

**PLANNING
COMMITTEE**

8th April 2015

Planning Application 2014/349/FUL

Change of use of part of first floor offices into late night bar, to be incorporated into existing bar

Fever , 12 Market Place, Town Centre, Redditch, Worcestershire, B98 8AA

**Applicant: Mr Nigel Blair
Expiry Date: 1st April 2015
Ward: ABBEY**

(see additional papers for Site Plan)

The author of this report is Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 587006 Email: claire.gilbert@bromsgroveandredditch.gov.uk for more information.

Site Description

11 & 12 Market Place occupies a prominent corner position inside, but on the edge of the Redditch Town Centre Conservation Area. The building is on the Council's Schedule of Buildings of Local Interest.

The building has three storeys. Currently, the late night bar occupies the ground floor and the rear part of the first floor. With the rest of the property being made up of office space, however only the second floor is currently occupied (by First Personnel).

Adjoining the application site, to the north-western side of the building is Unit 10, which is currently empty office space (it was the former offices of Browning's Solicitors). The side of the building faces south-east onto Market Walk, opposite which is Redditch Library.

Proposal description

The proposal is for the change of Use of the unoccupied office space at the front of the first floor of the property, into a late night bar. This will be used as an extension to the existing late night bar facility operating within the property at both ground and first floor. No external alterations to the building are proposed.

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, A4 and A5

BBE11 Buildings of Local Interest

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Others:

NPPF National Planning Policy Framework

Relevant Planning History

| | | | |
|--------------|---|----------|------------|
| 2010/205/COU | Change of Use of first floor to A4 (Drinking Establishments) | Approved | 27.09.2010 |
|--------------|---|----------|------------|

Consultations

Community Safety Officer

No Comments Received To Date

Mr Nick Joyce Architects

As no external works are proposed I have no objection.

Area Environmental Health Officer

I am not aware of the nature of the business or if there are residential flats at number 10 Market Place, however there is a potential with this conversion that additional noise could be generated from this area. It is imperative that the applicant puts measures in place such as consideration for positioning for speakers etc. if there are flats adjacent to the party wall. If unreasonable noise is experienced at any neighbouring property action under the Environmental Protection Act 1990 for statutory nuisance could be instigated.

Town Centre Co-ordinator

No Comments Received To Date

Crime Risk Manager

No Comments Received To Date

Licensing Project Officer

No Comments Received To Date

Highway Network Control

No Comments Received To Date

Public Consultation Response

None received To Date

Assessment of Proposal

Policy E(TCR).1 seeks to maintain and enhance the vitality and viability of the Town Centre by amongst other criteria, promoting the re use of existing floor space and promoting a vibrant and safe, high quality evening economy. Since the proposal in question is within the Town Centre and would reuse existing unoccupied valuable floor space, the proposal is considered to be in compliance with this Policy.

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The property falls within an area of Primary Shopping frontage within the retail Core of the Town Centre, and therefore Policy E(TCR).5 applies. This policy aims to protect the primary shopping frontage of the retail core and to prevent its unacceptable erosion by the introduction of inappropriate uses. The proposal would change the use of the first floor office space only and therefore there would be no loss of retail floor space, nor impact on ground floor frontage.

As the property lies within the Conservation Area and is also a locally listed building, the Conservation advisor was consulted on the application. However as the proposal does not consist of any external alterations to the building, they have not raised any objections to the scheme.

Policy E(TCR).12 sets out that this type of use in the town centre should not have an adverse impact on neighbouring properties by reason of noise, smell and litter and should not be detrimental to highway safety.

The proposed opening hours for the new area of bar are shown to be 20:00 to 04:00 hours 7 days a week, which is the same as the opening hours for the existing bar.

Worcester Regulatory Services have not raised any objection to the scheme in regards to noise, but have commented stating that it is imperative that the applicant puts measures in place such as consideration for positioning for speakers if there are flats adjacent to the party wall. Currently there are no flats adjacent to the proposed bar; currently all neighbouring properties appear to be offices. However to make the applicants aware of WRS's comments, it is recommended that an informative should be added to state that if unreasonable noise is experienced at any neighbouring property, action under the Environmental Protection Act 1990 for statutory nuisance could be instigated.

To date no representations have been received following the public consultation and no other comments have been received from any of the consultees regarding the proposed scheme, including highways. It is considered that the scheme will not have a detrimental impact on the existing amenity of the area.

This scheme has raised no other material planning issues and required no further negotiations or amendments. As such it is considered that the proposal complies with the provisions of the development plan and would be acceptable.

The Council has worked positively and proactively with the applicant on this application.

RECOMMENDATION:

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

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1. The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

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

Drawing No. RD-14-502 Existing and Proposed Ground and First Floor Plan

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.

Informative:

1. The granting of permission does not preclude the fact that action will be taken under the Environmental Protection Act 1990 if it is determined that a statutory nuisance exists in relation to noise.

Procedural matters

This application is being reported to the Planning Committee because the application falls outside the scheme of delegation to Officers.