

**PLANNING
COMMITTEE**

5th June 2013

PLANNING APPLICATION 2013/093/EXT

**EXTENSION OF TIME APPLICATION FOR 2010/044/FUL: ERECTION OF
THREE GENERAL INDUSTRIAL UNITS (B2) WITH ASSOCIATED
OFFICES, CAR PARKING AND SERVICE YARD**

LAND AT WINYATES WAY AND MOONS MOAT DRIVE, REDDITCH

APPLICANT: MR DAVID NASH

EXPIRY DATE: 18TH JULY 2013

WARD: CHURCH HILL

(See additional papers for Site Plan)

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

Site Description

Existing undeveloped bowl shaped site, surrounded by roads on all sides, with straight roads to west (Winyates Way) and south (Moons Moat Drive). Winyates Way curves from the south east to the north west corner. To the west beyond Winyates Way is residential development, and to the east beyond Winyates Way is industrial/commercial development. To the north on the opposite side of Winyates Way is the TA centre.

The site is overgrown and contains grasses/trees/shrubs etc. It is an unkempt and poorly maintained site, with some evidence of use as a shortcut by pedestrians. To the south on Moons Moat Drive are two tarmac strips on the verge which suggest former bus stop provision.

Proposal Description

This extension of time application relates to application reference 2010/044/FUL. Permission was granted for the erection of a single building forming three general industrial units (B2) and associated offices with car parking fronting Moons Moat Drive and a rear service yard at the Planning Committee of 27th April 2010. The decision notice was dated 7th May 2010.

The description of the proposed development at that time was as follows: The building would run east-west within the site, and would be two storey in height, with a brick plinth 1m in height and metal cladding above, with a pitched metal roof (gable ends to east and west). The building would be 17.1m deep, 45.7m long and 8.4m high to the ridgeline (5.4m to the eaves). The elevation facing Moons Moat Drive would be the 'front' and includes windows at both ground and first floor, serving the ancillary office accommodation, whilst the rear elevation would contain taller roller shutter

PLANNING COMMITTEE

5th June 2013

doors to provide servicing to the rear portion of the building which would be double height internally. Each unit would have a pedestrian door to the rear section. The unit to the western end of the site would also benefit from an enclosed rear yard, although no details of the fencing to enclose the rear yard have been provided.

The proposed building would be of 1032m² and would be likely to result in employment opportunities for around 25 full time staff. The proposed parking area includes provision for 23 cars, 5 vans, 3 motorcycles, 2 disabled spaces and 10 cycle spaces. A new access would be created from Winyates Way.

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.redditchbc.gov.uk

National Planning Policy

The National Planning Policy Framework (NPPF)

Borough of Redditch Local Plan No.3

CS.2	Care for the environment
CS.7	Sustainable location of development
S.1	Designing out crime
B(BE).13	Qualities of good design
B(BE).19	Green architecture
C(T).12	Parking standards

Paragraph 215 of the NPPF states that due weight be given to relevant policies in existing plans according to the degree of consistency with the NPPF (the closer the policies of the plan to the policies of the NPPF, the greater the weight that may be given). In accordance with paragraph 215 of the NPPF, the above policies should be afforded due weight, as the aspirations of these policies are consistent with the NPPF.

The site itself is undesignated within Local Plan No.3, however the land to the north, east and south is designated for employment uses, and the land to the west beyond Winyates Way forms part of a green corridor running through Church Hill and is designated as Primarily Open Space.

Relevant Site Planning History

2010/044/FUL	Erection of three general Industrial units (B2) with associated offices, car parking and service yard	Approved	07.05.2010
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PLANNING COMMITTEE

5th June 2013

Public Consultation Responses

None received

Consultee Responses

County Highway Network Control

No objection subject to conditions regarding parking provision implementation, and informatives regarding the construction phase

Severn Trent Water

No objection. Drainage details to be subject to agreement with Severn Trent

Arboricultural Officer

No objection subject to provision of appropriate new landscaping to help soften the impact of the new development

Police Crime Risk Manager

No objection

Background

Due to the general economic slowdown, the previous Government enacted legislation to allow an applicant (via a formal application) to be able to extend the length of time before the commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. In this case, the 'original' consent expired on 7th May 2013. However, the courts have recognised that the local planning authority retain jurisdiction to determine an application under the extension of time procedures if the original permission has expired after the application was made but before determination. In this case, the application was lodged with the Council on 28th March 2013, prior to the expiry date of 7th May 2013 and therefore it is appropriate to consider the proposal as an extension of time application.

Subject to no material changes to the planning policy framework in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable.

Assessment of Proposal

In considering such applications, it is only relevant to consider what has changed since the previous approval, both in terms of the planning policy framework under which the decision should be made, and also, any significant physical changes to the site and/or its surroundings that might result in different impacts from the proposed development. In terms of policies, The National Planning Policy Framework, which was enacted on 27th March 2012, replaces the former National Guidance set out within Planning Policy Statements (PPS's) which were taken into consideration in the determination of the earlier application. PPS and PPG guidance is no longer relevant under the new policy framework. Policies within

PLANNING COMMITTEE

5th June 2013

the Borough of Redditch Local Plan No.3 which were considered under the earlier application are still relevant and are used here since these are considered to be in conformity with the NPPF.

No material changes to the planning policy framework are considered to have occurred since the 2010 approval which would affect the impact of this extension of time proposal. No material physical changes to the sites surroundings have occurred since the granting of consent in May 2010 and as such, in this respect there are not considered to be any additional resulting material impacts from the proposed development.

The plans which have been submitted under this application are identical to those plans approved under the 2010 application. The issues which were considered to be relevant under application 2010/044/FUL are as follows:

Principle

The site is undesignated within the local plan, and therefore any use should be considered in terms of its appropriateness in that location, and its likely impacts on any surrounding development. In this case, the site is bounded on three sides by designated employment land, and to the fourth has the significant barrier of the bank with the road atop, providing a significant physical boundary and buffer to the primarily open space beyond. It is therefore considered appropriate to use the site for employment purposes, as it can be easily contained within the site and is unlikely to cause any significant harmful impacts on the similar surrounding uses.

Design and layout

The layout of the proposed development is considered to be appropriate to the topography of the site, and acceptable in terms of layout and impacts on surrounding road users, who will generally be the only viewers of the site. This type of use requires a substantial quantity of open surface area for parking and servicing, and this has been located within the site such that it would have minimal visual impacts on the wider area. The proposal has been designed such that the parking is located adjacent to the pedestrian access points to the proposed units, and so that the office users would provide passive surveillance to the parking area, increasing security on the site. The parking would also be overlooked by users of Moons Moat Drive such that any misuse would be clearly visible and thus deterred.

The service area to the rear would be hidden from view from Moons Moat Drive by the proposed building, and located into the bowl of the site such that it would be unlikely to be visually prominent from any surrounding viewpoint.

The design and appearance of the proposed building is also considered to be acceptable. The height difference between the site and Winyates Way above at the level it crosses the Coventry Highway is approximately 7.5m, and thus it is not considered that the proposed building (at a maximum height of 8.4m) would be overly dominant on this site, and would not protrude sufficiently beyond the height

PLANNING COMMITTEE

5th June 2013

of the adjacent highway embankment to cause any harm to visual amenity. The application form does not provide detail on the colours of the finishes proposed, particularly the metal cladding and the brickwork, and therefore a condition is recommended that these be agreed in order to ensure that the materials and finishes used are appropriate to the site and its surroundings.

No elevations or details of finishes for the boundary treatment have been provided, and it is therefore recommended that a condition be attached requiring the details to be submitted and agreed, in order to ensure that it is visually acceptable. Surfacing details are also not provided, and should be controlled in the same way, as well as being permeable in order to ensure that the development is as sustainable as possible.

Landscaping

The proposal appears to suggest that the shrubs and trees to the perimeter of the site would be retained, whilst the remainder of the growth on the site would need to be cleared to accommodate the proposed development. In order to ensure that this is the case, and to soften the appearance of the development it is recommended that this be ensured through the imposition of a condition requiring additional landscaping to be provided. It is therefore considered that the proposal would not cause any detrimental impacts to the visual amenity of the site or its surroundings, and as such is considered to be compliant with policy.

Highways and Access

The county have raised no objections to the proposed access and parking arrangements, and the parking spaces proposed, for all modes of transport, both comply with the local plan standards and should encourage non-car modes of transport and thus sustainable travel patterns. It is recommended that the suggested condition be attached to any consent granted, to ensure that the parking arrangements are available for use when the building becomes occupied. The proposal is therefore considered to comply with policy in this regard, however it is recommended that a condition be imposed requiring the proposed travel plan to be implemented.

Sustainability

The proposal caters for non-car travel to and from the site, and is within close proximity to regular bus services. It is located within the town of Redditch, which is considered to be a sustainable settlement, and therefore it is considered to meet the current policy requirements. However, all applicants are encouraged to meet the highest possible levels of sustainability, and therefore an informative is recommended to encourage a high standard in this development.

Conclusion

No material changes to the planning policy framework are considered to have occurred since the 2010 approval which would affect the impact of this extension of time proposal. Whilst the policies have changed, the thrust of the policies has not. The site itself and its surroundings have not changed to

PLANNING COMMITTEE

5th June 2013

such an extent that the context of the site should be considered differently. It is therefore considered that the proposed development would accord with policy criteria and objectives and would not result in harm to amenity or safety. Officers consider it reasonable to allow an extension of time to implement this consent for a further three years, subject to the inclusion of conditions as summarised below.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

1. Development to commence within three years of consent
2. Materials for walls and roof to be submitted
3. Landscaping scheme including boundary treatments: details to be submitted
4. Landscaping scheme including boundary treatments to be implemented in accordance with Condition 3
5. Surfacing to be permeable or sustainably drained
6. Highway condition
7. Green Travel Plan to be implemented in accordance with submitted details
8. Development in accordance with approved plans specified

Informatives

1. Reason for approval
2. Advert consent requires a separate application
3. Drainage
4. LPA have acted in a positive and proactive manner
5. Highways informatives
6. Sustainability – build to highest BREEAM rating possible

Procedural matters

The Council receives relatively few 'extension of time' applications and they are rarely presented before the Planning Committee. This application only comes before the Committee due to the fact that it is a small scale major application, and therefore cannot be determined by Officers under delegated powers.

The site was formerly under the ownership of RBC before it was bought by the applicant in 2010.