



Planning Committee

21 July 2015

Planning application no.	14/01283/FUL
Site	The Ashmore Public House, Griffiths Drive, Wednesfield
Proposal	Erection of two retail units, including an ATM, refuse and plant area.
Ward	Wednesfield North
Applicant	New River Retail Property Trust No. 4
Agent	Tom Hallett, Peter Brett Associates
Cabinet Member with lead responsibility	Councillor Peter Bilson Economic Regeneration and Prosperity
Accountable director	Nick Edwards Service Director City Assets
Planning officer	Name Ann Wheeldon Tel 01902 550348 Email Ann.wheeldon@wolverhampton.gov.uk

1. Summary Recommendation

1.1 Grant subject to conditions.

2. Application site

2.1 The application site is a grassed area within the car park to the existing Ashmore Public House. It is located within Ashmore Park local centre and has residential dwellings situated to the rear. There is a levels difference within the site with the land level sloping away towards the dwellings to the south and beyond.

3. Application details

3.1 The application is for the erection of two retail units, including an ATM, refuse and plant area within the car park of the pub. The public house will be retained.

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)

5. **Publicity**

- 5.1 A 130-name petition and four letters of objection have been received on the following planning grounds:
- Loss of trade to existing shops
 - Loss of jobs
 - Increased traffic will lead to noise and pedestrian safety issues
 - Loss of light and privacy to neighbouring dwellings
 - Height of the proposed fence

6. **Internal Consultees**

- 6.1 Transportation: no objections
- 6.2 Environmental Health: conditions regarding hours of operation during construction, hours of use and deliveries, noise report regarding proposed location of fixed plant, demolition method statement, construction management plan, specification of acoustic fence.

7. **External Consultees**

- 7.1 Coal Authority: Coal Mining Risk Assessment required.

8. **Legal Implications**

- 8.1 The National Planning Policy Framework states that in assessing and determining planning applications, Local Planning Authorities should apply a presumption in favour of sustainable development.
- 8.2 Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects. Reference LM/09072015/P.

9. **Appraisal**

- 9.1 The application site is located within Ashmore Park Local Centre and therefore the principle of creating new retail units is acceptable. Any potential loss of trade to existing units would not be a material planning consideration in this case. The applicant states the proposal will create six full time positions and 14 part time jobs.
- 9.2 The proposal would allocate 14 parking spaces for the new retail units and 24 parking spaces for the public house. This would be an acceptable parking provision for both the proposed units and the existing pub (as the existing car park to the rear of the pub is not currently extensively used) with sufficient remaining area for vehicle manoeuvring and would not result in any detrimental impact to pedestrians either inside or outside the site.

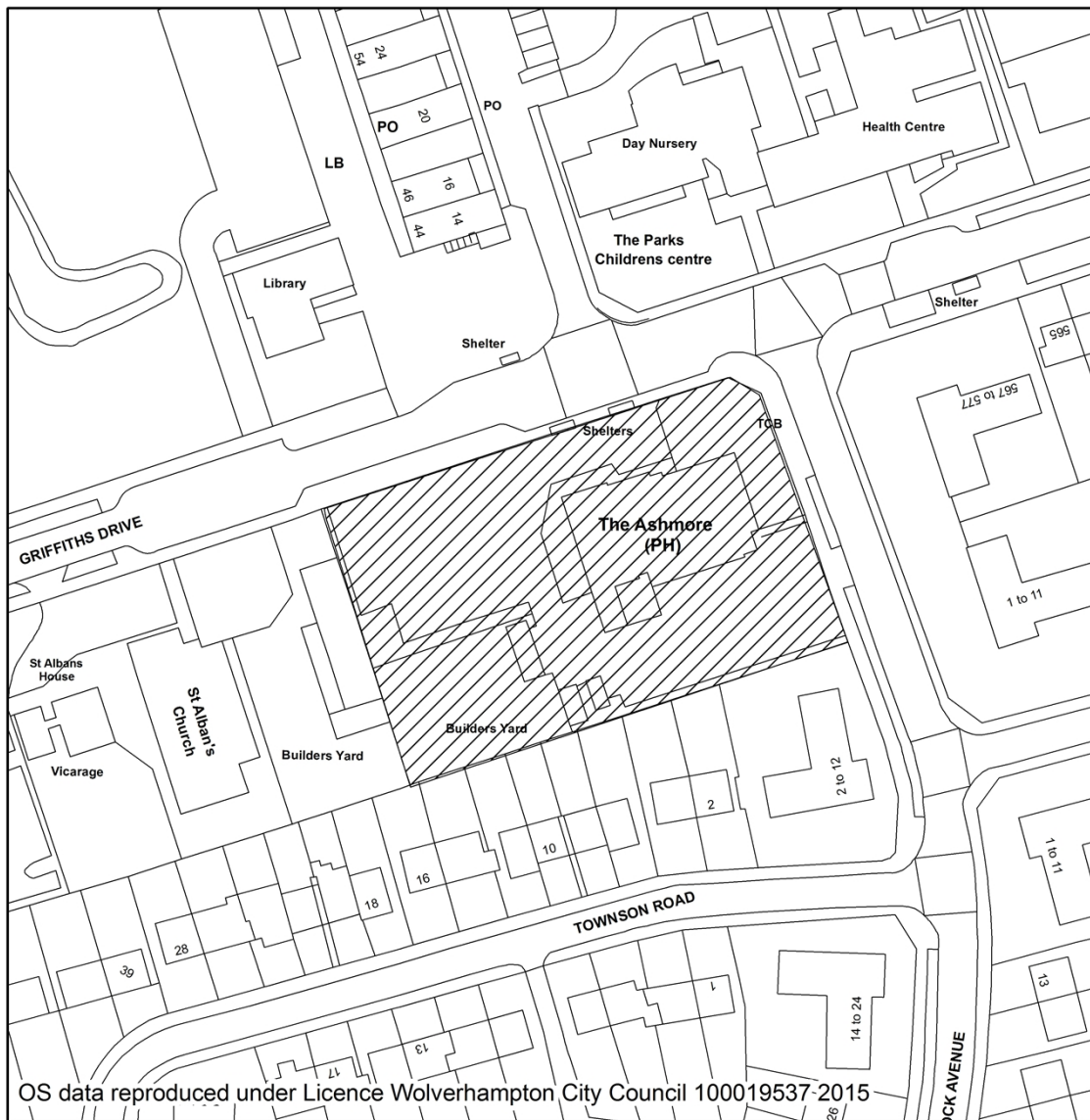
- 9.3 The proposed new building would complement the existing building line and would be of a good design, with two front gables and clear glazing panels comprising the majority of the front elevation.
- 9.4 The rear elevation of the proposed new building would be located approximately 19.1m from the dwelling immediately to the rear (14 Townson Road). The roof would be hipped to minimise the impact on the neighbours to the rear and would measure approximately 3.7m at the point nearest to the dwellings at the rear. Whilst the proposed building would have an impact on the dwellings to the rear of the site, including loss of daylight, this would not be of such a material nature to warrant refusal of the application
- 9.5 The proposed service areas would be located to the rear of the building. This area would be surrounded by an acoustic fence to minimise the noise impact on the adjacent dwellings. The ramp up to the shop would measure approximately 2.6m in height but would be located approximately 2.6m from the boundary and this would be shielded by an acoustic fence and landscaping, therefore it would not have an unacceptable impact on the dwellings to the rear.
- 9.6 In order to further minimise the impact on these dwellings hours of operation would be limited by condition (store opening hours: 0700-2300 Mondays to Saturdays and 0800-2300 Sundays and Bank Holidays. Deliveries and refuse collection 0800-1800 Monday to Saturdays and 0900-1800 Sundays and Bank Holidays).

10. Conclusion

- 10.1 Subject to the recommended conditions, on balance the development would be acceptable and in accordance with the development plan.

11. Detailed Recommendation

- 11.1 That the planning application be granted subject to a satisfactory coal mining risk assessment and any necessary conditions, to include:
- Hours of operation and delivery
 - Submission of materials
 - No vinyls, shelves, curtains, shutters etc to cover the glazing on the front elevation
 - Specification of acoustic fencing to be installed and maintained
 - Car parking to be implemented and maintained as shown
 - Existing access to Peacock Avenue to remain open during opening hours
 - Noise survey
 - Demolition method statement
 - Construction management plan
 - Limited construction hours (0800-1800 Monday to Saturday and 0800-1300 Sunday)
 - 2000 gauge damp proof membranes in the new buildings
 - Design of cycle parking



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