



Planning Committee

Central Ward

1st December 2009

2009/226/COU CHANGE OF USE TO HOT FOOD TAKE-AWAY (A5 USE); NEW ENTRANCE TO IPSLEY STREET AND LODGE ROAD UNITS 5A4 AND 5A5, MILLSBOROUGH HOUSE, IPSLEY STREET, REDDITCH

APPLICANT: MR D GOUGH
EXPIRY DATE: 18TH DECEMBER 2009

The author of this report is Steven Edden, Planning Officer, who can be contacted on extension 3206 (e-mail: steve.edden@redditchbc.gov.uk) for more information.

Site Description

(See additional papers for Site Plan)

Units 5A4 and 5A5 are located on the ground floor of Millsborough House, a two storey mixed commercial use building. Both units are near to the corner of the building at the Ipsley Street / Lodge Road junction. Millsborough House fronts onto Ipsley Street to the north and is bounded by Lodge Road (to the west) and Millsborough Road (to the east), beyond which lies the Trafford retail park. To the south lies Summer Street with Victorian terraced dwellings beyond.

The site lies within the 'Peripheral Zone' as defined in the Borough of Redditch Local Plan No. 3.

Proposal Description

Permission is sought for the change of use of Units 5A4 and 5A5 to create one unit, which would operate as a hot food take-away premises. Unit 5A4 would be the service area of the unit and Unit 5A5 the kitchen area. The Unit's previous uses (before becoming vacant) have been as a tattoo studio and as an office.

External changes to the building are proposed and are listed as follows:

- removal of ground floor window (facing Lodge Road) to form new door way
- erection of ramped access to building

Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk
www.redditchbc.gov.uk

National Planning Policy

PPS 1 Delivering Sustainable Development
PPG 13 Transport

Borough of Redditch Local Plan No.3

E(TCR).3 Peripheral Zone
E(TCR).12 Class A3, A4 and A5 (restaurants, snack bars, cafes, pubs and bars and take-aways)
B(BE).13 Qualities of Good Design
S.1 Designing out crime
C(T).12 Parking Standards

SPDs

Encouraging Good Design
Designing for Community Safety

Relevant Site Planning History

Appn. no	Proposal	Decision	Date
96/043	Change of Use to B1, B2 and B8 (Unit 5A5)	Approved	04/03/1996
05/368	Change of Use to Tattoo Studio (Unit 5A4)	Approved	21/09/2005

Public Consultation Responses

Responses in favour

None

Responses against

None

Consultee Responses

County Highway Network Control

No objection

Environmental Health

No objections in principle. Means of extraction, ventilation and control of odours would need to be agreed.

Police Crime Risk Manager

No objection

Waste Management Officer

No objection subject to a condition regarding provision of trade waste facilities and provision of a litter bin

Assessment of Proposal

The key issues for consideration in this case are the principle of the proposed development, highway safety, the design of the external alterations, together with any other material considerations.

Principle of Change of Use

The site lies within the Peripheral Zone where Policy E(TCR).3 applies. Under the terms of that policy, development proposals are required to complement the role and function of the town centre. Peripheral Zones generally contain a mix of different commercial uses, and Millsborough House is typical in this respect. It currently contains a mix of business / office uses, entertainment uses such as the snooker club, together with some retailing and hot food take-away uses. The proposal is not considered to be at odds with Policy E(TCR).3 and would complement the role and function of the town centre.

Policy E(TCR).12 of the Local Plan deals specifically with proposals for Class A3, A4 and A5 uses which include hot food take-aways, restaurant, cafes, wine bars and public houses. Officers have assessed the impact of the proposed hot food take-away use upon neighbouring amenity and the cumulative impact of an additional A5 use as required by the above policy, and in the absence of any adverse comments in principle from the Council's Environmental Health Officer, Officers have concluded that the A5 use proposed is acceptable in principle.

Highway Safety

Although parking for users of Millsborough House exists within a large central courtyard area (accessed from Millsborough Road), parking is not designated specifically for users of Unit 5A4 and 5A5. Five staff would be employed if planning permission were to be granted for this development. Considering that a tattoo parlour and a new office user could locate within the Units at any time without requiring planning permission, additional demands on car parking are not believed to be material. Given the aims of sustainability around which planning policy is centred, the lack of designated parking for users of the development is not considered to be harmful to highway safety. The site is in an area near to existing residential development and is also very near to main pedestrian and public transport routes to the town centre. As such, your Officers consider

that few persons are likely to travel to and from the premises by car. Given that a small public car park exists at 'Pool Place' opposite Millsborough House (to the north) and that a number of hot food take-away and restaurant uses have been granted planning permission within the Peripheral Zone in recent years without any designated 'on-site' car parking provision, Officers would consider it unreasonable to refuse this application on highway safety grounds given that County Highways have raised no objection to the proposals.

Design of external alterations

A ramped access to the building is proposed, to comply with requirements under the building regulations concerning disabled access to the premises. The ramp would start at a point approximately half way between the existing main entrance to Millsborough House and the right hand corner of the building (viewing Millsborough House from Ipsley Street). A small section of the existing dwarf wall and metal railings (1 metre in width) would need to be removed to gain access to the ramp. The removed section of railings would be relocated to the existing one metre gap near to the corner of the building at the Lodge Road / Ipsley Street road junction, adjacent to the existing 'no entry' road sign. The disabled access ramp would lead to a new door in the ground floor elevation facing towards Lodge Road, where a window currently exists. These proposals are considered to be acceptable in principle, but in order that the works fully respect the character and appearance of the existing building, your Officers recommend the imposition of a planning condition requiring that the railings have a black powder coated finish to match the colour of the existing railings surrounding Millsborough House, and that the proposed new door be of traditional appearance.

Other issues

A condition is recommended to control the methods of cooking and resultant fume extraction etc prior to any development taking place on the site. A condition is also recommended in order to restrict the opening hours of the unit to a reasonable level in order to protect residential amenity. Should a future occupant wish to increase these hours, a variation of condition application could be made and considered.

Conclusion

The proposal accords with current planning policy and it is not considered that the proposal would cause harm to amenity or highway safety.

Recommendation

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

- 1) Development to commence within 3 years
- 2) The use hereby permitted shall be closed and cleared of customers outside the hours of 1400 hours to 0200 hours Monday to Saturday and 1400 hours to midnight on Sundays
- 3) Full details of the means of extraction, ventilation and control of odour and other emissions to be submitted, agreed and implemented prior to use commencing
- 4) Details of trade waste and litter bin provision to be submitted for the prior written approval of the LPA. Development to be carried out in accordance with approved details.
- 5) Development to be carried out in accordance with plans submitted with application
- 6) Railings to have a black finish; new door facing Lodge Road to be of either timber or metal construction, full details to be submitted for the written approval of the LPA. Details agreed to be implemented prior to first occupation of the business
- 7) Wall and railings removed under this consent to be relocated to existing gap located at Lodge Road / Ipsley Street junction prior to first occupation of the business

Informatives

- 1) A separate application for Advertisement Consent may be required under the Control of Advertisements Regulations 2007 for any signage to advertise the business. The applicant is advised to contact the Local Planning Authority for further advice in this respect.