

PLANNING COMMITTEE

Planning Application 17/01255/FUL

Change of use of part of building from an Industrial use to a Shop (Class A1) and Cafe/ Restaurant (Class A3) (Part Retrospective) and the installation of a ventilation flue in roof

Unit 2, Light House Works, Feckenham Road, Astwood Bank, Worcestershire, B96 6DS

Applicant: Mr shaun street
Ward: Astwood Bank And Feckenham Ward

(see additional papers for site plan)

The author of this report is Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 881655 Email: claire.gilbert@bromsgroveandredditch.gov.uk for more information.

Site Description

Light House Works is located on the corner of Queen Street and Feckenham Road in the village settlement of Astwood Bank. The main entrance to the shop and café/ restaurant would however be from Queen Street.

Light House Works forms part of the wider Spring Factory which is a Locally Listed Building. The Local List states that the building is an attractive industrial building of considerable architectural merit, which is relatively unaltered.

Proposal

The application is for the change of use of part of Light House Works from a light industrial (B1) use to a cafe and restaurant (A3 use) and antique shop (A1 use). This application is part retrospective as the antique shop opened in September 2017.

The proposed opening hours of the proposed uses would be as follows:

Use	Monday to Friday	Saturday	Sunday
Shop	9:00am to 5:00pm	9:00am to 5:00pm	10:00am to 4:00pm
Cafe	7:30am to 5:00pm	7:30am to 5:00pm	10:00am to 4:00pm
Restaurant	Friday only- 6:30pm to 10:00pm	6:00pm to 10:00pm	Not Open

Relevant Policies:

Borough of Redditch Local Plan No. 4 Adopted January 2017

Policy 1 Presumption in favour of Sustainable Development

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Policy 2 Settlement Hierarchy
Policy 19 Sustainable Travel and Accessibility
Policy 20 Transport requirements for new developments
Policy 23 Employment land provision
Policy 30 Town Centre and Retail Hierarchy
Policy 36 Historic Environment
Policy 37 Historic Buildings and Structures
Policy 39 Built Environment
Policy 40 High Quality design and Safer Security

Others

Encouraging Good Design SPG
Employment and Monitoring SPG
NPPF National Planning Policy framework
NPPG National Planning Policy Guidance

Relevant Planning History

2010/143/COU	Change of Use of business unit within Class B1 to Hairdressers (A1)	Refused 16.08.2010
2005/309/FUL	Revised Application - Conversion Of Existing Building Into 11 No. 1 Bed And 7 No. 2 Bed Flats And Car Park Areas	Refused 17.08.2005
2005/159/FUL	Conversion Of Ex Building Into 11 No. 1 Bed And 7 No. 2 Bed Flats And Car Park Areas	Withdrawn 13.06.2005
2003/472/FUL	Alteration, Extension And Conversion To 14 No. Apartments	Withdrawn 25.11.2004
2002/020/FUL	Change Of Use To Provide 5 No. Flats: Retain 3 No. Offices.	Refused 24.05.2002 and Appeal Dismissed 26.03.2003

Consultations

Conservation Officer

No Comments Received To Date. Expired 01.02.2018

Redditch Strategic Planning and Conservation

Borough of Redditch Local Plan No.4 Policy 2 Settlement Hierarchy

Astwood Bank features second in the Boroughs settlement hierarchy, directly following the urban area of Redditch. The Policy states that development within the

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settlement boundary will be the focus for identified development needs and supporting local services and infrastructure. The Accessibility Study and Settlement Hierarchy for Redditch Borough (October 2008) defines the settlement hierarchy and considers the sustainability of the settlements in Redditch.

Accessibility Study and Settlement Hierarchy for Redditch Borough (October 2008)

The study outlines that the purpose of defining a Settlement Hierarchy is to help direct new development to the most sustainable locations and to areas with the capacity to accommodate further growth, this is then used as a framework against which future levels of development can be determined. The study concludes that Astwood Bank is a sustainable settlement, and it can be argued that further development (although not necessarily significant growth) within this settlement will help meet the needs of local residents.

The study shows that A1 and A3 uses are already present in Astwood Bank and therefore it is considered the addition of this use would not harm the sustainability of the settlement or alter its role in the settlement hierarchy.

Borough of Redditch Local Plan No.4 Policy 30 Town Centre and Retail Hierarchy

The area of Astwood Bank contains Astwood Bank District Centre. The purpose of this policy is to ensure that development is appropriate to the size of the centre and the geographical area it serves. Within the hierarchy Astwood Bank is within Tier 2 - District Centres. The District Centres should provide day to day needs and be supported by a limited range of other shops and non-retail services. Therefore the use proposed through this application would be appropriate to be located in Astwood Bank District Centre and in the first instance development of this type should be directed there, rather than the wider settlement. However, as the proposed use is of limited size (194 sq. m) it is not considered that this use outside of the District Centre would harm the role and function of the District Centre and is still considered appropriate in the wider settlement of Astwood Bank.

Borough of Redditch Local Plan No.4 Policy 36 Historic Environment

Light House Works forms part of the wider Spring Factory which is a Locally Listed Building. The Local List states that the building is an attractive industrial building of considerable architectural merit. It is a relatively unaltered and a well detailed example of its type that was integrated successfully within the contemporary residential development. It is essential that this architectural merit is retained. Policy 36 states that "...locally listed heritage assets, and their settings will also need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment" (paragraph 36.2). In accordance with this Policy any works should be sympathetic and enhance the building. The Policy requires a Heritage Statement to be submitted alongside the application, this has been completed.

Employment Land Monitoring SPG (2003)

The site is currently in use as B1(c) light industrial use. The site is 194 sq m (0.0194Ha) and is not allocated as employment land in the Borough of Redditch Local Plan No.4. Through assessment against the SPD it is considered that the site would not be counted as an employment site for the purposes of contributing towards the Local Plan employment target (paragraph 2.6 and flow chart on page 7). In addition

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the site would not be monitored as a loss to employment at the local level as the site falls below the size threshold of 0.4Ha.

In conclusion this application is not contrary to planning Policy.

WRS - Noise

Noise: No objection to the application in terms of noise.

Odour: In order to aid dispersion of any cooking odours / fumes there should be no restriction (cowl) at the final flue opening other than a velocity cone.

The submitted information relating to the cowl design (high velocity) is acceptable and should be implemented.

WRS - Air Quality

WRS have reviewed the above planning application for potential air quality issues of which none have been identified. WRS therefore have no adverse comments to make in relation to and air quality.

WRS - Food

No Comments Received To Date. Expired 01.02.2018

Highways Redditch

Under the SLA agreement I have no highway objections to the change of use of part of building from an Industrial use to a café/ restaurant and shop - no highway implications.

Within the vicinity there are fourteen Public car parking spaces located along Feckenham Rd these provide an hours parking with a no return within two hours, a free public car park is also located near the junction of Evesham Road and Feckenham Road.

Waste Management

No Comments Received To Date. Expired 01.02.2018

Public Consultation Response

63 public consultation letters were originally sent out on the 05.01.2018. Expired 26.01.2018.

A further public consultation letter was sent out on the 11.01.2018 to notify people of amendments to the proposal. Expires 01.02.2018.

(This letter was sent to the original 63 addresses and all who had contributed to the application at that time.)

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A site notice was also posted near to the site (Feckenham Road) on 08.01.2018 and 12.01.2018. The latter notice expires 02.02.2018.

To date 32 comments have been received for this application- 6 in objection (1 of which has been counter signed by 7 other residents) and 26 in support.

Summary of reasons for objection

- Lack of parking in the area.
- The existing garage on Queen Street is in constant use, with cars in and out all day waiting to be seen and deliveries several times each day often blocking the road completely.
- The parking along Feckenham Road is already full due to the existing uses along this road including the Doctors, Ironing shop and post office.
- At school start and leave times and work leaving times it is almost impossible to drive up Feckenham Road due to parked cars.
- Lack of parking and treacherous traffic in the area already a problem without being added to.
- Queen Street is an un-adopted road.
- Over development of village, with no road without its more than fair share of parked cars.
- Since the shop has opened the parking has been unbelievable.
- Recently had to install double glazing because of noise from vehicles parking overnight and traffic all day long. It seems that the only time we can get some fresh air is in the evening. Are we to lose that also?
- Effect of fumes from proposed flue on nearby residents- fresh air, smell, outlook
- Outlook of residents of Eastwood Court- looking out onto proposed ventilation pipe

Summary of reasons for support

- The closure of retail shops and opening of fast food outlets and hairdressers on Evesham Road together with the residential development of my former business premises all contribute towards this part of the village no longer being the centre. The on-road parking causes numerous accidents and is a danger both to the public, school children and from the actions of frustrated drivers.
- The area of Astwood Bank from Feckenham Road through the High Street to the shops by the traffic lights on Evesham Road is fast becoming the centre of the village. The relocated post office, doctor's surgery, chemist, newsagents, Hancock's grocery store and other shops are all in this area.
- It is a great addition to the small businesses that we currently have.
- There is a free car park within easy walking distance to this part of the village.

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- The coffee shop would be a welcome addition to the Village of Astwood Bank. It would become a meeting place for villagers and would improve amenities for the community.
- It has been nice to see the restoration of one of our oldest buildings
- Bring in extra people to the Astwood Bank who could use the other retail outlets and boost their turnover - keeping the high street alive.
- Good for the economy to support local business.
- Nice having a café/restaurant that is not on the main road through Astwood Bank.
- Astwood Bank needs to have an improved retail choice otherwise it will become a ghost village.
- In terms of bringing a heart back to the village and giving residents and the wider Redditch area access to an eclectic and varied retail and dining opportunity is much needed.

Other non material planning issues have been raised within the representations, which cannot be taken into consideration as part of our determination of this application.

Assessment of proposal

Redditch Strategic Planning have confirmed that Policy 2 of the Borough of Redditch Local Plan No. 4 sets out that Astwood Bank features second in the Boroughs settlement hierarchy, directly following the urban area of Redditch. This Policy states that development within the settlement boundary will be the focus for identified development needs and supporting local services and infrastructure.

The Accessibility Study and Settlement Hierarchy for Redditch Borough (October 2008) defines the settlement hierarchy and considers the sustainability of the settlements in Redditch. This study concludes that Astwood Bank is a sustainable settlement, and it can be argued that further development (although not necessarily significant growth) within this settlement will help meet the needs of local residents.

The study shows that A1 and A3 uses are already present in Astwood Bank and therefore it is considered that the addition of these uses within the village would not harm the sustainability of the settlement or alter its role in the settlement hierarchy. There is a District Centre located within the village of Astwood Bank, which is mainly situated along Evesham Road. The application site is situated outside of the Astwood Bank District Centre.

Policy 30 of the Borough of Redditch Local Plan No. 4 sets out that the Borough Council will use planning policies to maintain and, where necessary and appropriate, improve the shopping function and environment of the town and district centres. Therefore preferably to protect the vitality of the district centres, uses such as the proposed should be located within the district centre. However in this case given the

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limited size of the proposal (194 sq. m) it is not considered that the proposed change of use would harm the role and function of the District Centre in Astwood Bank. It is also noted that Redditch Strategic Planning have raised no objection to the proposal and have confirmed that the application is not contrary to planning Policy.

The application is part retrospective as the antique shop element of the proposal is already in place and open to the public. This opened towards the end of 2017 under the temporary use permitted development rights (Schedule 2, Part 4, Class D of the General Permitted Development Order 2015 (as amended)).

This permitted development right allows for certain change of uses to take place (subject to certain restrictions and limitations) for a temporary period of 2 years without having to seek express planning permission from the Local Planning Authority. This includes change of uses from B1 to one of the following uses: A1, A2 or A3. It is therefore important to note that there is a permitted fall-back position for part of the proposal.

Historic Environment

Light House Works forms part of the wider Spring Factory which is a Locally Listed Building. The Local List states that the building is an attractive industrial building of considerable architectural merit. It is a relatively unaltered and a well detailed example of its type that was integrated successfully within the contemporary residential development. It is essential that this architectural merit is retained. Policy 36 states that "...locally listed heritage assets, and their settings will also need to be conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment" (paragraph 36.2). In accordance with this Policy any works should be sympathetic and enhance the building.

No comments from the councils Conservation Officer have not yet been received.

Employment Use

The site is currently has a B1(c) light industrial use. However as the site is only 194 sq m (0.0194Ha) and is not allocated as employment land in the Borough of Redditch Local Plan No.4; Redditch Strategic Planning have confirmed that the site would not be counted as an employment site for the purposes of contributing towards the Local Plan employment target or monitored as a loss to employment at the local level.

Highways

There is no allocated parking for the proposal and concerns have been raised from local residents in regards to parking and traffic congestion and safety in the area. However, Worcestershire County Council Highways have not raised an objection to the proposed change of use as they do not believe that there would be any highway implications.

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The County Highways Officer has also indicated that there is parking within the vicinity of the site, with fourteen Public car parking spaces located along Feckenham Road and a free public car park which is located near to the junction of Evesham Road and Feckenham Road. It is also noted that there is a free car park located on Foregate Street and although un-adopted, there is no restriction on parking on Queen Street.

Amenity

Concerns have been raised from local residents in regards to the impact the proposal would have on the nearby residents, in regards to air quality, odour and outlook. Eastwood Court is opposite the site and some of the residential apartments do face onto the site and so will be able to see the proposed flue. However, given the industrial nature of the existing building and the adjacent car garage, the size of the proposed flue, its proposed location on the roof and the presence of other flues within the roof space; it is not considered that the proposed flue would have a detrimental impact on the existing outlook of the neighbouring residents.

In terms of noise, odour and air quality, it is noted that Worcestershire Regulatory Services have not raised any objection to the proposal as they do not believe that it would cause any issues in regards to these matters.

The proposed opening hours of the A3 use of the building would include opening up to 10:00pm on some evenings. Although there are residential properties near to the site, given the current use of the building and the relatively small size of the proposed A3 use within the building (being approximately 44sq m of floor space), it is not considered that the proposed opening hours would be unacceptable in this location.

Conclusion

Overall given the scale of the proposal, it is not considered that it would harm the role and function of the District Centre in Astwood Bank or would have a severe adverse impact upon highway safety or on the amenities of the nearby residents. As such it is considered that the proposal would be in accordance with the policies in the Local Plan and the NPPF and would be acceptable.

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.

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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 carried out in accordance with the following plans and drawings:

Site Plan dated 22 Oct 2017

Location Plan dated 22 Oct 2017

Coffee Plan 2

Proposed Floor Plan- Downstairs Coffee Shop and Entrance to Antique Centre

Proposed Floor Plan- 1st Floor (upstairs) Antique Centre

Coffee Plan 6- Section through building showing proposed flue and high velocity cowl

High Velocity Cowl (Dust Spares Ltd) dated 10/01/2018

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3 The uses hereby permitted shall not be open to customers outside of the following times:

Use	Monday to Friday	Saturday	Sunday
A1 Shop	9:00am to 5:00pm	9:00am to 5:00pm	10:00am to 4:00pm
A3 Cafe/ Restaurant	7:30am to 10:00pm	7:30am to 10:00pm	10:00am to 4:00pm

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise from people entering or leaving the site, and for the avoidance of doubt as to the scope of this permission.

4. The Cafe/ restaurant (A3) use hereby approved shall only take place within the ground floor area of unit 2 Light House Works as shown on Drawing:
Downstairs Coffee Shop and Entrance to Antique Centre.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and for the avoidance of doubt as to the scope of this permission.

Procedural matters

This application is being reported to the Planning Committee because the proposal is for a part A3 and also because two (or more) objections have been received. As such the application falls outside the scheme of delegation to Officers.