

**PLANNING  
COMMITTEE**

11th February 2015

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**Planning Application 2014/341/FUL**

**Change of Use from A1 (shops) to A3 (restaurants and cafés)**

**Unit 28 Kingfisher Walk, Town Centre, Redditch, Worcestershire, B97 4EY**

**Applicant: Kingfisher Shopping Centre**  
**Expiry Date: 5th March 2015**  
**Ward: ABBEY**

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

The author of this report is Nina Chana, Planning Officer (DM), who can be contacted on Tel: 01527 548241 Email: nina.chana@bromsgroveandredditch.gov.uk for more information.

**Site Description**

This unit lies on Kingfisher Walk which is on the western side of the Kingfisher Centre near to the hub leisure zone which includes the cinema and a number of food outlets. To either side of these units are those occupied by Chopstix (A3) and Thorntons (A1).

**Proposal Description**

The proposal is to convert the unit from A1 retail to A3 café. The Unit consists of three levels - the mall level, a basement level and a sub-basement level.

**Relevant Policies :**

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

ETCR01 Vitality and Viability of the Town Centre  
ETCR05 Protection of the Retail Core  
ETCR12 Class A3 Uses

**Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

**Relevant Planning History**

None

**Consultations**

**Development Plans**

This proposal is for a use which is, in principle, acceptable within the Town Centre. However, both adopted and emerging local planning policy aims to protect the retail core from an over-concentration of non-retail uses. This proposal may be contrary to that policy, dependent upon the actual use of neighbouring units. Furthermore, the submitted

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information does not demonstrate how the proposal would enhance the vitality and viability of the retail core as it would actually result in the displacement of existing retail occupiers.

**Town Centre Co-ordinator**

No Objection

**Area Environmental Health Officer**

No comments received

**Public Consultation Responses**

None

**Assessment of Proposal**

The site falls within the retail core as designated in the Borough of Redditch Local Plan No 3. Policy E(TCR). 5 of the Local Plan would apply which states that a change of use from Class A1 to A2, A3, A4 and A5 will only be acceptable if the proposed use does not result in a continuous frontage of more than two non-retail units; (units are defined as a shop front width of approximately 6 metres). The reasoned justification of the policy states that the growth of non- retail units in Town Centres can result in a loss of retail provision and the creation of 'dead' frontages which can fragment and disrupt the appearance of the shopping centre, resulting in further distances to walk between shops, making the area less attractive to shoppers and potential investors.

The frontage of the proposal would be approximately 5.5 metres and the proposal would result in the loss of an A1 Retail unit. The proposal would conflict with this policy, as it would result in a continuous frontage of three non-retail uses and as such could be viewed as inappropriate development.

Allowing too many non-retail uses can bring about two key disadvantages:

1. Each non retail use represents the loss of a retail unit for comparison shopping thereby reducing provision
2. A plethora of non-retail uses tend to create "dead" retail frontage and further distances to walk between shops

The proposal for this unit does not result in an overall loss of retailing opportunity in the retail core that is within shopping centre. This is because the proprietors of the Kingfisher Centre have been unable let the unit since 2007 other than on short term leases. Consequently, whilst this proposal does not enhance the retail core in terms of comparison retail offer it does not weaken the opportunity overall.

The concentration of non-food retail uses in the vicinity of Unit 28, Kingfisher Walk could result in a situation where some shoppers may choose not to visit this part of the centre for retail purposes because the retail offer in this area would be significantly limited. Comparison retail would not be a significant attracter to this area instead it would be the

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food, leisure, public transport and some car parking. Whilst such attracters are to be welcomed generally in the town centre the concentration of eating establishments is at odds with the retail core policy.

However, the location would lend itself well to night time activities being promoted in this vicinity with good links to the bus and train station nearby. Therefore, it is very unlikely that the proposed use of this unit would make the rest of the shopping centre less attractive to customers or potential investors.

**Conclusion**

The proposal sits at odds with policy however, the site is located within the retail core of the Town Centre and the proprietors have struggled for the last 7 years to let the unit as A1 on a permanent or long term basis. As such it is unlikely that the proposed use for this unit would hinder the vitality and viability of the main shopping centre and re-using a vacant unit would be welcomed in this part of the shopping centre. Therefore, on balance the proposal is considered to be acceptable on this occasion.

**RECOMMENDATION:**

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

- 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 proposal shall be carried out as shown on the plans, schedules and other documents listed below;

- Drawing numbers - 24547-KW-U28-LPML, 24547-KW-U28-LPB, 24547-KW-U28-LPSB

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with Policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

**Procedural matters**

This application is being reported to the Planning Committee because the proposal is for a change of use that falls outside the scheme of delegation to Officers.