

**PLANNING
COMMITTEE**

9th April 2014

Planning Application 2013/341/OUT

Outline permission for the demolition of an existing building and erection of new 1700 sq m B2 unit

Unit 81, Arthur Street, Redditch, Worcestershire

**District: Lakeside
Applicant: Samuel Taylor Ltd
Expiry Date: 19th February 2014
Ward: LODGE PARK**

(see additional papers for Site Plan)

The author of this report is Sharron Williams, Planning Officer (DM), who can be contacted on Tel: 01527 534061 Email: sharron.williams@bromsgroveandredditch.gov.uk for more information.

Site Description

The site comprises a single storey brick building that has been used for warehouse purposes and office use. The site is a prominent corner location with two separate vehicular access points onto Arthur Street. The site has a deep grassed verge with some tree planting. However, since the submission of the application, the trees concerned (not protected) have been removed.

Proposal Description

Outline planning permission is sought to demolish the existing building and erect a new 1700 sq m B2 (General Industrial) unit with ancillary offices. Outline planning permission is sought with all matters to be reserved such as Access, Appearance, Landscaping, Layout, and Scale.

Relevant Policies :

Borough of Redditch Local Plan No.3:

EEMP03	Primarily Employment Areas
EEMP3A	Development Affecting Primarily Employment Areas
BBE13	Qualities of Good Design
CT02	Road Hierarchy
CT12	Parking Standards
BBE.29	Construction Waste

Others:

NPPF	National Planning Policy Framework
SPG	Encouraging Good Design
SPD	Designing for Community Safety

Emerging Borough of Redditch Local Plan No. 4

Policy 22: Road Hierarchy

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Policy 24: Development within Primarily Employment Areas
Policy 40: High Quality Design and Safer Communities

Relevant Planning History

1987/048/FUL New Entrance on to Arthur Street

06.03.1987

Consultations

Arboricultural Officer

Trees within the site have now been removed, so no need for comments from Arboricultural Officer.

Community Safety Officer

No comments submitted.

Economic Development and Regeneration Service

No comments submitted.

Contaminated Land- Worcestershire Regulatory Services

The application is on a site that has had former industrial uses and is within 250m of a former quarry site that may have unknown filled ground, as the application is for demolition and rebuild and will involve ground works a contaminated land condition is recommended.

Area Environmental Health Officer

No Comments Received To Date

North Worcestershire Water Management

According to Environment Agency maps the site is not located within an area of fluvial flood risk nor is it affected by any past surface water flooding or drainage issues. The immediate vicinity however is within a fluvial flood zone, caused by the nearby located Arrow Valley Lake to the east of the location and there is evidence of some surface water flooding issues nearby too. Based on this information it will be important to ensure that an adequate way of dealing with any additional surface water runoff created from the proposed development is implemented in order to ensure that it will not create or exacerbate any flood risk on site or within the surrounding local area.

No objections to this outline proposal in terms of drainage and flood risk.

Highway Network Control

Has no objection to the grant of permission, subject to a highway note being imposed.

Crime Risk Manager

No comments or objections to the proposal.

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Severn Trent Water Ltd

No objection to the proposal subject to the inclusion of a drainage condition.

Public Consultation Response

No comments submitted.

Assessment of Proposal

The proposal raises the following matters:-

Principle of the development

The site is within a Primarily Employment Area as designated in the Borough of Redditch Local Plan No.3. Therefore, policies E(EMP).3 and E(EMP).3a of the Local Plan apply. The proposed use would be B2 with ancillary offices. Therefore, the proposed use would comply with Policy E(EMP).3 and it would also be a compatible use with surrounding uses within this Primarily Employment Area. The principle of the development would also comply with policy 24 of the emerging Local Plan No.4 and para. 21 of the NPPF. Therefore, the principle of the proposed development would be acceptable complying with the above policies.

Site layout

The application is in outline with all matters to be reserved, however, an indicative plan has been submitted showing the potential location of the building and visitor car parking off one of the existing access points. It is understood that the neighbouring business - Samuel Taylor Ltd are proposing to develop the site. Therefore, the indicative plan shows a link from the proposed building to the existing neighbouring units. Given that all matters such as layout are reserved the plan submitted is indicative only.

However, officers have concerns over the layout and will seek to work with the applicant to achieve a more acceptable design and layout at reserved matters stage.

Access arrangements

Highway Network Control has no objection to the proposal overall and recommend that an informative note be imposed. It is considered possible for adequate access, parking and turning arrangements to be achieved for the scheme at the reserved matters stage.

Conclusion

The principle of the development is considered to be acceptable and would comply with policies in the Borough of Redditch Local Plan No.3, the emerging Local Plan No.4 and policies in the NPPF.

RECOMMENDATION:

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

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Conditions

- 1) (a) Application for approval of matters reserved in this permission must be made not later than the expiration of three years beginning with the date of the grant of this permission.
- (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - (i) the expiration of three years from the date of the grant of outline planning permission; or
 - (ii) the expiration of two years from final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
- (c) The matters reserved for subsequent approval include the following:-

Access, Appearance, Landscaping, Layout, and Scale.

Reason:- In accordance with the requirements of Section 92 (2) of the Town and Country Planning Act 1990.

- 2) Prior to the commencement of development details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) The development hereby approved shall be implemented in accordance with plans to be defined.

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

- 4) The development hereby approved shall be used for purposes that fall within class B1, B2, and B8; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

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Reason:- To define the terms under which permission for this development is granted and in accordance with Policy E(EMP).3 and E(EMP)3a; of the Borough of Redditch Local Plan No.3

- 6) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 7) Prior to the development hereby approved commencing, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details thus approved shall be fully implemented prior to first use or occupation of the development.

Reason:- To allow proper consideration of the proposed foul and surface water drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with National Planning Policy Framework.

- 8) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until Parts 1 to 6 have been complied with:

Part 1.

A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.

Part 2.

Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and

extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Part 3.

Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11"

Part 4.

Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 5.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Part 6.

Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.

Part 7.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

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Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with policy B(BE).29 of the Borough of Redditch Local Plan No.3.

- 9) Development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to, and approved by, the Local Planning Authority and such provision shall be retained and kept available during construction of the development.

Reason:- To prevent indiscriminate parking in the interests of highway safety and in accordance with the National Planning Policy Framework.

- 10) During the course of any site clearance and development, the hours of work for all on-site workers, contractors and sub-contractors shall be limited to between;

0800 to 1800 hours Monday to Friday
0900 to 1200 hours Saturdays

and NO WORKING shall take place at any time on Sundays, Bank Holidays or Public Holidays or at any time outside of the above permitted working hours unless first agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbours amenity and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Informatives

- 1) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Councils Approved Contractor following the issue of a licence under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Councils Highway Network Control Manager, County Hall, Spetchley Road, Worcester, WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Councils Approved Contractor at the applicants expense.

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- 2) For clarification, plans submitted as part of the planning application are indicative only and may be subject to change at the reserved matters stage.

Procedural matters

This application is reported to Planning Committee for determination because the application is for major development (more than 1000 sq metres of new commercial / Industrial floorspace), and as such the application falls outside the scheme of delegation to Officers.