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COMMITTEE**

**10th September 2014**

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**Planning Application 2014/190/OUT**

**Proposed rehearsal studio with offices (outline permission with matters of access, layout and scale for consideration)**

**25 Broad Ground Road, Lakeside, Redditch, Worcestershire, B98 8YP**

**Applicant: Mr C Reed**  
**Expiry Date: 14th October 2014**  
**Ward: LODGE PARK**

**(see additional papers for Site Plan)**

The author of this report is Ailith Rutt, Planning Officer (DM), who can be contacted on Tel: 01527 534064 Email: ailith.rutt@bromsgroveandredditch.gov.uk for more information.

**Site Description**

The site is bounded by Shawbank Road to the north, Holloway Drive to the east and Broad Ground Road to the south. Beyond Holloway Drive to the east is the Arrow Valley Country Park, and the verges in this area are all grassed with mature tree and shrub planting along the perimeters of the industrial units that characterise the area.

The site is accessed by vehicles from Broad Ground Road and has a large metal clad industrial building in the middle which is currently under demolition. It is mostly used for the storage of parked haulage vehicles used by the company that occupy the site, who are a specialist transport firm.

**Proposal description**

The application is made in outline form with matters of access, layout and scale for consideration now. Therefore, matters of appearance and landscaping are reserved for consideration in a future application.

Vehicles would continue to use the existing entrance to the site from Broad Ground Road, with haulage vehicles continuing slightly right into the site and parking along the eastern and northern boundaries and in that portion of the site. The building would be located to the south west of the site, further forward than the building currently being demolished, with car parking to the front (southern) and western boundary. This would provide 49 parking spaces.

The application proposes the erection of a building for use by the current occupiers of the site in connection with their business. The building would have a variety of ancillary functions such as office accommodation, and also rehearsal studio space; the company that occupy the site transport set and other equipment relating to shows and concerts across the country. Between tours, much of this equipment is stored in the other warehousing premises nearby in the control of the applicant. The company needs a

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facility where stage sets can be rigged and de-rigged for practice purposes prior to going on tour, and where artists can use the stage set up to rehearse. Due to these requirements, the building would need to be relatively tall and accessible to large vehicles.

The application is supported by a Flood Risk Assessment, a Design and Access Statement and a Design Philosophy document. Additional information in the form of further plans and a sound report has also been received.

**Relevant Policies :**

**Borough of Redditch Local Plan No.3:**

CS01 Prudent Use of Natural Resources  
CS02 Care for the Environment  
CS07 The Sustainable Location of Development  
S01 Designing Out Crime  
BBE13 Qualities of Good Design  
EEMP03 Primarily Employment Areas  
EEMP3A Development Affecting Primarily Employment Areas  
CT12 Parking Standards

**Emerging Borough of Redditch Local Plan No. 4**

Policy 5: Effective and Efficient use of Land  
Policy 19: Sustainable travel and Accessibility  
Policy 23: Employment Land Provision  
Policy 24: Development within Primarily Employment Areas  
Policy: 39 Built environment  
Policy: 40 High Quality Design and Safer Communities

**Others:**

NPPF National Planning Policy Framework  
National Planning Practice Guidance

**Relevant Planning History**

2013/297/FUL	Change of Use to Haulage Depot and Storage and erection of fencing	Approved	16.01.2014
2014/078/FUL	Erection of Security Lighting	Approved	12.06.2014

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**Consultations**

***Highway Network Control***

No objection subject to conditions

***Community Safety Officer***

No Comments Received To Date

***Development Plans***

The applicant already occupies an additional unit on Shawbank Road. This proposal represents an opportunity for expansion and diversification of an existing locally-based business and would provide permanent occupancy on the application site. Furthermore, an expansion/ diversification opportunity should be considered as a positive market signal and compliant with the NPPFs growth agenda.

The Sui Generis nature of this proposal at this location is considered appropriate with respect to the following:

- Proposal site is in close proximity to the applicant's original premises
- Nature of fleet/ haulage movements and access to the strategic highway network
- Proposed building mass
- Noise generation during rehearsal periods

Sui generis uses are not recognised as employment development (in terms of the B1, B2 and B8 use classes). However, whilst this proposal is not classed as employment development, the nature of the proposal is suited to a business/ employment based location such as a Primarily Employment Area.

This proposal will ensure long-term permanent occupation of a site, which has a history of short-term occupancy. Furthermore, adjacent land at IN52, which will be used for the haulage element of the business, has remained vacant for a number of years.

This Sui Generis proposal would be compatible with surrounding uses in a Primarily Employment Area.

- This Sui Generis nature of this proposal falls within a Primarily Employment Area and is considered to be compatible with the existing land use and surrounding neighbours in accordance with Local Plan No.3 and Policy 24 in the emerging Local Plan No.4.
- This proposal offers an opportunity to expand and diversify an existing business in the immediate vicinity, which contributes towards the NPPFs economic growth agenda.

From a planning policy perspective, this application can be supported.

***Environment Agency***

No objection

***Economic Development And Regeneration Service***

No Comments Received To Date

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***Contaminated Land- Worcestershire Regulatory Services***

No objection subject to condition regarding potential contaminated land

***North Worcestershire Water Management***

Due to this development site being located within Flood Zone 2, I would like to take this opportunity to advise the applicant of other way of reducing flood risk to the site. I would recommend that finished floor levels are set to 600mm above the 1:100 yr flood level, or at a minimum no lower than finished floor levels of the previous, existing building on site. This would be permitted due to no known flood reports from the existing site.

I would also recommend that as a method of resilience, anti-flood, self-closing airbricks are installed for any airbricks that are to be placed near to ground level.

It may also be useful for the applicant to consider other SuDS techniques for the disposal of surface water, such as rainwater harvesting, water butts and permeable paving (ground-conditions permitting).

It is pleasing to see that the applicant will be including soft landscaping techniques for water storage.

Therefore no objection subject to a condition regarding the agreement of drainage details.

***Severn Trent Water Ltd***

No objection subject to a condition regarding drainage details.

**Public Consultation Response**

No comments received

**Assessment of Proposal**

**Principle**

The site lies within an area designated for employment purposes in the local plan, where uses that fall within classes B1 (office), B2 (general industrial) or B8 (storage/warehousing/distribution) are normally preferred. However, the accompanying policy in the local plan also supports the use of these areas for other related uses and especially those which fall within the sui generis use category, outside other specific classes of use. The location and nature of the proposed use should be considered and its potential impact on surrounding uses.

In this case, the use is related to existing B class uses carried out by the applicant company on this and other sites in the vicinity. Therefore, in locational terms it is considered appropriate. Further, it is on the edge of the employment zone and thus would create a buffer between the employment area to the west and the Arrow Valley Park to the east, almost a graduation from greater to lesser impact. The nature of the use is such that it would not be preferable to locate it in an alternative part of the town and particularly not within or near a residential area. Whilst it is unfortunate that it cannot be provided

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within the town centre in an even more sustainable location, it is not possible for this to be the location for everything; this site is considered to be an appropriate and acceptable site for this use. The principle in this case is therefore considered to be acceptable.

Access, layout and scale

The proposal is considered to be acceptable in terms of its access point from Broad Ground Road and its internal layout and parking provision. Pedestrian flow between the car parking area and the building is separate from the flow of larger haulage vehicles into the other portion of the site and as such safety within the site is controlled as much as possible.

The building is located towards the western end of the site nearest to surrounding built form, which would result in clustering of the built form in this area. Whilst it is acknowledged that the scale of the building (at 20.5m high to eaves) is significant, and taller than many of the surrounding industrial properties, it is not considered to be so tall or bulky that it would cause substantial harm to visual or other amenities. The location of the building away from the Arrow Valley Park is also welcomed, as it retains a visual gap to the east of the site.

The site is considered to be accessible by a variety of modes of transport due to its employment designation and is therefore an appropriate place to locate this type of development.

Other issues

The proposal is considered to be a good opportunity for the local economy, as it will provide additional jobs and bring in visitors and income to the wider local area. As such, it would meet the town's growth agenda.

It is noted that the building would be sound insulated within and outside and therefore it is not considered likely to raise any acoustic concerns. Any further information received on this matter will be reported in the Update paper.

Whilst the premises lie within flood zone 2, the advice from the relevant experts states that there are no additional concerns raised by this proposal as the quantity of hard surfacing on the site would not increase and as such nor would any run-off rates. It is noted that the existing water drainage and storage for the site is appropriate and deals adequately with run-off.

The proposal is solely for rehearsal purposes and would not give rise to any audience attendance and related transport/parking issues. The character of a use with an associated audience would be significantly different, in that it would result in large numbers of members of the public attending at the same time and resultant demands on transport and parking infrastructure which this proposal would not be able to accommodate. It is considered that to open the premises for public attendance would result in a change of use that would require permission through a separate application, and therefore it is not considered necessary to condition the prevention of audiences.

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Conclusion

No other issues have been raised in this case, and therefore the proposal is considered to be acceptable in terms of its compliance with policy and it is unlikely to result in significant harm.

**RECOMMENDATION**

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the following 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:-  
appearance; landscaping

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

- 2) 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.

- 3) 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 conditions 1 to 6 have been complied with:

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- a. 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.
- b. 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".
- c. 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".
- d. 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.
- e. 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.
- f. 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

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approval of the Local Planning Authority prior to the occupation of any buildings.

- g. 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.

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 the National Planning Policy Framework.

- 4) Potential condition regarding implementation of sound measures as detailed in supporting information, if requested by WRS
- 5) Any conditions as requested by the highway officer
- 6) The development hereby approved shall be implemented in accordance with the following plans:

2422/02A  
2422/03  
2422/04  
2422/05  
2422/06  
2422/LP

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

**Informative**

- 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 pre-application advice and discussion.

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**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.