

**PLANNING  
COMMITTEE**

23rd October 2013

---

**Planning Application 2013/170/FUL**

**Proposed change of use of ground floor from Class A2 Financial and Professional Services use to A5 Hot Food Takeaway use including installation of external Kitchen extract flue**

**6 Mount Pleasant, Redditch, Worcestershire, B97 4JB**

**Applicant: Mr S Khan  
Expiry Date:  
Ward: CENTRAL**

**(see additional papers for Site Plan)**

The author of this report is Ailith Rutt, Planning Officer (DM), who can be contacted on Tel: 01527 534064 Email: ailith.rutt@bromsgroveandredditch.gov.uk for more information.

**Site and Proposal Description**

The site lies in an area of mixed uses, of terraced built form at back of pavement with mostly residential use, but some retail and other related uses, especially at ground floor. The application site is a corner unit, with a retail shop frontage at ground floor and residential flats above. It was formerly occupied by a launderette.

The application proposes the change of use of the ground floor from A1 retail to A5 hot food takeaway use.

**Relevant Policies :**

**Borough of Redditch Local Plan No.3:**

BBE13 Qualities of Good Design  
ETCR12 Class A3 Uses

**Emerging Borough of Redditch Local Plan No. 4**

Policy 30: Town Centre and Retail Hierarchy  
Policy 35: Health of District Centres

**Others:**

NPPF National Planning Policy Framework

**PLANNING  
COMMITTEE**

23rd October 2013

---

**Relevant Planning History Relevant Planning History**

2010/258/COU	Proposed alterations to form Class A2 Financial and Professional Services and B1 Business uses at ground floor level with 2 no. self contained flats over	Approved	09.12.2010
1984/228/FUL	Change Of Use To Tattoo Artist's Studio		06.07.1984

**Consultations**

**Highway Network Control**

No objection subject to an informative note for the applicant

**Environmental Health- Food**

No objection subject to conditions relating to odour, noise and hours of operation and an informative relating to food safety.

**Development Plans**

No objection raised as complies with emerging LP4 policies relating to small groupings of shops

**Public Consultation Response**

One letter of objection has been received raising the following concerns:

- Litter
- Noise
- Smell
- Anti Social Behaviour
- Parking difficulties would increase

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

**Assessment of Proposal**

**Principle**

A5 hot food takeaway uses have traditionally been uses directed to town and district centre sites by planning policy. The site is in neither. However, the (more recent) NPPF does not seek such locations exclusively, and the emerging local plan 4 for the Borough of Redditch identifies small groupings of shops as equally appropriate locations in which A5 uses can be located, and does not seek to provide an exhaustive list to identify these locations.

## PLANNING COMMITTEE

23rd October 2013

---

Therefore, on this occasion, it is noted that the site forms part of a small group of shops and that none of the others is a takeaway use. Therefore, the principle of the change of use is considered to be acceptable in this location.

### Other issues

The environmental health team have confirmed that the extraction details provided are acceptable; they have identified that it would be possible to ensure adequate noise mitigation between the unit and the residence above; they have raised no objections to the hours of use proposed. All these matters can therefore be dealt with through the imposition of conditions.

The highways officer has raised no objections, as there is on site parking provision for staff and it is considered that there are sufficient options for short term parking in this area for those who do not walk/cycle to the proposed takeaway. It is not considered that the proposed use would be any more demanding on parking provision than the former launderette use would have been, and therefore there are no concerns in this regard.

### Conclusion

It is considered that the proposal complies with the relevant local and national planning policies and no material considerations have been identified to outweigh this.

### **RECOMMENDATION:**

**That having regard to the development plan and to all other material considerations, planning permission be granted subject to the following conditions and informatives:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be implemented in accordance with the following plans and documents:

1322.1

1322.2

1322.3

Ventilation extraction statement

Planning statement

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

**PLANNING  
COMMITTEE**

**23rd October 2013**

---

- 3) The use hereby approved shall only open to the public between the hours of 5pm - 11.30pm Sunday - Friday and 5pm - 12am on Saturday.

Reason; In the interests of nearby residential amenity and in order to comply with Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

- 4) Prior to the commencement of the use hereby permitted, an appropriate odour extraction system shall be fitted to the kitchen to ensure that the odours from the kitchen are appropriately treated and/or dispersed, and operated, as agreed in writing with the Local Planning Authority. This odour extraction system shall first be submitted for the approval of the Local Planning Authority.

Guidance should be sought from the following link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69280/pb10527-kitchen-exhaust-0105.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf)

Reason: To prevent disturbance to nearby residential and commercial premises and comply with Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

- 5) Prior to the commencement of development, a scheme of sound attenuation shall be submitted for the approval of the Local Planning Authority and the agreed scheme shall be implemented prior to the commencement of the use hereby permitted. The measures shall include attenuation of any extraction fan unit and use of anti-vibrational mounts on the extraction ducting as well as the impacts of the use on the upper floors.

Reason: To ensure that there is sufficient sound attenuation between the ground floor commercial use and the first floor residential use to protect residential amenities in accordance with Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

- 6) Due to the close proximity of commercial and residential properties, a construction environmental management plan (CEMP) for the construction works shall be submitted for the approval of the Local Planning Authority prior to the commencement of development. The CEMP shall include hours of operation and information on proposed methods of working that will prevent noise and dust issues to the surrounding area.

In producing the CEMP guidance should be sought from the link below:

<http://www.worcsregservices.gov.uk/pdf/WRS%20contractor%20guidance%20July%202011%20V.1.2.pdf>

The works for the conversion of the premises to the use hereby approved shall be implemented in accordance with the agreed CEMP.

Reason: In the interests of amenity and in accordance with Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

**PLANNING  
COMMITTEE**

23rd October 2013

---

**Informatives**

- 1) The applicant is advised to note the comments of the environmental health officer in relation to the layout of the unit and seek advice from the food safety team.

**Procedural matters**

This application is being reported to the Planning Committee because it proposes the change of use to A5 hot food takeaway. As such the application falls outside the scheme of delegation to Officers.