

**PLANNING
COMMITTEE**

13th February 2019

Planning Application 18/01283/FUL

Refurbishment of existing single storey side extension including new windows to front elevation; new basement; new single storey extensions to rear of public house

The Queens Head, 125 Bromsgrove Road, Batchley, Redditch, B97 4RL

**Applicant: Mr Ravinder Singh
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 Queens Head Public House is located to the southern side of Bromsgrove Road within a residential area. The nearest roads to the site having access via Bromsgrove Road are Vicarage Crescent (to the west of the existing pub car park) and Lowans Hill View (directly to the north-east of the site). Beyond Lowans Hill View to the north are the Terrys Playing Fields and the Redditch United Football Stadium.

Proposal Description

Full planning permission is sought refurbish the existing single storey side extension; the creation of a new basement and new single storey extensions to the rear of the public house. It is understood that the reason for the extensions are to provide a larger restaurant area where existing floorspace limits the ability to provide this offer. A Public House is classified as an A4 use under the Town and Country Planning (Use Classes) Order 1987 (as amended).

Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 19: Sustainable Travel and Accessibility

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Policy 43: Leisure, Tourism and Abbey Stadium

Others

NPPF National Planning Policy Framework (2018)

NPPG National Planning Practice Guidance

SPG Encouraging Good Design

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Relevant Planning History

2008/273/COU Change Of Use Of Two Public House
Car Parking Spaces To A Hand Car
Wash (Retrospective)

Refused:
07.10.2008

Consultations

WCC Highways

The site is located within a residential area and benefits from an on-site designated car park containing 17 car parking spaces. I am satisfied that there are no highway implications and that highway safety would not be compromised.

Worcestershire Regulatory Services: Noise and odour

WRS have examined the proposals and would confirm that the location for the proposed flue is acceptable subject the fitting of silencers and an odour risk assessment being carried which could be controlled by planning condition.

Police Crime Risk Manager

No objections

Public Consultation Response

3 letters have been received in objection to the application.
Comments received are summarised below:

- The Queens Head Public House has a historic record of anti-social behaviour. Anti-social behaviour would increase if planning permission is granted for the development
- Fears that drug and alcohol misuse would increase in the area to the detriment of surrounding residential occupiers
- An intensification of use as proposed should not be permitted in a residential area
- Odours arising from the cooking of foods would impact detrimentally upon surrounding residents
- Noise levels are likely to increase to the detriment surrounding residents
- Concerns that the existing car park could not accommodate additional patrons using the public house

Other matters which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

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Assessment of Proposal

Principle of development

The National Planning Policy Framework (NPPF) advises in Paragraph 11, that planning applications for development should be considered in the context of the presumption in favour of sustainable development. This is reinforced under Policy 1 of LP4.

Paragraph 92 of the National Planning Policy Framework comments that to provide the social, recreational and cultural facilities and services the community needs, decisions should *inter alia*:

- plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments
- guard against the unnecessary loss of valued facilities and services
- ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community

Having regard to the above statements, there are no objections to the principle of the proposed extensions; indeed, your officers consider that such proposals should be supported subject to normal development management considerations such as the impact of the proposals upon residential amenity and upon highway safety.

Policy 43 of the Borough of Redditch Local Plan 4 comments that Leisure, tourism and culture proposals, including new build, extensions or additions to existing facilities will be promoted and supported where the site is located in places that are sustainable and accessible by a choice of transport modes or where additional visitor numbers can be accommodated without detriment to the local economy and environment and where they benefit the economy of the Borough and enhance community facilities.

Design of development

The proposed alterations to the prominent front elevation of the public house which comprise the insertion of a new bay window to match the existing bay windows, and one smaller flush fitting window are considered to represent an enhancement the building. The flat roofed extensions to the side and rear which would be finished in painted white brickwork are similarly considered to be acceptable since they would match parts of the existing building which are flat roofed and would minimise the visual impact of the development from Bromsgrove Road and adjacent dwellings.

Impact of the proposals on highway safety

Policy requires all developments to incorporate safe means of access and egress appropriate to the nature of the local highway network.

Representations have been received questioning the intensification of use and whether the existing car park can cope with additional demand.

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County Highways have concluded that there are no highway implications which might result in the proposed development giving rise to harm to highway safety, noting the availability of the dedicated 17 space car park. It should be noted that similarly sized A4 Class (drinking establishments) exist within the Town Centre without any dedicated on-site parking provision.

There are no objections to this application having regard to highway safety considerations.

Impact upon nearby residential and business uses

The existing public house is located within a residential area as are several other A4 uses within the Borough.

It is recognised that anti-social behaviour issues have arisen in the past at this site and that drinking establishments may attract anti-social behaviour. The planning history (above) refers to a retrospective planning application for a car wash facility at the site (application 2008/273/COU: refused permission in October 2008). The car wash application attracted many representations in objection and has long since ceased operating.

The Queens Head closed in September 2018 and has been vacant since this time. The new owners wish to refurbish and extend the existing public house in order to ensure that the site remains viable in the future. The existing building is small and is in a state of dilapidation, particularly internally. Without significant investment, your officers consider that the existing buildings' future is unlikely to be secured given its very poor state of repair and its modest size.

For the reasons stated above, having regard to Paragraph 92 of the NPPF and Policy 43 of the Local Plan, your officers support the proposed modernisation and refurbishment works subject to the development not impacting upon the amenity of nearby residents.

There are no objections to the application in terms of the developments impact upon highway safety. The Police Crime Risk Manager has been consulted as part of the application and has raised no objection. Noise and odour issues have been examined by Worcestershire Regulatory Services who raise no objections subject to a condition which would adequately control odours and noise arising from the use of extraction equipment which would be located to the rear of the premises.

The proposed opening hours: Sundays to Thursdays: 12:00 noon till 23:00 hrs and Friday and Saturday 12:00 noon till 12:00 midnight would be consistent with the existing premises licence.

It is important to note that the currently vacant public house could re-open at any time without planning permission and therefore it is necessary to assess any perceived harm

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that might arise by granting permission for the extensions and alterations to the existing building.

The applicant considers that the existing public house is not financially viable without the extensions which would enable the business to focus on the provision of food to customers via a primarily restaurant use (A3 Class) rather than operating primarily as a drinking establishment use (A4 Class). In this respect, your officers would draw members attention to the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) which allows A4 uses to change to A3 without the requirement to apply for planning permission due to the fact that restaurant (A3 Class) uses are inherently more compatible with surrounding residential uses than A4 uses.

Your officers have concluded that the proposals would not impact detrimentally upon nearby occupiers.

Conclusion

It is considered that the proposals comply with the planning policy framework which resists the loss of such facilities and promotes modernisation and enhancement in order that they can be retained for the benefit of the community.

The proposals are unlikely to cause any harm to amenity or highway safety and as such, subject to compliance with conditions as listed in full below, a favourable recommendation can be made.

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 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) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

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- 3) The development hereby approved shall be carried out in accordance with the following plans and drawings:

appropriate references to be inserted here

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

- 4) The use hereby permitted shall not be open to the public outside the following hours:

Sundays to Thursdays: 12:00 noon till 23:00 hrs and Friday and Saturday 12:00 noon till 12:00 midnight

Reason: To define the permission and in the interests of amenity.

- 5) Prior to first installation, an odour control equipment scheme including an odour risk assessment shall be 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) The local planning authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.

Procedural matters

This application is being reported to the Planning Committee because two (or more) objections have been received (Criteria 9). Further, the proposal involves an extension to an existing A4 use (Criteria 11). As such the application falls outside the scheme of delegation to Officers.