

# Planning Committee

## Tuesday, 23 May 2017

|  |  |                                  |
|--|--|----------------------------------|
| <b>Planning application no.</b>                | 17/00303/FUL   |                                  |
| <b>Site</b>                                    | 4-6 High Street, Tettenhall, Wolverhampton WV6 8QT         |                                  |
| <b>Proposal</b>                                | Change of use from shop (class A1) to wine bar (class A4)  |                                  |
| <b>Ward</b>                                    | Tettenhall Wightwick                                       |                                  |
| <b>Applicant</b>                               | Tina Mills   |                                  |
| <b>Cabinet member with lead responsibility</b> | Councillor John Reynolds<br>Cabinet Member of City Economy |                                  |
| <b>Accountable Director</b>                    | Keren Jones, Service Director, City Economy                |                                  |
| <b>Originating service</b>                     | Planning   |                                  |
| <b>Accountable employee</b>                    | Paul Lester  | Planning Officer                 |
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### 1.0 Summary recommendation

1.1 Grant subject to conditions.

### 2.0 Application site

2.1 The application site is a vacant shop located in Tettenhall Village District Centre and Tettenhall Greens conservation area.

2.2 There is a yard to the rear of the property, which is in the ownership of the greengrocer business. It has been confirmed that the applicant has a right of access over this area, but cannot use it to store bins or any goods.

### 3.0 Application details

3.1 The application is for the change of use to a wine bar and the removal of one of the two front entrances.

### 4.0 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)  
Tettenhall Neighbourhood Plan (TNP).

## **5.0 Publicity**

- 5.1 No comments received at the time of writing this report.

## **6.0 Consultees**

- 6.1 Transportation / Environmental Health / Police – No objections.  
6.2 Fire Service – Awaiting comments.

## **7.0 Legal implications**

- 7.1 There are no legal implications arising from this report (LD/11052017/A).

## **8.0 Appraisal**

- 8.1 The unit is located within a district centre where policy TNP3 requires that no more than 30% of units are within non-A1 use classes and no more than three consecutive units are within non-A1 use classes.
- 8.2 Whilst the change of use would not result in three consecutive non-A1 units, the percentage of non-A1 units would be 35%. However, the unit has been vacant and actively marketed since July 2016 and this proposal would bring it back into productive use and promote an active street frontage. An A4 use is appropriate for a district centre.
- 8.3 The nearest dwellings would be approximately 50m away and so the proposed use would not be detrimental to residential amenity. The proposed opening hours and servicing would be controlled by condition.
- 8.4 The application was reported to Committee in April and members resolved that the matter be deferred to allow further dialogue and consultation with the applicant and the neighbours on the issues raised which included creating a smoking area to the rear. Initial discussions have taken place between the applicant and the owner of the rear yard. At the time of writing this report, no agreement has been made regarding the potential to create a smoking area to the rear.
- 8.5 Since the rear yard is under separate control, it is likely that on occasion a small number of customers would smoke outside in front of the premises, on the public highway. This would not unduly impact on the neighbouring A1/A2 businesses. It would be for the Police to act if any laws were broken for example if cigarettes were discarded on the highway.

8.6 There is short stay car parking available during the day, both on-street and in car parks which are within close vicinity of the development. Parking restrictions are relaxed during the evening. There is also long stay car parking available, slightly further way but still within easy walking distance.

8.7 There is a requirement to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposed development would preserve the character and appearance of the Tettenhall Greens conservation area.

## **9.0 Conclusion**

9.1 The proposed development is acceptable and in accordance with the development plan.

## **10.0 Detail recommendation**

10.1 That planning application 17/00303/FUL be granted, subject to the following conditions:

- Joinery details of the shopfront
- No blanking out of the shopfront
- Store waste inside the property
- Opening hours – 12:00 to 23:00 Monday to Sunday
- Deliveries – 08:00 to 18:00 Monday to Saturday and 09:00 to 18:00 Sunday.

