

# BROMSGROVE DISTRICT COUNCIL

Amber Taverns and Retail Property Investments Limited  
C/O Mr Matthew Wyatt  
PWA Planning  
2 Lockside Office Park  
Lockside Road  
Preston  
PR2 2YS

## Grant of Planning Permission subject to Conditions

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<b>APPLICATION:</b>	19/00880/FUL
<b>LOCATION:</b>	117 High Street, Bromsgrove, Worcestershire, B61 8AA
<b>PROPOSAL:</b>	Proposed Change of Use from Post Office (Use Class A1) to a Drinking Establishment (Use Class A4), with external alterations.
<b>DECISION DATE:</b>	23 <sup>rd</sup> August 2019

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Bromsgrove District Council as the Local Planning Authority grants planning permission in accordance with the Town and Country Planning Act 1990 and The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) for the proposal described above. This permission is subject to conditions which must be complied with and are set out below:

### 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:

190207/ 04F Proposed Plans and Elevations

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

- 3) Prior to installation approved drawings of all the proposed joinery for the replacement shopfront at a scale of 1:5 shall be submitted to and agreed in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

**Reason: To protect the historic significance of the building in accordance with Policy BDP20 of the Bromsgrove District Plan and the advice contained in the National Planning Policy Framework.**



Ruth Bamford  
Head of Planning and Regeneration

### **Reason**

This proposal has been assessed against the following documents

#### **Bromsgrove District Plan**

**BDP1 Sustainable Development Principles**  
**BDP16 Sustainable Transport**  
**BDP17 Town Centre Regeneration**  
**BDP18 Local Centres**  
**BDP19 High Quality Design**  
**BDP20 Managing the Historic Environment**

#### **Others**

**NPPF National Planning Policy Framework (2019)**  
**Bromsgrove High Quality Design SPD**

117 High Street comprises three units which front onto High Street, a pedestrianised area, which formerly housed the Bromsgrove Post Office which has since been relocated. The buildings have been vacant since January 2017. The buildings are sited with Zone 1: The High Street of the Bromsgrove Town Conservation Area, a wider designated heritage asset, and are identified in the Bromsgrove Town Conservation Area Appraisal as unlisted buildings which make a positive contribution to the conservation area. The buildings are also considered as non-designated heritage assets in their own rights, and would meet the criteria of the Local Heritage List as set out in the Local Heritage List Strategy (2016). The application is for the change of use from A1 to A4, alterations to the shopfront and alterations to the building to facilitate a terrace area above the rear single storey projection.

BDP17 states that Bromsgrove Town Centre will be the main retail centre of the District and the Primary Shopping Zones will focus on A1 uses. However BDP17 j) also requires the Town Centre to seek to improve the range of evening economy uses, to include a mix of entertainment uses for all groups, including sport, leisure and culture, a choice of bars, café and restaurants. The proposed change of use would return the building back into use, whilst retaining an active use/frontage to the ground floor, therefore complying with Paragraph 192 of the National Planning Policy Framework (NPPF) which refers to the desirability of putting heritage assets into viable uses consistent with their conservation; given the previous use of the building and the absence of substantial external alterations the proposed use is therefore

considered consistent. An objection has been submitted from the Directorate of Public Health on the grounds that the change of use is not in keeping with the vision of Bromsgrove set out in its Council Plan (2017-20) that 'Bromsgrove remains attractive for everyone', nor consistent with Planning for Town Centres (2009) guidance outlined in Bromsgrove Town Centre Health Check (2018) and that there are too many A4 uses in Bromsgrove resulting in a risk of crime. Both the District Plan and Town Centre Health Check acknowledge the changing High Street and the benefits of achieving a night time economy. This is further acknowledged in the Planning Practice Guidance (PPG) which outlines that evening and night time activities have the potential to increase economic activity within town centres and provide additional employment opportunities. They can allow town centres to diversify and help develop their unique brand and offer services beyond retail. The proposed change of use would also comply with BDP20.5 of the Bromsgrove District Plan (2017) which stipulates that regard will be paid to the desirability of securing the retention, restoration, maintenance and continued use of a heritage asset and that the District Council will encourage proposals which provide for a sustainable future for heritage assets, especially those at risk. The wider designated heritage asset of Bromsgrove Town Conservation Area is identified on Historic England's Heritage at Risk Register 2018 as being at risk, with its condition denoted as 'very bad', therefore a proposal that secures the sustainable continued use and restoration of a heritage asset, such as this application, should be given considerable weight. There are no restrictions on the number of A4 uses permissible on the High Street in Policy and there is no evidence before me that the area is of high crime and the addition of this A4 unit would create a further rise in crime. It is noted that no comments have been received from licensing however following grant of planning permission, the site would also be subject to an application for a Premises Licence which consider wider public safety, nuisance and amenity and gives the Council controls on the operation of the business. Having regards to all these matters the proposed change in use is considered to comply with the vision of Bromsgrove and both Local and National planning policies.

Much of the proposed development are internal alterations however the proposed works to the principal elevation would encompass the reinstatement of the central window to its original height together with the repair/reinstatement of the original stallriser/cill; the replacement of the existing obscure glazing with clear glazing within the existing retained frame; and the removal of the right hand window and its replacement with full height double doors to match that of the existing entrance doors. To the rear of the property the applicant is proposing to utilise the existing flat roof area as a roof terrace to accommodate further seating with associated works including the erection of a new glass balustrade, the construction of a flat roof staircase enclosure and a new bar with canopy over. Furthermore the proposal includes a fenced smoking area at ground floor to the rear of the property. The proposed alterations would largely enhance the character, appearance and significance of the Bromsgrove Town Conservation Area and would therefore accord with the conservation principles contained within section 16 of the NPPF (2018), the Listed Buildings and Conservation Area Act 1990 and BDP20 of the BDP. The Conservation Officer has raised no objection to the proposed alterations or change of use subject to a condition requiring joinery details be submitted.

The proposed terrace area, given its proximity to residential accommodation is not considered to have an adverse impact in respect of noise nuisance. It is noted that no objection has been raised by Worcestershire Regulatory Services on this matter.

The proposal does intend to retain the first floor accommodation for the manager within the building however given the separation distance achieved to the terraces area, the boundary treatments, the obstruction of the existing roof light and the ancillary nature of this first floor residential use no concerns are raised in respect of the amenity of the future occupiers of this accommodation.

In conclusion, no objections are raised to the proposed alterations to the building fabric or the proposed change of use from A1 to A4, as the proposals comply with Section 16 of the NPPF (2018) and Policies BDP17 and BDP20 of the Bromsgrove District Plan (2017).

### **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.

### **For your information**

#### **Appealing the Decision**

If you feel that the conditions are not acceptable you can appeal to the Secretary of State through the Planning Inspectorate. This appeal should be made by 21st February 2020 unless supported by special circumstances. The appropriate form and further information on how to appeal can be found at <http://www.planningportal.co.uk/planning/appeals/planningappeals> or by contacting the planning Inspectorate Customer Services Team on 0303 444 5000. If you want a planning appeal to follow the inquiry procedure you should notify the Local Planning Authority and also the Planning Inspectorate at least 10 working days before submitting your planning appeal.

#### **Purchase Notices**

If Bromsgrove District Council or the Secretary of State has refused planning permission or granted it conditionally, the landowner may claim that the land is incapable of reasonable beneficial use, and for this reason may serve the Council a purchase notice requiring them to purchase the land. In certain circumstances, a claim may be made against Bromsgrove District Council for compensation. Further information about purchase notices can be found at: <http://www.legislation.gov.uk/ukpga/1990/8/part/VI>