



Planning Committee

Lodge Park Ward

2 December 2008

2008/322/COU RETROSPECTIVE APPLICATION FOR TEMPORARY CHANGE OF USE OF TWO INDUSTRIAL UNITS AND YARD TO CAR SALES FOR THREE YEARS
LAND AT CHARLES MARTIN BUSINESS PARK, ARROW ROAD NORTH, REDDITCH
APPLICANT: BROADBENT & GREEN
EXPIRY DATE: 27 NOVEMBER 2008

(See additional papers for Site Plan)

Site Description

The application site is located within a Primarily Employment Area as defined within the Borough of Redditch Local Plan, and lies to the North-East of and adjacent to the former 'Maries and Coulson' factory, now part of the Charles Martin Business Park.

Immediately to the north of the site lies the Coventry Highway. Brook Street lies approximately 70 metres to the south, and to the west lie the nearest residents – numbers 77 to 103 Arrow Road North which form a row of semi-detached and detached dwellings. The nearest of these, number 93 is situated approximately 100 metres from the application site.

The site is roughly rectangular in shape and measures approximately 36 metres in length, by 26 metres across, at its widest point. The area is mainly flat and is bounded on all sides by security fencing. Access to the site is via Arrow Road North.

Proposal description

This application, which is retrospective, is for temporary change of use (three years) for car sales.

It is proposed to use the two completed industrial units approved under application 2005/042 for car sales (stated as Units 4 and 5 on the approved plan), together with an adjacent open area within the site as a proposed car sales compound. It is the proposed car sales compound area which would have sited Units 1, 2 and 3 (had they been built). Staff and visitor car parking would be provided on the car parking area in accordance with the site layout plan approved under application 2005/042.

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 legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk
www.wmra.gov.uk
www.worcestershire.gov.uk
www.redditchbc.gov.uk

National Planning Policy

PPS 1 Delivering Sustainable Development
PPG 4 Industrial and commercial development and small firms
PPG 13 Transport

Regional Spatial Strategy

T7 Car Parking Standards and Management

Worcestershire County Structure Plan

D19 Employment Land Requirements

Borough of Redditch Local Plan No.3

E(EMP).3 Primarily Employment Areas
E(EMP).3a Development Affecting Primarily Employment Areas
B(BE).22 Temporary Buildings and Uses
C(T).1 Access to and within development
C(T).12 Parking Standards

Relevant site planning history

2005/042	5 no. light industrial units	Approved	22/03/2005
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Public Consultation responses

Responses in favour

None.

Responses against

10 comments received raising the following concerns:

- Would be unhappy if vehicles were allowed to park along Arrow Road North as this would cause problems with congestion.
- People who work in the Industrial Units opposite park on both sides of the road at present making it difficult for other road users to gain access to other industrial units / residential properties.
- Arrow Road North is busy enough as it is with traffic – this proposal will make matters worse and will impact upon highway safety.
- If they are allowed to do this others may wish to do the same.

- Lack of manoeuvring space for vehicles.
- If allowed to trade 7 days a week, the proposal will have an adverse impact on neighbour's amenity.

Consultee Responses

County Highway Network Control

No objections.

Environmental Health Officer

No objections

Police Crime Risk Manager

Comments awaited.

Assessment of proposal

The key issues for consideration in this case are the principle of the proposed development, and its potential impact upon nearby residential amenities having regard to highway safety concerns.

Principle of development

The site is within an area designated as a Primarily Employment Area in the Borough of Redditch Local Plan where the primary aim of Policy E(EMP).3 is to maintain uses within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (amended 2005) and to safeguard employment land. The Policy also allows for certain 'sui generis' employment type uses where those uses are considered to be compatible with the site and adjacent uses having regard to the nature of the use and the location of the site.

In this case planning permission is being sought for the change of use from a B1 use to a sui generis use (car sales).

This once vacant site was granted planning permission in 2005 for the erection of 5 no. portal frame light industrial units with metal clad (dark brown) finish. Of the 5, two have been erected, which are referred to as Units 4 and 5. The applicant wishes to postpone the construction of the remaining three approved units to allow a temporary use of the completed two units and site of the (yet to be built) Units 1, 2 and 3 for car sales for three years. The developer intends to complete the remaining three units on cessation of the temporary car sales use.

The proposed sui generis use is in this case considered to be a compatible use having regard to neighbouring uses, and such a use would be expected to locate within such an area. Indeed, such a use would not be considered an acceptable use in either a residential area nor a retail area, leaving an employment area as the only viable alternative. It is considered to be a quasi employment use in that one full-time and 2 part-time members of staff would be employed

Impact upon residential amenity

From your Officers visits to the site, the existing car sales operation appears to be operating from the site without detriment to nearby uses. Cars for sale are located wholly within the site in the area specified as the car sales compound, with the staff / visitor car parking area which provides space for 10no. cars being available for use. Your Officers have not observed the parking of any vehicles in connection with this existing use within the residential part of Arrow Road North. Amenities enjoyed by the nearest dwelling which is situated approximately 100 metres distant of the application site, immediately beyond the employment site's Western Boundary do not appear to be prejudiced by the current car sales use, an opinion shared by the Council's Environmental Health Officer. In addition, the County Councils Highway Network Control do not raise any objections to the proposals. Whilst your Officers appreciate the close proximity of residential development to that of Industrial uses to the East of Arrow Road North, your Officers consider that there are other existing lawful B2 / B8 uses within closer proximity to the occupiers objecting to this application, which are more likely to impact upon amenity than this car sales use.

The applicant's agent correctly states that Policy B(BE).22 deals with temporary buildings and uses. Under this policy, temporary uses of land are considered on their merits. In support of the proposal, the applicant's agent states that the present economic climate makes it difficult for the owners to complete the approved light industrial units with any expectation of getting tenants.

Conclusion

It is considered that this retrospective proposal is compliant with the relevant planning policies outlined in this report, and would be unlikely to cause detriment to the amenities enjoyed by surrounding residents. As such, the proposal is considered to be acceptable provided that any consent is temporary and is restricted to three years only. Given that the proposal is located within an employment site, your Officers would consider it unreasonable to restrict hours of opening more so than that wished for by the applicant – (0800 to 1800 hrs daily).

Recommendation

Having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following conditions:

- 1) Temporary consent – 3 years only.
- 2) Car sales to take place solely within 'car sales compound area' and in existing Units 4 and 5 as shown on site plan scale 1:200 submitted with this application.
- 3) Visitor and staff car parking area to be restricted to Western part of the site as shown on site plan scale 1:200 and demarcated as shown on site plan scale 1:500 (Plan B) submitted with this application.
- 4) Hours of opening to be restricted to 0800 to 1800 hrs daily.