

**PLANNING  
COMMITTEE**

13th February 2013

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**APPEAL OUTCOME REPORT FOR INFORMATION**

**APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION**

**PLANNING APPLICATION DETAILS: 2012/107/COU**

<b>PROPOSAL</b>	<b>CHANGE OF USE FROM POST OFFICE (A1 USE) TO RESTAURANT/CAFE/HOT FOOD TAKEAWAY (A3/A5 USE)</b>
<b>LOCATION</b>	<b>FORMER ASTWOOD BANK POST OFFICE 1248 EVESHAM ROAD, ASTWOOD BANK</b>
<b>WARD</b>	<b>ASTWOOD BANK &amp; FECKENHAM</b>
<b>DECISION</b>	<b>DECISION MADE BY OFFICERS UNDER DELEGATED POWERS ON 20TH JUNE 2012</b>

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk)) for more information.

**Discussion**

The case related to a change of use from the former Astwood Bank Post Office to a mixed cafe / restaurant and hot food takeaway use. The planning application was refused for the following reason:

1. The proposed A3/A5 use including the potential loss of a preferred A1 use would materially impact upon, and undermine the retail and community function of the Astwood Bank District Centre, to the detriment of its vitality and viability. As such, the proposed development would be contrary to the aims and objectives of Policy E(TCR).9 and Policy E(TCR).12 of the Borough of Redditch Local Plan No.3, and Policy 20 of the Preferred Draft Core Strategy.

Officers sought to defend this reason for refusal through written representations to the Planning Inspector.

Number 1248 Evesham Road lies on the western side of Evesham Road, within the Astwood Bank District Centre and as such, Policy E(TCR).9 and E(TCR).12 apply to such proposed applications for change of use.

The premises have been vacant since August 2011 at which point the Post Office was incorporated within 'Bank Stores' which is located approximately 50 metres due west of the Evesham Road / Feckenham Road junction further to the north of this site.

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The Inspector noted that there are a number of hot food takeaways, a retail unit providing sandwiches to takeaway, a public house and an Indian restaurant to the eastern side of Evesham Road but outside the defined District Centre. She found that cumulatively, taking into consideration other non-retail uses as set out above, the proposal would lessen the interest and variety of the District Centre which would in turn lower its viability and vitality.

Whilst she acknowledged that hours of opening proposed would encompass day time use, those hours could change and no reasonable condition could be used to require day time opening. She therefore considered that the argument that the development would be a vibrant part of the street scene throughout the day could not be guaranteed and thus would not address the potential loss of a traditional retail unit. The Inspector commented that the level of vacancies in the District Centre was not excessive and was not persuaded that the empty appeal site currently detracts from the vitality and viability of it significantly.

**Appeal outcome**

The planning appeal was DISMISSED. Costs were neither sought nor awarded.

**Recommendation**

**The Committee is asked to RESOLVE that the item of information be noted.**