

**PLANNING
COMMITTEE**

14th September 2010

PLANNING APPLICATION 2010/205/COU

**PROPOSED CHANGE OF USE OF PART OF FIRST FLOOR TO A4 USE
(DRINKING ESTABLISHMENT)**

BAR FEVER – 11 & 12 MARKET PLACE, REDDITCH

APPLICANT: MR N BLAIR

EXPIRY DATE: 5TH OCTOBER 2010

WARD: ABBEY

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

(See additional papers for Site Plan)

Site Description

The premises in question occupies a prominent corner position inside, but on the edge of the Redditch Town Centre Conservation Area. Adjoining the application site, to the north-western side of the building is Unit 10 (currently occupied by Brownings Solicitors). The side of the building faces south-east directly onto Market Walk, opposite which is Redditch Library.

The part of the upper floor, which is subject to this planning application currently contains a kitchen and small store room. The kitchen was previously used for food preparation purposes by former occupiers of the building, but is now surplus to the applicant's requirements. The ground floor of Unit 11 & 12 has been occupied by the applicant as a late night drinking establishment for approximately twelve months.

Units 11 & 12 appear on the Council's Schedule of Buildings of Local Interest, otherwise known and referred to as the 'Local List'.

Proposal Description

Permission is sought to change the use of part of the first floor of the building, currently containing a kitchen and a small store, to a bar and a dance floor area, which would be used as an extension to the existing A4 facility operating from the ground floor. The change of use would be approximately 70 metres squared in area. No external alterations to the building are proposed.

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

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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

PPS1 Delivering Sustainable Development
PPS5 Planning for the Historic Environment
PPG24 Noise

Borough of Redditch Local Plan No.3

E(TCR).1 Vitality and Viability of the Town Centre
E(TCR).5 Protection of the Retail Core
E(TCR).12 Class A3, A4 and A5 uses
B(BE).11 Buildings of Local Interest
S.1 Designing out crime
SPD Schedule of Buildings of Local Interest

Relevant Site Planning History

None relevant

Public Consultation Responses

None received

Consultee Responses

County Highway Network Control

No objection

Environmental Health

No objection

Conservation Advisor

Comments awaited

Licensing Officer

Comments awaited

Town Centre Co-ordinator

Comments awaited

Police Crime Risk Manager

Comments awaited

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Assessment of Proposal

Policy E(TCR).1 seeks to maintain and enhance the vitality and viability of the Town Centre by, amongst other criteria, promoting the re-use of existing floorspace and promoting a vibrant and safe, high quality evening economy comprising a mix of leisure and entertainment uses suitable and accessible for all members of the public. Since the site in question is within the Town Centre, the proposal is considered to be in compliance with this Policy.

The site lies within an area of Primary Shopping Frontage within the retail Core of the Town Centre, and therefore Policy E(TCR).5 applies. This policy aims to protect the primary shopping frontage of the retail core and to prevent its unacceptable erosion by the introduction of inappropriate uses. The proposal would change the use of a first floor kitchen and storage area only and therefore there would be no loss of retail floorspace, nor impact on ground floor frontage.

The applicant states that hours of opening would be from a maximum of 1100 hours to 0230 hours 7 days a week, although the applicant's agent stresses that Bar Fever are a late night drinking establishment use, and are very rarely open during normal lunch time hours, opening usually from approximately 7:30 p.m. to 8:00 p.m. onwards. These opening hours would be the same as those that exist at present in the ground floor of the premises. Policy E(TCR).12 sets out that such developments for A4 uses in the Town Centre should meet criteria including not having an adverse impact on neighbouring properties by reason of noise, smell and litter and should not be detrimental to highway safety. In respect to noise, the Council's Environmental Health's Department have responded stating that they have no objection to the proposals. The views of other consultees are currently awaited. No representations have been received following public consultation despite writing to near by occupiers and display of notice at the site. Your Officers are satisfied that amenity is unlikely to be prejudiced by the proposals.

The kitchen and store area have been vacant since the last occupier of the building ceased providing food to its customers. Enabling this valuable, vacant town centre space to be brought back into beneficial use would in the consideration of your Officers, promote the vitality and viability of the Town Centre.

Conclusion

Having regard to pertinent policies of the development plan, there are considered to be no justifiable reasons to warrant refusal of this application on amenity or any other grounds. The proposal would bring back into re-use a currently vacant space which would add to the vitality and viability of the Town Centre.

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Recommendation

That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission following the expiry period for statutory consultations (15th September 2010) with no additional adverse material planning objections being received which cannot be resolved and subject to the following conditions and informatives as summarised below:-

1. Development to commence within 3 years.
2. This permission relates to the change of use of the part of the first floor of Unit 11 and 12 Market Place to a bar use falling within Use Class A4 of the Town and Country Planning (Use Classes) Order 1987 as amended 2010 only, detailed on drawing number RD-10-901.

Informatives

1. Reason for approval
2. Permission does not include the approval of any signage / adverts.