

Report to Planning Committee

19 February 2025

Application reference	DC/24/69777
Application address	Garden Area of Queens Head, 100 Brunswick Park Road, Wednesbury, WS10 9QR
Application description	Proposed 2600mm high posts for festoon lighting, removal of doors to create walkway into garden, replacement windows, 1100mm high picket fence and open pergola style structure.
Application received	23 August 2024
Ward	Soho & Victoria
Contact officer	Karamrhys Clair karamrhys_clair@sandwell.gov.uk

1. Recommendations

That planning permission is granted subject to the following conditions relating to:

- i) External materials;
- ii) Lighting condition for proposed festoon lighting; and
- iii) Demolition and construction hours.

2. Reasons for Recommendations

- 2.1 The proposed development is considered acceptable in principle given the proposal relates to the functioning of the pub and would help improve

and rejuvenate the character and appearance of the existing dilapidated pods for retention without creating any significant amenity or highways issues as specified in this report. Furthermore, the festoon lighting proposed will also bring a more active frontage for the Locally Listed public house building without physically modifying the main building. As such, given the design, scale, height, use of materials, pollution control, parking, waste management/operational management statements and consultee responses, the development is considered to have no significant impacts on the existing amenity of surrounding residents whereby the design assimilates into the surrounding area.

3. How does this deliver objectives of the Council Plan?

Living in Sandwell	Improving the local environment with a focus on cleanliness, ensuring that the community takes pride in its surroundings.
Thriving Economy in Sandwell	The Sandwell Local Plan serves as the blueprint for future development, guiding housing and employment growth while ensuring new infrastructure investments like transport and schools.
One Council One Team	Sandwell Council's ethos of 'One Council One Team' reflects a commitment to unity and Collaboration, striving for excellence in serving the community.

4. Context

- 4.1 The application is being reported to Planning Committee as three objections have been received.
- 4.2 To assist members with site context, a link to Google Maps is provided below:

[Garden Area of Queens Head, 100 Brunswick Park Road, Wednesbury, WS10 9QR](#)

5. Key Considerations

5.1 The site is not allocated in the development plan however it is a Locally Listed Building.

5.2 Material planning considerations (MPCs) are matters that can and should be taken into account when making planning decisions. By law, planning decisions should be made in accordance with the development plan unless MPCs indicate otherwise. This means that if enough MPCs weigh in favour of a development, it should be approved even if it conflicts with a local planning policy.

5.3 The material planning considerations which are relevant to this application are:

- Government policy (NPPF);
- Planning history;
- Amenity concerns – overlooking/loss of privacy, loss of light and/or outlook and overshadowing;
- Design concerns - appearance and materials, layout and density of building, wider visual amenity and overdevelopment;
- Highways considerations - traffic generation, access, highway safety, parking and servicing;
- Environmental concerns – noise, air quality, pollution and general disturbance;
- Planning balance

6. The Application Site

6.1 The application site consists of a two-storey detached Locally Listed public house property situated on the northwest side of Brunswick Park Garden, Wednesbury. The character of the surrounding area is generally residential in nature mainly occupied by detached and semi-detached dwellings, with an open forecourt layout, parking on either side of the flank walls of the main building and existing timber pods sited to the northwest beer garden of the host site.

7. Planning History

7.1 Relevant planning applications are as follows:

DC/13239	Provision of 3 fluorescent strip lights in outbuilding within the pleasure garden at rear of fully licensed premises.	Granted permission subject to conditions – 01.07.1981
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7.2 It is noted from previous planning history that the general principle of development is acceptable for the provision of lighting installed on site and conditioned to be turned off each night at 11pm. A similar proposal for lighting and conditioning likewise is also to be applied to this application in a similar manner in the interests of amenity, public safety and in order to retain effective planning control.

8. Application Details

8.1 The application relates to the installation of 2.60m high posts for festoon lighting, removal of existing doors and new replacement fenestrations to rear outbuildings to create walkway into existing beer garden, 1.10m high picket fencing and renovation of the existing timber pods to create an open pergola style structure located to the rear of the host site (sited on the southern portion of the beer garden) and ancillary works thereto. The timber pods footprint and massing unchanged.

8.2 The applicant has confirmed that the proposed festoon lighting will be turned off at night (this has also been conditioned in agreement with the agent).

9. Publicity

9.1 The application has been publicised by 7 no. neighbour notification letters. Three objections have been received.

9.2 Objections have been received on the following grounds:

- i) Loss of privacy;
- ii) Disturbance from noise and light pollution;
- iii) Access, highway safety and parking; and
- iv) Waste management.

These objections will be addressed in under paragraph 13 (Material Considerations).

10. Consultee responses

10.1 Planning Policy

No objections. The proposal is considered to be compatible with adjacent uses.

10.2 Highways

No objections. Highways were re-consulted based on the provision of additional information requested with regards to the siting of the picket fence proposed and parking spaces removed from the extension of the beer garden to the side of the main building. The applicant has provided supporting information detailing that the access available c. 1.50m for vehicular movements and no additional seating has been added given that the existing provision of seating to front was re-located to the extended beer garden. As a result, Highways have confirmed that no further increase in seating areas for customers has been proposed and as such, would not create any significant impact on the highways network.

10.3 Pollution Control (Noise and Air Quality)

No objections. The Environmental Health Officer has stated that the scope of the proposed development works would not cause any real concerns that would severely impact surrounding residents or cause an increase in nuisance complaints.

10.4 West Midlands Police

No objections.

11. National Planning Policy Framework (NPPF)

11.1 The NPPF sets out government's planning policies for England and how these are expected to be applied.

11.2 The framework refers to development adding to the overall quality of the area by achieving high quality design, achieving good architecture and layouts. The proposed renovation of the timber pods and works thereto would be regarded as an improvement to the existing design and layout, providing a significant uplift to the existing Locally Listed public houses assets and infrastructure.

11.3 The framework promotes sustainable transport options for development proposal and states that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposed development is not considered to cause any significant highways safety or network concerns.

11.2 The framework also endorses the provision of social, recreational and cultural facilities and services the community needs and advocates that planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as public houses) and other local services to enhance the sustainability of communities and residential environments. Given that the proposed development encourages the uplift of the existing public house, the development would be considered to help increase community gatherings, create stronger civic cohesion and enhance the sustainability of the local surroundings.

12. Development Plan Policy

12.1 The following policies of the council's development plan are relevant:

Black Country Core Strategy (BCCS)

CSP4 – Place Making

TRAN2 – Managing Transport Impacts of New Developments

ENV2 - Historic Character and Local Distinctiveness

ENV3 – Design Quality

ENV6 - Open Space, Sport and Recreation

ENV8 – Air Quality

Site Allocations and Delivery Development Plan Document – (SADD)

SAD HE 3 - Buildings and Structures of Local Historic/Architectural Importance

SAD EOS 4 - Community Open Space

SAD EOS 9 - Urban Design Principles

SAD EOS 10 - Design Quality & Environmental Standards

12.2 CSP4, ENV2, ENV3, SAD HE 3, SAD EOS 9 and SAD EOS 10 refers to well-designed schemes that provide quality living environments. The proposed layout, design, use of materials and pollution control (noise), are considered to be acceptable at the host site with no concerns being regarded significant as raised with all relevant consultees (Planning Policy and Pollution Control).

12.3 TRAN2 refers to the requirements for new development to identify and demonstrate their travel and transportation impacts together with proposals for mitigation, with measures to promote and improve sustainable transport facilities being agreed. Highways have been reconsulted on the proposed parking arrangements and it has been considered that no significant impacts to highway safety or network will

occur from the proposed development, given the allocated parking provision to either side of the public house.

13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in Sections 11 and 12. With regards to the other material considerations, these are highlighted below:

13.2 Planning history

Previous site history illustrates that the use and lighting proposed has existed previously as part of the ancillary beer garden. Therefore, the principle of development proposed, and siting of the proposed works is considered acceptable.

13.3 Character and appearance

The main building and site itself is a prominent focal point within the existing street scene along Brunswick Park Road. The development would be considered to uplift the existing assets and infrastructure of the Locally Listed public house, creating a more active frontage with the expansion of the existing beer garden closer to the main building and would be considered to improve the existing street scene. Furthermore, the main building is to be unaltered and as a result the ancillary works would also help provide a brighter and energetic setting for the main public house as a Locally Listed building.

13.4 Neighbour amenities and noise concerns

Officers have accessed the beer garden to the rear of the host site and the neighbouring residential boundaries thereto. It has been considered that the existing trees and dense hedging across the perimeter of the host site ensures that the beer garden is well screened visually from neighbouring residential gardens. Furthermore, given that the proposed timber pods are located on the southeastern side of the beer garden

(closer to the main building and away from the edges of the site) and that the proposal also extends the use of the beer garden towards the main building (where the majority of the festoon lighting is proposed), it is considered that any substantial drinking areas would be formed closer to the public house building. This in turn would reduce the peak noise levels raised on the neighbouring residential boundaries. Furthermore, it is also worth noting that the beer garden has been established for well over four decades in accordance with planning history to be used for local community gatherings.

13.5 Highways considerations – parking issues

Highways have no objections and state that the level of expected customers would be adequately serviced by the existing parking provision. The applicant has also clarified that the loss of 2no. parking spaces to the rear is negligible, given that neither are identified as actual useable spaces (despite being line marked) due to their positioning next to the boundary and existing structures. The applicant has also highlighted that the second car park to the eastern side elevation of the main building is also rarely used (as confirmed by Google Street View history) and would therefore provide the site ample parking for the expected customer levels.

13.6 Anti-social behaviour and policing

The applicant has highlighted that by removing the frontages of the existing timber pods, the open pergola style structures proposed would be easier to police and would resemble a style that would be typically found in beer gardens as opposed to enclosed structures. West Midlands Police have also raised no objections to the proposal, and it is considered that the renovation, ancillary works and utilisation of the timber pod assets proposed would lead to a safer environment as part of the host site.

13.7 Waste storage management

In terms of waste storage management, a service access of 1.50m has been left to allow bins/dray/deliveries to be collected by delivery vehicles and dray lorries that would still be able to reverse into the site given that the fencing stops short for them to make their collection/deliveries (the vast majority of which the applicant implies will be before trading hours). As a result, the capabilities of the host site to manage its waste is not considered a significant concern.

14. Conclusion and planning balance

14.1 All decisions on planning applications should be based on an objective balancing exercise. This is known as applying the 'planning balance'. To summarise: the proposal should be approved unless any adverse impacts of granting the permission would significantly and demonstrably outweigh the benefits when assessed against development plan policies or, where those policies are out of date, the NPPF as a whole. Where national policy takes precedence over the development plan, this has been highlighted in paragraph 11 (National Planning Policy Framework).

14.2 On balance the proposal accords with the provisions of relevant development plan policies and there are no significant material considerations which warrant refusal that could not be controlled by conditions.

15. Alternative Options

15.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposal is compliant with relevant policies and there are no material considerations that would justify refusal.

16. Implications

Resources:	When a planning application is refused the applicant has a right of appeal to the Planning Inspectorate, and they can make a claim for costs against the council.
Legal and Governance:	This application is submitted under the Town and Country Planning Act 1990.
Risk:	None.
Equality:	There are no equality issues arising from this proposal and therefore an equality impact assessment has not been carried out.
Health and Wellbeing:	None.
Social Value	The proposal would be considered to add social value to the local surrounding communities by providing an uplift in the visual character, appearance and amenity values with regards to sense of place surrounding the public house.
Climate Change	Sandwell Council supports the transition to a low carbon future, in a way that takes full account of the need to adapt to and mitigate climate change. Proposals that help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure, will be welcomed.
Corporate Parenting	None.

17. Appendices

17.1 Plans for consideration

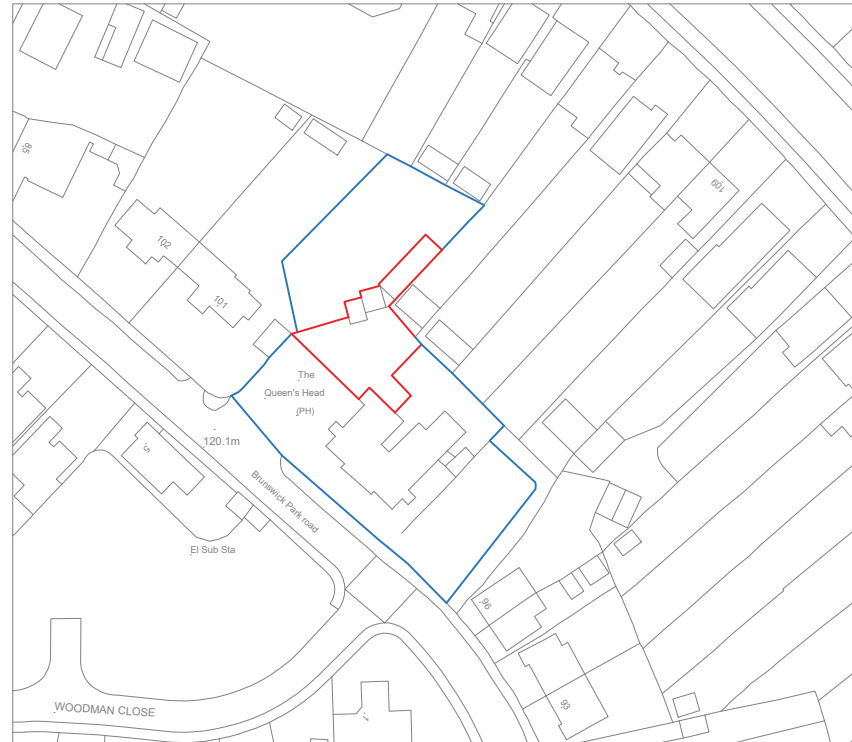
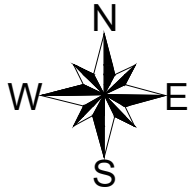
Location plan 3158-16 Rev B

Block plan 3158-16 Rev A

Planning Layout – Proposed 3158

Elevation plan – existing and proposed 3158-13 Rev A

Elevation plan – existing and proposed 3158-14 Rev A



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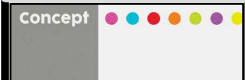


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- 4) Any discrepancies between drawings and/or drawings and specification, should be reported to the designer prior to any work commencing.

B	2/10/24	Amended drawing number	ca
A	26/9/24	Red line shows proposed works Black line shows other buildings applicant owns removed note regarding scale	CB
Date	Revisions		Iss.



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Client
Star pubs and bars

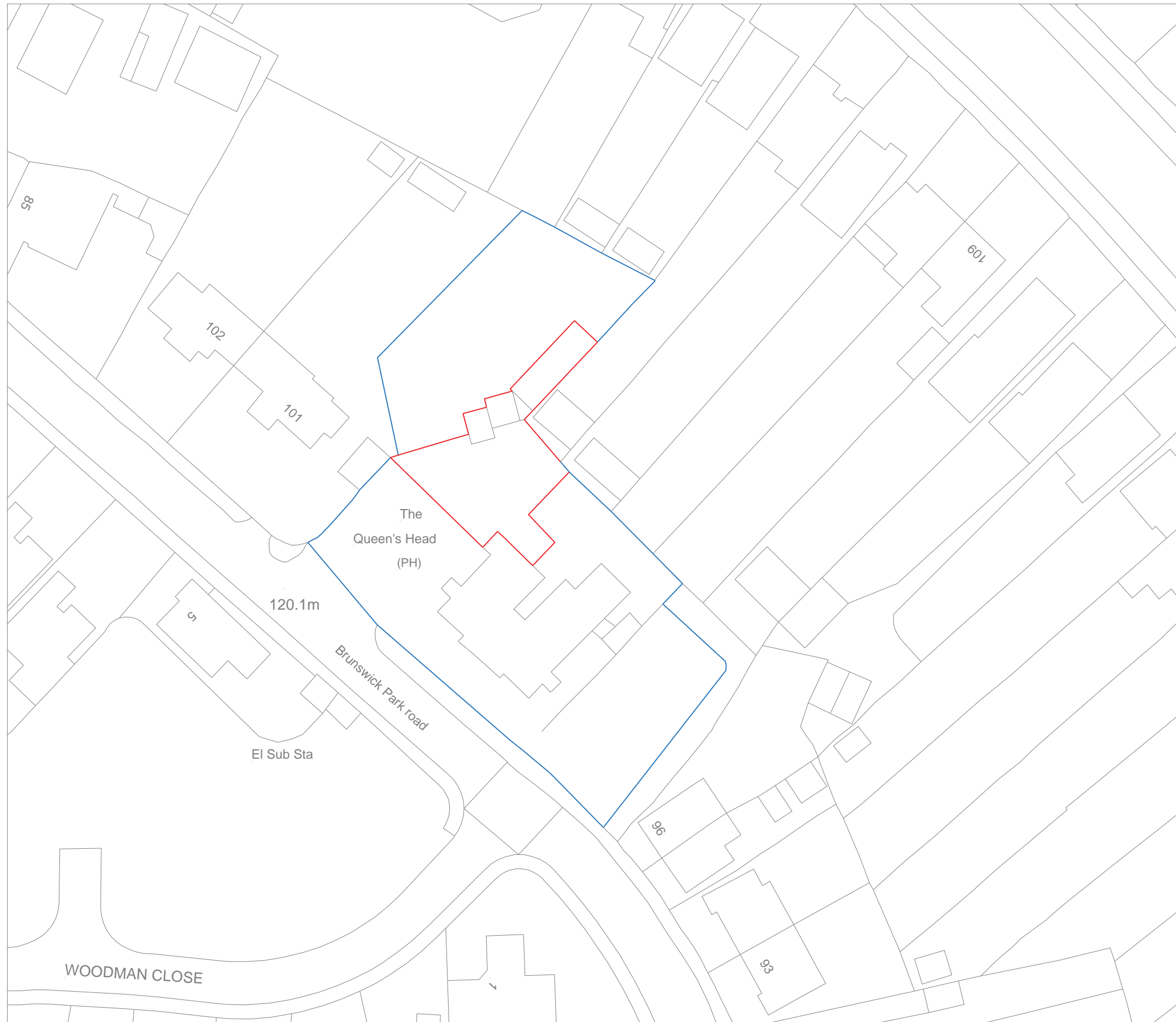
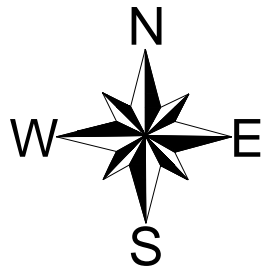
Job Title
**Queens Head
 100 Brunswick Park road
 Wednesbury
 WS10 9QR**

Drawing Title
Location Plan

Scale: **1:1250@A4** Drawn By: **CLB**

Date: **2/9/24** Checked By:

Dwg no.	3158-16	Rev.	B
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Date	Revisions	Init.
A 26/9/24	Red line shows proposed works Blue line shows other building/appliances removed note regarding scale	CB

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Architecture - Interior Design - Project Management
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Client: **Star pubs and bars**

Job Title:
**Queens Head
 100 Brunswick Park road
 Wednesbury
 WS10 9QR**

Drawing Title:
Block Plan

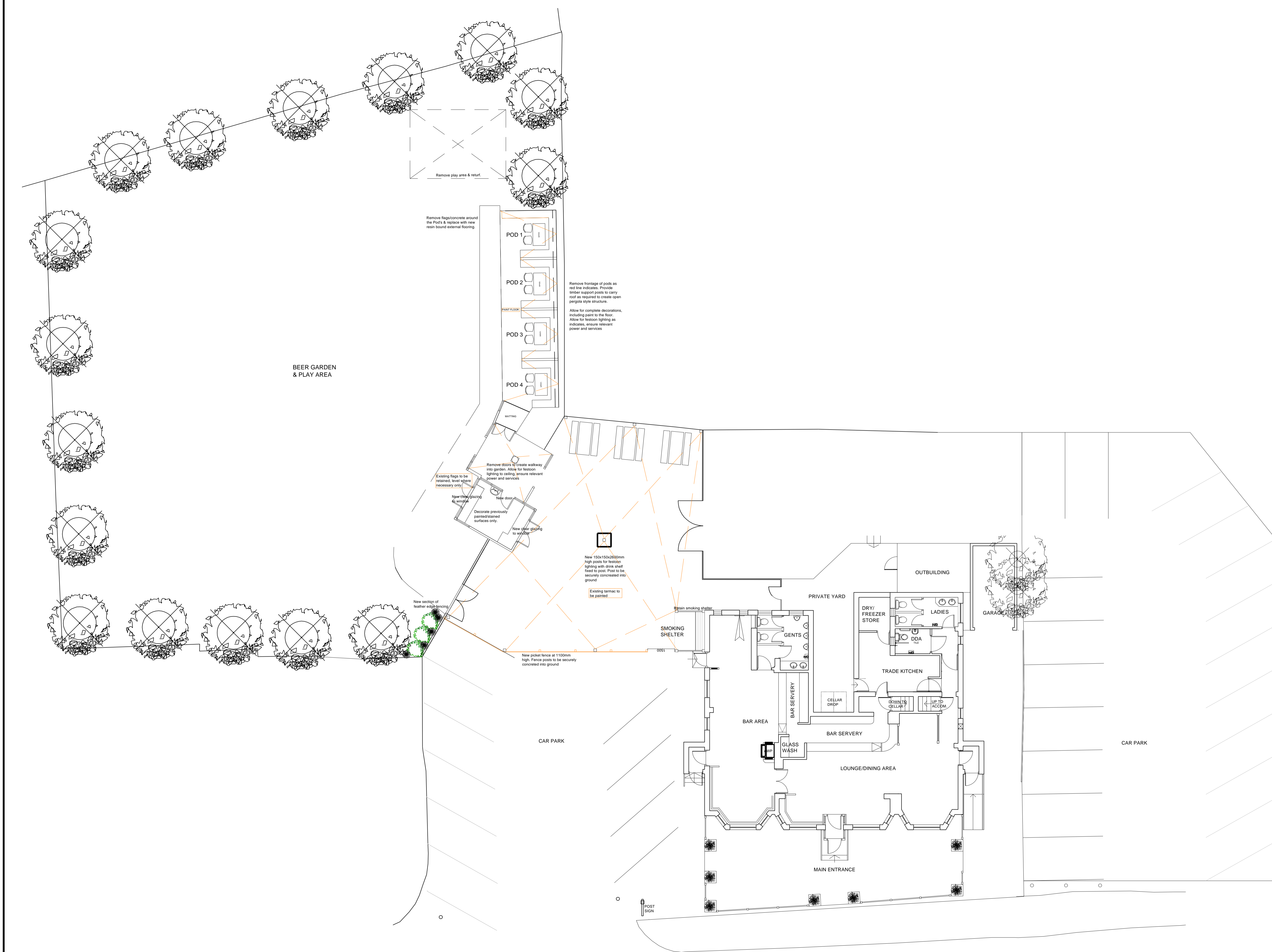
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Date: **2/9/24** Checked By:

Orig.no: **3158-15** Rev: **A**

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Date	Revisions	Initials
26.9.24	Removed note regarding scale	

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Architecture - Interior Design - Project Management

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Sheffield, S9 9JZ

Client
Star pubs and bars

Job Title
**Queens Head
100 Brunswick Park road
Wednesbury
WS10 9QR**

Drawing Title
Proposed Plan

Scale: **1:100 @A1** Drawn By: **CLB**

Date: **SEPTEMBER 24** Checked By:

Dwg.no.	3158-12	Rev.	A
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Existing Elevations



Proposed Elevations



Remove doors to create walkway into garden. Allow for festoon lighting to ceiling, ensure relevant power and services

New 150x150x2600mm high posts for festoon lighting with drink shelf fixed to post. Post to be securely concreted into ground

New section of feather edge fencing

New clear glazing to window

New picket fence at 1100mm high. Fence posts to be securely concreted into ground

Scaled @ 1:50



Date	Revisions	Initials
A	26.9.24	Removed note regarding scale

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Architecture - Interior Design - Project Management

Suite 1, Sheffield Business Park Ltd
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Client
Star pubs and bars

Job Title
**Queens Head
100 Brunswick Park road
Wednesbury
WS10 9QR**

Drawing Title
**Existing and Proposed Elevations
1 of 2**

Scale: **1:50 @A1** Drawn By: **CLB**

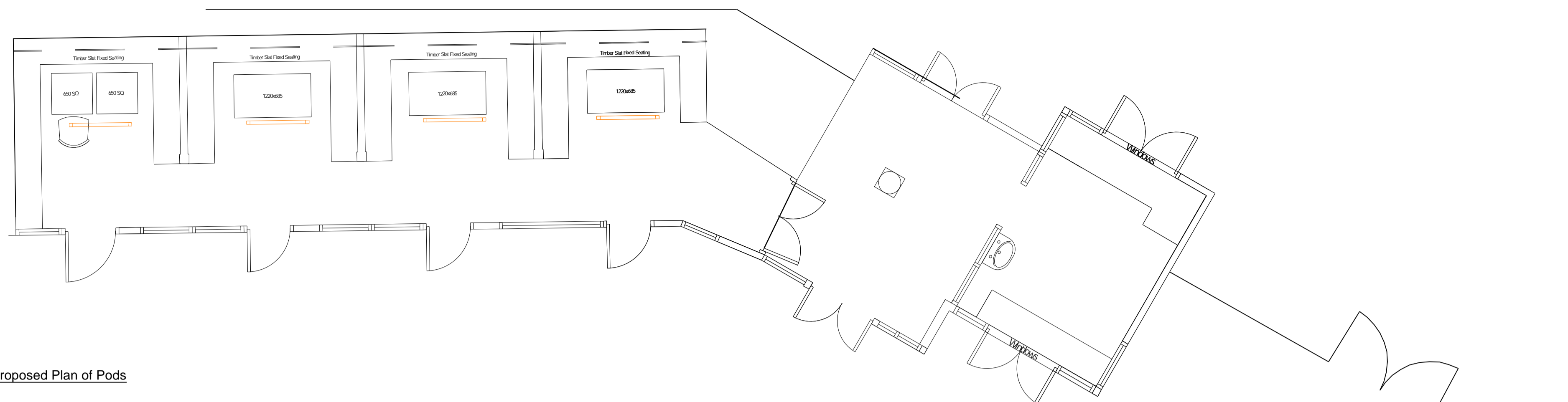
Date: **SEPTEMBER 24** Checked By:

Dwg.no: **3158-13** Rev: **A**

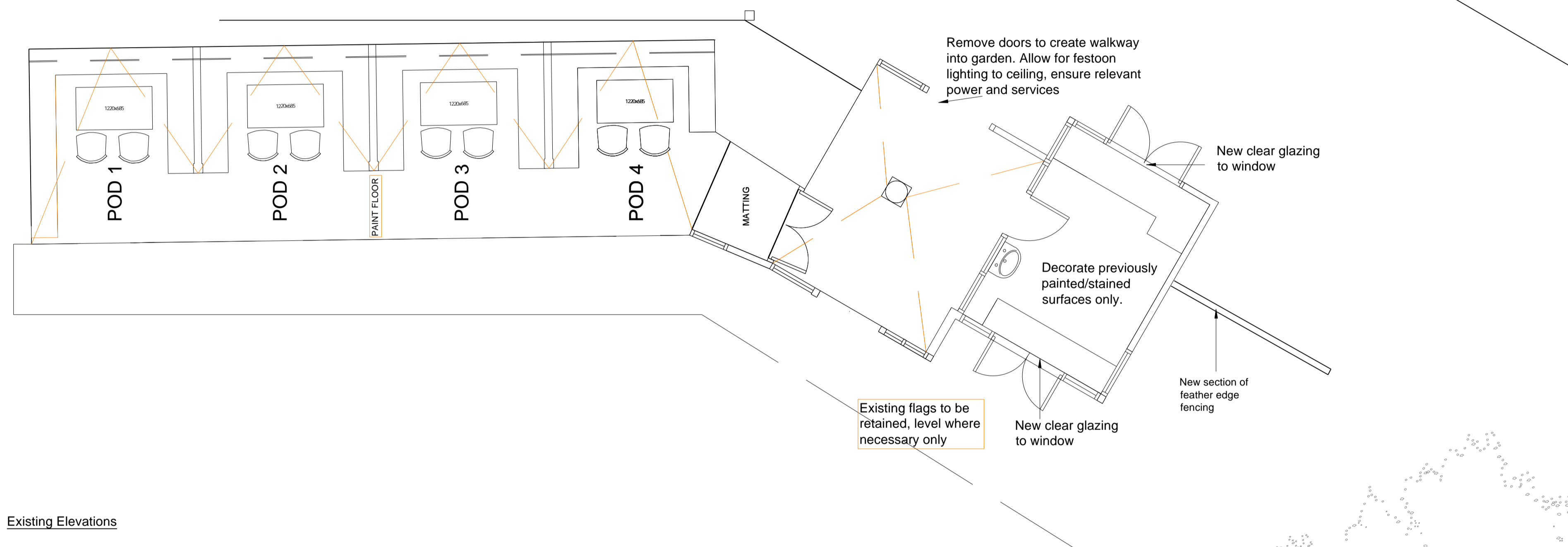
CONTRACTORS PLEASE NOTE

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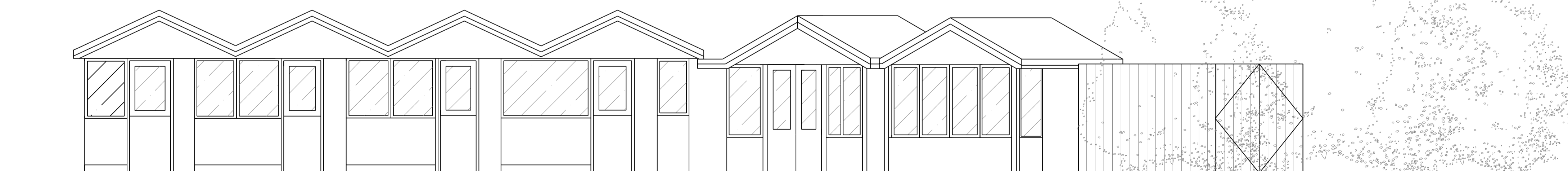
Existing Plan of Pods



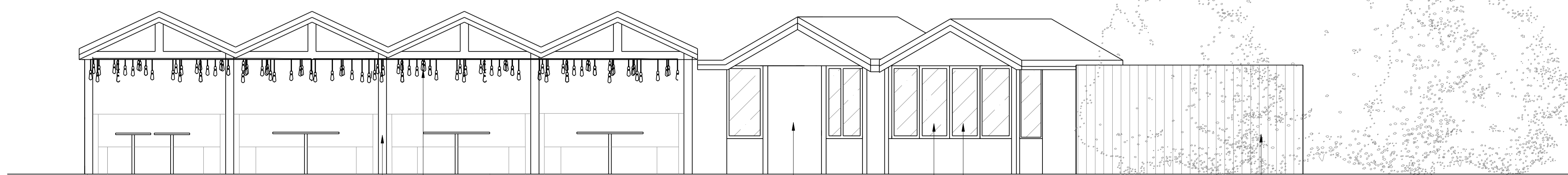
Proposed Plan of Pods



Existing Elevations



Proposed Elevations



Remove frontage of pods. Provide timber support posts to carry roof as required to create open pergola style structure. Allow for festoon lighting as indicates, ensure relevant power and services

Remove doors to create walkway into garden. Allow for festoon lighting to ceiling, ensure relevant power and services

New clear glazing to window

New section of feather edge fencing

Scaled @ 1:50



Date	Revisions	INI
A	26.9.24	Removed note regarding scale

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Architecture - Interior Design - Project Management

Suite 1, Sheffield Business Park Ltd
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Client
Star pubs and bars

Job Title
**Queens Head
100 Brunswick Park road
Wednesbury
WS10 9QR**

Drawing Title
**Existing and Proposed Pod Elevations
2 of 2**

Scale: **1:50 @A1** Drawn By: **CLB**

Date: **SEPTEMBER 24** Checked By:

Dwg. no. **3158-14** Rev. **A**



Lead-in length 3 Mts

Maximum lamp rating is
15W or 25W GLS lamps and Golf ball lamps

BC Lampholders

Supplied less lamps



White Lacquered lamp Shown

Awaiting Image
Colour is Bright and Strong

50m x 140 Lamp Rubber Harness

Rubber festoon cable must be used for all permanent outdoor installations in accordance with BS EN 60598-1:2000.
Suitable for permanent outdoor use

Supplied less lamps

- In compliance with BS EN 60598-1, BS EN 60598-2:20
- Rubber festoon cable must be used for all permanent outdoor installations in accordance with BS EN 60598-1
- Maximum lamp rating is 25W GLS lamps and 15W golf ball lamps (not included)
- Tough H05RNH-F cable for outdoor use
- All rubber festoon harnesses are fitted with a **16 Amp** 2P+E BS60309, IP44 rated plug
- The high temperatures rating of the lampholder rubber seal ensures a long life seal directly onto the golf ball or GLS lamp
- All harnesses have electrical insulation rating Class II (double insulated)
- Weather proof rating of IP44 when lamps fitted
- 3m lead-in length

LED BC Warm White Golf Ball Lamp

Interior and Exterior Decorative Lighting

Look slightly brighter than the 15 watt traditional lamps which have a lacquered finish

Energy Saving ONLY 1 watt

- **Wattage:** 1w
- **Cap:** BC
- **Colour:** Warm White
- **Voltage:** 240v
- **Diameter:** 45mm
- **Length:** 70mm
- Cool to touch
- Not suitable for use with dimmers
- Long Life
- Suitable for internal and External use

DC/24/69777

List of conditions

- i) The development must conform with the terms of and the plans accompanying the application for permission and must remain in conformity with such terms and plans, save as may be otherwise required by (any of) the following condition(s), or approved amendment(s).
- ii) The development must be begun not later than the expiration of 3 years from the date of this permission and before the development commences, a Commencement Notice must be submitted/
- iii) The external materials used in the development hereby permitted shall match in colour, form and texture those of the existing building unless otherwise agreed in writing by the local planning authority.
- iv) The proposed festoon lighting luminance display shall be turned off at 11:45pm each night until daylight hours.
- v) Demolition and construction works shall take place only between 08:00 to 17:30 on Monday to Friday, 08:00 to 13:00 hours Saturday and shall not take place at any time on Sundays or on bank or public holidays. This restriction also applies to deliveries to the site.