

**PLANNING
COMMITTEE**

3rd July 2013

APPEAL OUTCOME REPORT FOR INFORMATION

APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION

PLANNING APPLICATION DETAILS: 2012/128/COU

PROPOSAL	CONVERSION OF FIRST FLOOR OFFICE SPACE (USE CLASS B.1) INTO 4 No. RESIDENTIAL UNITS
LOCATION	NEWTON HOUSE, HEWELL ROAD, REDDITCH
WARD	ABBEY
DECISION	DELEGATED PLANNING DECISION ON 11 JULY 2012

The author of this report is Sharron Williams, Planning Officer (DC), who can be contacted on extension 3372 (e-mail: sharron.williams@bromsgroveandredditch.gov.uk) for more information.

Discussion

Permission was sought to convert the first floor of these premises to 3 No. 2 bedroom flats and 1 No. 1 bedroom flat (above the existing shop Grimm Brothers). Access to the flats would be via two existing lobbies within the building layout. Private amenity provision would be provided at first floor level for each flat, and car parking for the proposed flats would be within an enclosed parking area at the side of the existing building.

Given the site is within an area designated for Primarily Employment Uses in the Borough of Redditch Local Plan No.3, policy E(EMP).3 applies and aims to maintain uses within Classes B1 (Business), B2 (General Industry) or B8 (Storage or Distribution). The change of use of the first floor of this unit to 4 self-contained flats would be detrimental to the aims and objectives of Policy E(EMP).1 and E(EMP).3 of Local Plan No.3.

The proposal would also be contrary to Policy E(EMP).3a, which requires development to be compatible with the use of Primarily Employment Areas. This application would restrict the current and future use of surrounding commercial units for employment purposes. As this location is a primarily employment area the proposed residential use would result in occupiers living in an environment where they would be vulnerable to noise conditions from the surrounding employment uses.

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The application was refused for the following reasons:-

- 1) The proposed change of use to residential flats would result in a loss of land designated for employment use (B1, B2, and B8). In the absence of any justification for this loss, the proposal is considered to be harmful to the employment land supply for the Borough and would be contrary to Policy E(EMP).3 of the Borough of Redditch Local Plan No.3. The proposal would also conflict with the National Planning Policy Framework.
- 2) The provision of a residential development in a designated Primarily Employment Area would hinder the amenities of the potential occupiers in terms of noise that is likely to be experienced in this Primarily Employment setting and compromise the quality of life associated with residential units. The development would not be a compatible use and would be contrary to Policies E(EMP).3 and E(EMP)3a of the Borough of Redditch Local Plan No.3 and the National Planning Policy Framework.
- 3) The resultant development could result in unreasonable constraints to the working practices of existing neighbouring business uses in an established Primarily Employment Area and as such the proposal would conflict with Policies B(BE).13 and B(BE).14 of the Borough of Redditch Local Plan No.3.

The Inspector's main issues were as follows:-

- Whether or not the proposed flats would provide acceptable living conditions for their intended future occupiers, having regard to the relationship with neighbouring land uses, and
- The impact of the proposal on the availability of employment land within the Borough.

At the site visit, the Inspector observed the proximity of the neighbouring manufacturing business including its service areas, and the intensive level that the service area was being used for open storage. The Inspector considered that a different standard of amenity is generally expected in a working environment compared to that of the home, where people generally relax and enjoy their private space. The Inspector concluded that given the relationship to neighbouring employment uses and associated activities, the proposal would conflict with Policies E(EMP)3 and E(EMP)3a of the Borough of Redditch Local Plan No.3, as well as the core planning principles of the National Planning Policy Framework.

In respect to the availability of employment land, the Inspector noted that the building had been marketed since December 2010 and evidence submitted for the appeal indicated that there was no take up of the office

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accommodation. However, the Inspector noted at the site visit that one of the office suites to the rear of the building was occupied, demonstrating some evidence of demand. The Inspector noted the Council's shortfall in employment land supply, and whilst the proposed employment floor area would have been relatively modest, the Inspector was not convinced that the site could not be used for an alternative employment use.

The Inspector concluded that whilst the business is running below its potential and that small self-contained, residential rental units are in demand within the area, the impact of the proposal on employment land availability and the incompatibility of the proposed residential use within this employment area, do not outweigh the harm identified.

Appeal outcome

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

Recommendation

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