

**PLANNING
COMMITTEE**

14th February 2018

Planning Application 18/00015/FUL

Change of use of ground floor shop to Class A5 Hot Food Takeaway use

Unit 2, 149 Ipsley Street, Smallwood, Redditch

**Applicant: Mr M S Farooqui
Ward: Central Ward**

(see additional papers for site plan)

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises an existing shop premises which is located to the northern side of Ipsley Street, adjacent to Unit 1 - A&Z News – a convenience store.

The premises were formerly occupied as 'Redditch Travel Centre' before becoming vacant. The site falls within the Town Centre boundary.

Proposal Description

The proposal relates to change of use of the ground floor of the former shop to an A5 (hot food takeaway) use. No external alterations are proposed other than the introduction of an extraction flue to the rear.

Relevant Policies :

Borough of Redditch Local Plan No. 4

Policy 30 Town Centre and Retail Hierarchy
Policy 31 Regeneration of the Town Centre
Policy 40 High Quality Design and Safer Communities

Others:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Relevant Planning History

None relevant

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Consultations

Worcestershire Regulatory Services

No objection subject to the installation of a suitable fume extraction / ventilation system – can be controlled via condition

Town Centre Co-ordinator

No objection

Highway Authority

No objection

Police Crime Risk Manager

No comments received

Public Consultation Response

No comments have been received in relation to this application

Assessment of Proposal

Policy 30 taken from the Borough of Redditch Local Plan No.4 promotes the redevelopment and diversification of the Town Centre by providing vibrant mixed use areas in order to maintain vitality and viability.

The Town Centre is the preferred location for A5 uses for reasons of sustainability. Although it is recognised that A5 uses can complement and enhance the town centre offer, they also have the potential to adversely affect the amenities of an area and are therefore encouraged not to locate in areas which are characterised by being residential in nature.

Members will be aware that in recent years the planning system has been somewhat liberalised by allowing greater flexibility and generally more development to take place without first having to apply for planning permission. In this respect, it should be noted that under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 4, Class D, it is now permitted to change the use of a premises from a shop (Class A1) to a restaurant (Class A3) for a temporary period of up to 2 years by means only of a notification procedure rather than by means of a planning application where the floorspace to be changed is less than 150m². Similarly, under Part 3, Class C of the same order, it is possible to permanently change the use of a shop to a restaurant by means of a prior approval process, again, without having to submit a formal application for planning permission. Although impacts arising from A5 uses are different from those arising from A3 uses, the two uses also share similar characteristics in terms of the way they operate.

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Under this proposal, the change to A5 use would amount to only 46 m² of floorspace and your officers have concluded that the principle of an A5 use in this location is acceptable.

It is necessary to assess the impact of the proposal on the residential amenities of the area, and the provision of acceptable servicing facilities. No objections have been received from adjoining or nearby neighbours following the consultation process and WRS have raised no objections subject to the installation of a fume extraction / ventilation system which can be controlled via planning condition.

It has therefore been concluded that residential amenity would not be harmed by granting consent in this case.

No shopfront alterations are proposed under this application and the proposed new flue whilst being utilitarian in appearance would be located to the rear of the building and would not be harmful to the public realm.

No objections have been raised by Worcestershire Highways and it is considered that customers would typically walk to the site rather than travel by car. Servicing arrangements would continue to operate from the rear and are considered to be acceptable.

It is considered that the proposals comply with the relevant local and national planning policies and no material considerations have been identified 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:

- 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:

Scheme drawing 1449.1

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

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- 3) The use hereby permitted shall not commence until a scheme for the installation of odour control equipment has been submitted to and approved by the local planning authority in writing and the scheme implemented in accordance with the approved details. Such equipment shall be operated and maintained in accordance with the manufacturer's instructions.

Reason:- In the interests of neighbour's amenity. In the interests of the visual amenity of the street scene

Informatives

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.
- 2) This permission relates to the change of use of this building to a hot food takeaway only. A separate application for Advertisement Consent may be required for any signage to advertise the business. The applicant should contact the Local Planning Authority for further advice on this matter.

Procedural matters

This application is being reported to the Planning Committee because the application involves the creation of a new A5 use. As such the application falls outside the scheme of delegation to Officers.