

**PLANNING
COMMITTEE**

25th August 2021

Planning Application 21/01079/FUL

Change of use of ground floor from offices (formerly Hemmings estate agents) to drinking establishment

22 Unicorn Hill, Town Centre, Redditch, B97 4QU

**Applicant: Mr A H Khan
Ward: Abbey Ward**

(see additional papers for site plan)

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 64252 Ext. 3206 Email: steve.edden@bromsgroveandredditch.gov.uk for more information.

Site Description

Number 22 Unicorn Hill was formerly occupied by Hemmings Estate Agents before becoming vacant. The property is positioned roughly mid-way between Unicorn Hill (to the south) and Bates Hill (to the north). To the sites immediate south-west is the Royal Enfield Public House, known by other names in the past including that of the former Chicago Rock Café. Historically the same building was used as a Cinema.

A shared parking area exists to the South and East of the premises, accessed via Unicorn Hill.

The property is a three-storey building and falls within the Redditch Town Centre but outside the 'Retail Core' as defined on the Borough of Redditch Local Plan No. 4 Policies Map. The site does not form part of the Church Green Conservation Area.

Proposal Description

This application seeks planning permission for the change of use of the ground floor only from an estate agent's office (Use Class E) into a Drinking Establishment (Use Class Sui Generis).

Members will be aware that the planning use class system changed on the 1st of September 2020. Before this time, an estate agent's office was classified as Class A2 (now Use Class E) with a Drinking Establishment Use falling within Class A4 (now Sui Generis).

The proposed drinking establishment would be that of a Gin and Cocktail bar and would be open between the hours of 4pm to 11pm Monday to Thursday and between 4pm to 2am on Friday, Saturday and Sundays.

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Relevant Policies:

Borough of Redditch Local Plan No. 4

Policy 1: Presumption in Favour of Sustainable Development

Policy 19: Sustainable travel and Accessibility

Policy 30: Town Centre and Retail Hierarchy

Policy 31: Regeneration for Town Centre

Policy 39: Built Environment

Policy 40: High Quality Design and Safer Communities

Others

National Design Guide

NPPF National Planning Policy Framework (2021)

NPPG National Planning Practice Guidance

Relevant Planning History

21/00732/FUL	Change of use of ground floor from offices (formerly Hemmings estate agents) to hot food takeaway	Application Withdrawn	06.07.2021
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Consultations

Worcestershire County Council (WCC) Highways

No objection. The site benefits from shared existing off road car parking for 8 vehicles. I would be happy to accept this site as car free due to its town centre / sustainable location

Worcestershire Regulatory Services - Licensing

Authorisation would be required under the Licensing Act 2003. Further information can be found on the website www.worcsregservices.gov.uk

Town Centre Co-ordinator

No comments Received

West Mercia Constabulary

No objection

Public Consultation Response

No comments received

Assessment of Proposal

Principle of change of use

The site falls outside of the Retail Core and as such, Policy 32 of the Borough of Redditch Local Plan No. 4 would not apply in this case.

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The proposal would allow a currently vacant unit to resume commercial operation with the application contributing to the evening and night-time economy in the local area which is encouraged by Policy 31 (Regeneration for the Town Centre) of the Borough of Redditch Local Plan No. 4. Further, the proposed change of use would not hinder the regeneration vision for the Town in accordance with Policy 31.

The proposal would also enhance the vitality and viability of this part of the Town Centre, in line with the aspirations of the Local Plan.

In view of the above, the proposed change of use is considered acceptable.

Amenity

Worcestershire Regulatory Services have raised no objection to the application and no representations have been received from the wider public following consultation. It should be noted that adjoining uses are largely commercial in nature and the proposal would be compatible with those uses.

Highways

The site is within the town centre and there are a number of public car parks within short walking distance to the site.

No objections have been raised by County Highways in respect of the proposal who have noted that a shared existing off road car parking area which can accommodate 8 vehicles is available to the front of the premises. Notwithstanding this, WCC Highways have commented the proposal would be acceptable if no such parking area was available due to its sustainable location in the Town Centre. The location is very near to public transport links and it is expected that many customers would walk to and from the site.

Waste

The proposed floor plan has indicated a dedicated storage area for bins at the rear of the premises and therefore it is not considered that the proposal would exacerbate existing known local issues around the disposal of waste.

Other matters

As set out above, the planning use class system changed on the 1st of September 2020. This includes the re-classification of the A1 (shop) A2 (estate agent offices) and A3 (restaurant) uses into the new Class E use. Permitted development rights afforded by the Town and Country Planning (General Permitted Development) (England) Order 2015 came into effect on 1st August 2021. This means that a shop or estate agent office (for example) may change to a restaurant without the occupier needing to apply for planning permission. The Governments overall direction of travel in this respect is therefore clear, allowing more flexibility and permitting changes between (formerly separated) commercial uses without the need to apply for permission.

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It is therefore necessary to consider the harm caused (if any) by allowing a drinking establishment use to exist at the premises compared with that of a café or restaurant use which could operate from 22 Unicorn Hill at present without needing consent.

Conclusion

The proposed use is considered to enhance the vitality of this part of Redditch Town Centre by allowing a currently vacant unit to resume commercial operation.

The proposal would also contribute to the night time economy which is encouraged by Policy 31 of the Local Plan.

No issues in relation to highways or amenity have been identified which would justify withholding consent in this case and as such it is recommended that planning permission is granted.

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

Site location plan dated 16 July 2021

Floor plan dated 16 July 2021

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

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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) Authorisation is required under the Licensing Act 2003. Further information can be found on the website www.worcsregservices.gov.uk.

Procedural matters

This application is reported to the Planning Committee for determination because the application is for a drinking establishment use. As such the application falls outside the scheme of delegation to Officers