time
- Site investigation to rear of site only.



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