



# Planning Committee

21 July 2015

<b>Planning application no.</b>	15/00524/FUL
<b>Site</b>	Former Bird In Hand Public House, School Road, Tettenhall Wood
<b>Proposal</b>	Erection of Convenience Store adjacent to former Bird in Hand Public House
<b>Ward</b>	Tettenhall Regis
<b>Applicant</b>	Mrs Cora Turner-Collis
<b>Agent</b>	Mr Bruce Jones - Development Project Services
<b>Cabinet Member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity
<b>Accountable director</b>	Nick Edwards, Service Director, City Assets
<b>Planning officer</b>	Name Paul Lester Tel 01902 555625 Email paul.lester@wolverhampton.gov.uk

## 1. Summary Recommendation

1.1 Grant subject to conditions

## 2. Application site

2.1 The application site is located on the corner School Road, Penk Rise and Yew Tree Lane and has an area of 0.28 ha. It comprises the whole of the former pub car park and land to the rear (north) of the building. The public house was converted in 2012 under permitted development rights to three units, it is presently occupied by a café, hairdresser and an interior design shop.

## 3. Application Details

3.1 The proposal is for a single storey shop, with a net floor space of 304 sq m. Bugdens are the proposed operator.

- 3.2 The car park would be re-configured to provide parking for both the existing businesses within the former pub building and the proposed convenience store. An improved access is proposed from Penk Rise.

#### **4 Planning History**

- 4.1 12/00275/FUL –Installation of replacement windows and doors, new shopfront and external cedar cladding. Granted 12 April 2012.

#### **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)  
Tettenhall Neighbourhood Plan (TNP)

#### **6. Publicity**

- 6.1 A total of 25 representations have been received, 24 object and 1 is neutral, these are summarised below:

- Parking
- Highway congestion
- Noise
- Servicing and opening hours
- Overdevelopment
- Pollution
- Anti-social behaviour
- Too many convenience stores
- Loss of green area
- Public safety
- Increase in rubbish
- Goods sold

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

- 7.1 Environmental Health & Transportation – See appraisal

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

- 8.1 The National Planning Policy Framework (NPPF) states that in assessing and determining planning applications, Local Planning Authorities should apply a presumption in favour of sustainable development.
- 8.2 In addition, the NPPF also indicates that planning authorities should look for solutions rather than problems and work proactively with applicants to secure developments that

improve the economic, social and environmental conditions of the area. Reference LM/09072015/R.

## 9. Appraisal

9.1 The key issues are:

- Principle of development
- Impact on residential amenity
- Transportation
- Design

Principle of development

9.2 The site occupies an out-of-centre location in policy terms. However, the size of the proposed store is modest and so would predominantly provide for top-up shopping for local residents, there are no sequentially preferable sites for the proposed development.

9.3 There is no clear evidence that the proposals would cause a “significant adverse impact” on Tettenhall Wood Local Centre, which is not exhibiting any clear signs of weakness, has good environmental quality, diversity of uses including specialist retailers and no vacancies.

9.4 The proposal would create 15 full time and 10 part time jobs and contribute to delivering economic growth and regeneration, enhancing consumer choice and competition.

9.5 The proposal is acceptable in planning terms, subject to conditions restricting the net floor space of the scheme to minimise the impact of the development on the designated centre.

Impact on residential amenity

9.6 Environmental Health have recommended the following hours of use

Store Opening:

0700 hrs to 2300 hrs. - Mondays to Saturdays.

0800 hrs to 2300 hrs - Sundays and Bank Holidays.

Goods deliveries, despatch and collection of refuse:

0800 hrs to 1800 hrs - Monday to Saturdays.

0900 hrs to 1800 hrs - Sundays and Bank Holidays.

9.7 Environmental Health are concerned that any external plant, such as air conditioning units, could generate noise to the detriment of neighbours amenity. No details of such equipment have been submitted and so a condition is recommended that would require details of any such equipment to be submitted for approval.

## Transportation

- 9.8 The development proposes to reconfigure the existing car parking areas to ensure there are sufficient levels of car parking. The 41 car parking spaces proposed are slightly in excess of the required level for the existing commercial uses and the proposed convenience store.
- 9.9 Whilst there would be an increase in traffic associated with the proposed store, this would not generate a significant impact on traffic flow or highway safety on Penk Rise or the surrounding roads.
- 9.10 The site access on Penk Rise would be widened to allow for lorries servicing the unit and improve car access. Transportation has no objection to this.
- 9.11 For the reasons set out above, the transport impacts of the development are not considered to be significant and consequently, the proposal is therefore acceptable on transport grounds.

## Design

- 9.12 The store would have a rectangular footprint measuring 404 square metres and a flat roof with a maximum height of 5.8m. External materials would be a mix of brick, white render and timber cladding.
- 9.13 The design, scale and external appearance of the building would be appropriate.

## 10. Conclusion

- 10.1 Subject to conditions as recommended, the development would be acceptable.

## 11 Detailed Recommendation

- 11.1 That planning application 15/00524/FUL be granted subject to conditions including:

Net floor space restriction

Materials

Construction Management Plan

Hours of opening

Hours of deliveries and collection of goods and refuse

Car parking provision as shown

Cycle and provision of disabled parking

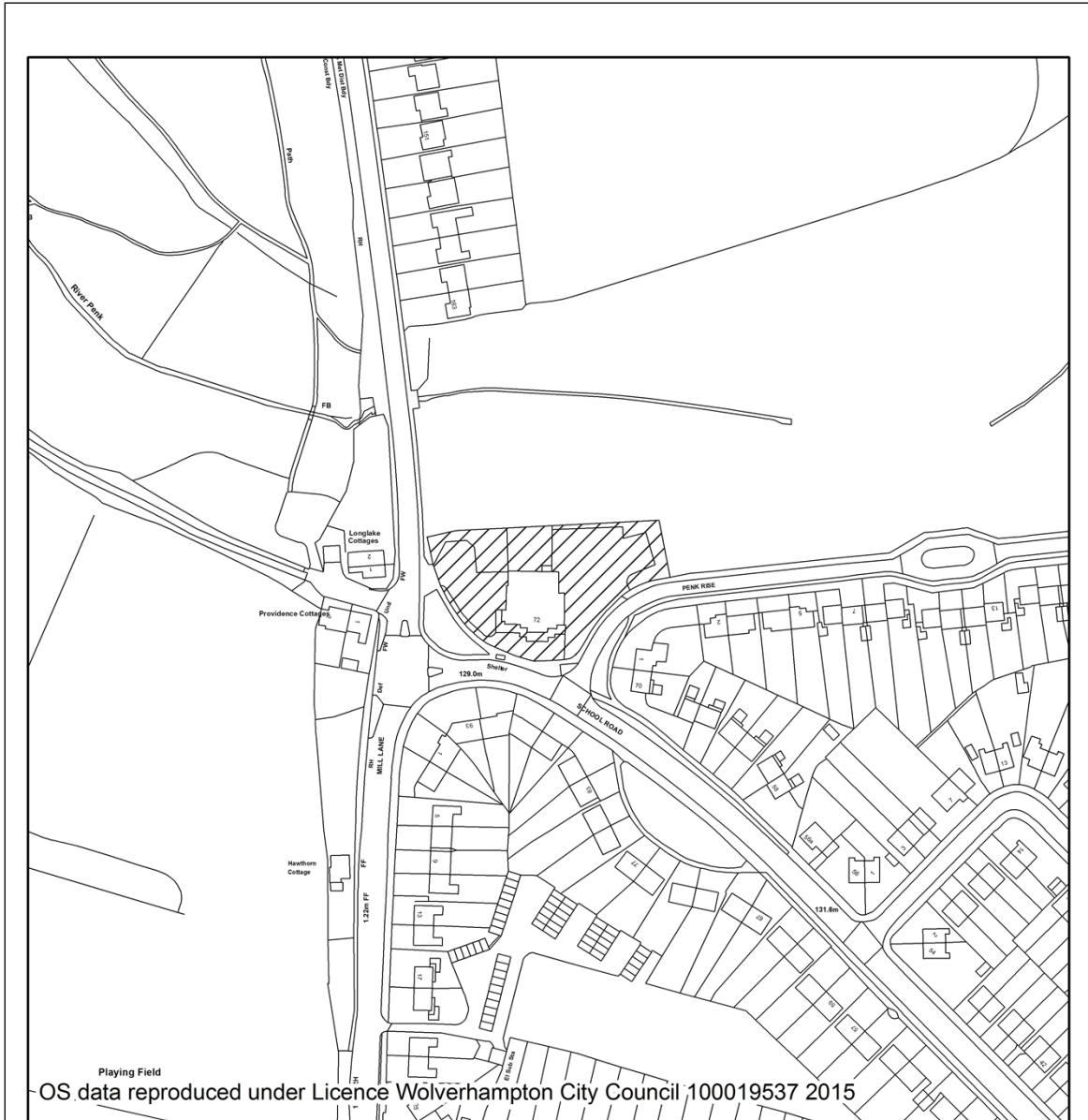
No external shutters/obscuring of windows

CCTV and lighting details

Landscaping

Tree protection

No external plant or machinery without prior approval



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