

**PLANNING
COMMITTEE**

4th January 2012

APPEAL OUTCOME REPORT FOR INFORMATION

APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION

PLANNING APPLICATION DETAILS: 2010/275/COU

CHANGE OF USE OF RETAIL/WAREHOUSE TO A RESTAURANT

30 HEWELL ROAD, REDDITCH

WARD ABBEY

**DECISION PLANNING DECISION MADE AT PLANNING COMMITTEE
ON 4TH JANUARY 2011**

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

Discussion

The case related to a change of use from a retail warehouse building into a restaurant (place settings/covers for 108 persons). The planning application was refused for the following reasons:

1. The lack of car parking spaces to serve the proposed development would lead to ad-hoc, on-street parking, which in this location, adjacent to a busy mini roundabout, is likely to be of detriment to highway safety. As such, the proposed development would be contrary to Policy E(TCR).12 (Criteria iv and v), Policy C(T).12 and Appendix H of the Borough of Redditch Local Plan No.3 and National Planning Guidance contained within PPG13 (Transport).
2. The proposal would represent inappropriate development having regard to the sites location within an area designated for Primarily Employment generating uses under the terms of Policy E(EMP).3 of the Local Plan. In addition, the development would be contrary to Policy E(TCR).12 of the Borough of Redditch Local Plan which seeks to restrict new restaurant uses to the defined Town Centre, Peripheral Zone or District Centres due to their more sustainable location and in the interests of protecting amenity.

Officers sought to defend these reasons through written representations to the Planning Inspector.

The site lies within a Primarily Employment Area where Policy E(EMP).3 applies. The Inspector noted that little space existed at the site for the

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loading, unloading and parking of vehicles such that employment (B1, B2 and B8 type) uses might find the building unattractive. He also noted that the building was not in employment use, its last use being a retail warehouse. The Inspector considered that whilst the restaurant use would not comply with the wording of Local Plan Policy E(EMP).3, the use would not conflict with the objectives of the policy, the proposed use creating 6 full time and 4 part time jobs.

He considered that the sites location was sufficiently distant from the town centre such that customers, other than from the immediate area would be likely to travel to the premises by car, contrary to the objectives of locating restaurant (A3) uses where people can access them on foot or by means of public transport. The Inspector noted that place settings for 108 persons were proposed and that the Councils maximum car parking standards require that 31 on-site car parking spaces be required as a result. Due to its relatively unsustainable location, the Inspector saw no good reason to depart from those maximum standards. He agreed with the Council that many of the 13 spaces put forward by the appellant for use within the site would either be difficult or impossible for customers to practically use. He noted that the proposal would fall well below the Councils maximum standards and that customers would be likely to park close to the site in the absence of car parking spaces being available to use. He noted that the appeal site lies close to a roundabout with four arms leading off it and like the Council considered that parking near to the roundabout would be likely to interfere with traffic flow which could result in serious hazards. He considered that the failure to provide a much greater number of off-street car parking spaces in this case would likely result in a significant risk to highway safety conflicting with Local Plan Policy C(T).12.

Appeal outcome

The planning appeal was DISMISSED. Costs were neither sought nor awarded.

Further issues

None.

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.