

**PLANNING  
COMMITTEE**

14th December 2016

---

**Planning Application 2016/317/FUL**

**Change of use of the first floor from a taxi office (Sui Generis) to a use ancillary to the ground floor hot food takeaway (Class A5). Installation of extraction/ventilation equipment in association with the takeaway.**

**37 Unicorn Hill, Town Centre, Redditch, B97 4QR,**

**Applicant: Hotcha Ltd  
Ward: ABBEY**

**(see additional papers for site plan)**

The author of this report is Charlotte Wood, Planning Officer (DM), who can be contacted on Tel: 01527 64252 ext.3412 Email: Charlotte.Wood@bromsgroveandredditch.gov.uk for more information.

**Site Description and Proposal**

The application site is an existing unit on the south side and towards the eastern end of Unicorn Hill. Vine Street lies to the rear of the unit offering access to the private parking area to the rear of the site. The unit is a two storey building of a simple block design which likely dates back to the 1960's. The site falls within Redditch Town Centre but outside of the 'Retail Core', and does not form part of a Conservation Area.

The first floor of the unit was previously used as a taxi office, which is considered a sui generis use and the currently vacant ground floor was previously used as a Class A5 hot food takeaway.

This application seeks planning permission for the change of use of the first floor from a taxi office (Sui generis) to a hot food takeaway (A5) in order for the first floor to be used in association with the existing ground floor takeaway below. The proposed use of the first floor would be for a staff changing area and for the provision of refrigeration/freezer and storage facilities.

The proposal also includes the installation of extraction and ventilation equipment in association with the takeaway.

**Relevant Policies :**

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

BBE13 Qualities of Good Design  
ETCR01 Vitality and Viability of the Town Centre  
ETCR06 North West Quadrant  
ETCR12 Class A3, A4 and A5

## REDDITCH BOROUGH COUNCIL

# PLANNING COMMITTEE

14th December 2016

---

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

Policy 30: Town Centre and Retail Hierarchy

Policy 31: Regeneration for Town Centre

Policy 33: Use of Upper Floors

### **Others:**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

### **Relevant Planning History**

2016/322/ADV	1 no. Fascia Sign (internally illuminated) 1 no. Projecting sign (internally illuminated) 2 no. Low level frosted vinyl to shopfront glazing	Approved	30.11.2016
1998/048/FUL	Continued Use Of Part Of The Front Area Of The First Floor As A Hackney Carriage Administration Office	Approved	23.03.1998
1996/045/FUL	Hackney Carriage Administration Office	Approved	29.05.1996
1994/212/FUL	Extension To Restaurant To Form Store	Approved	12.07.1994
1994/213/ADV	Advertisement - Illuminated Shop And Projecting Sign	Approved	19.08.1994

### **Consultations**

#### **Town Centre Co-ordinator**

Verbal response that the proposal is acceptable

#### **Highway Network Control**

I have no highway objections to the proposed change of use of the first floor from a taxi office (Sui Generis) to a hot food takeaway (Class A5) and the amalgamation with the ground floor takeaway; installation of extraction/ventilation equipment in association with the takeaway.

**PLANNING  
COMMITTEE**

14th December 2016

---

**Worcester Regulatory Services- Noise, Dust, Odour & Burning**

**14.11.2016** WRS has received a request for comments on the above application. Comments for noise and odour are as follows.

The application is for change of use of the first floor from a taxi office to a hot food takeaway and the amalgamation with the ground floor takeaway; installation of extraction/ventilation equipment in association with the takeaway.

Plans have been submitted (Drawing Ref: HOTCHA-Redd-004-03) which show the proposed layout of the extraction system. However no details are provided as to the type and function of the proposed takeaway, nor sufficient details of the proposed kitchen exhaust system whose components can demonstrate that adequate control of the noise and odour will be achieved. I am therefore unable to pass comments until details of the proposed kitchen exhaust system are submitted.

An application should ideally have as a minimum the format contained in "DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" and all applications should follow this format. In particular reference should be made to Annex B Information Required To Support Planning Application For Commercial Kitchen and Annex C: Risk Assessment for Odour.

**Follow up comments received 30.11.2016** I have reviewed the documentation provided for the kitchen extraction/ventilation system and find that it is acceptable.

Also for your interest the risk assessment contains the information that the takeaway will be undertaking Chinese cooking. The type of cooking is important for the design of the extraction system as different types of cooking produce different odour/grease loadings and it is for this reason that we request the type of cooking.

**Worcester Regulatory Services- Licensing (Food And Drink)**

No Comments Received To Date

**Public Consultation Response**

No responses have been received

**Assessment of Proposal**

The proposal would be located within Redditch Town Centre designated by Policy E(TCR).1 of Adopted Local Plan No.3 and Policy 31 of Emerging Local Plan No.4. Both of these local policies are reflective of the NPPF in ensuring the vitality of town centre locations.

**PLANNING  
COMMITTEE**

**14th December 2016**

---

Policy E(TCR).12 states that development of premises for A5 uses in the Town Centre will be granted where a number of criteria are met. Most importantly in this case are the impact of the proposal on the amenity of the area and the provision of adequate parking and servicing facilities.

Officers are mindful that there are no residential properties in close proximity of the site and that the first floor neighbouring units are commercial in nature. In addition to this Policy 33 of the emerging Local Plan no. 4 recognises the benefits of occupying vacant upper floors and promotes this within Town Centre locations such as this.

Worcestershire Regulatory Services (WRS) have not raised concerns in respect of the opening hours that have been proposed by the applicant. Given the similar opening hours that have been afforded to nearby A5 units, and again that there are no adjacent residential uses, it is considered that no harm to amenity would arise from this.

Details of the extraction and ventilation system were also considered acceptable by WRS in terms of being adequate for their function. Due to the presence of other similar features within this area and that there would be limited visibility of the equipment from a public viewpoint, the addition of the extraction and ventilation system to the rear of the building is not considered to harm the visual amenity of the area.

No objections have been raised by County Highways in respect of the proposal. It is noted that although there is no parking directly outside of the unit, the site is within a sustainable Town Centre location where there are opportunities to park in nearby public car parks or use public transport. There is also provision to the rear for bin storage and parking to be used by delivery vehicles.

**Conclusion**

The proposed A5 use is acceptable in principle in this town centre location and no material planning considerations have been raised which would justify withholding consent.

**RECOMMENDATION:**

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

**Conditions:**

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

Reason: To comply with National Legislation

**PLANNING  
COMMITTEE**

**14th December 2016**

---

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Site Location Plans - drawing no. HOTCHA-REDD-004-04

Proposed Extract - drawing no. HOTCHA-Redd-004-03

Bin and Parking Location Plans - drawing no. HOTCHA-REDD-004-02

Proposed Layout - drawing no. HOTCHA-Redd-004-01

External Elevation - drawing no. HOTCHA-Redd-004-00

Extraction Details - document title 37 Unicorn Hill, Redditch extraction/supply specifications

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) The use hereby approved shall only open to the public between the hours of 11am - 11pm Monday to Sunday including Bank Holidays.

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.

**Procedural matters**

This application is reported to Planning Committee for determination because the application is for a proposed A5 use and therefore falls outside the scheme of delegation for Officers.