

**REDDITCH BOROUGH COUNCIL**

**PLANNING  
COMMITTEE**

13th July 2016

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**Planning Application 2016/145/FUL**

**Change of Use to A5 (Hot Food Takeaway) and the Erection of Static Catering Unit with Hardstanding & Security Fencing**

**Land To The Rear Of No. 4, Upper Crossgate Road, Park Farm North, Redditch, Worcestershire**

**Applicant: Mr & Mrs Gary Webster**  
**Expiry Date: 13.08.2016**  
**Ward: Greenlands**

**(Site Plan attached)**

The author of this report is Claire Gilbert, Planning Officer (DM), who can be contacted on Tel: 01527 881655 Email: [claire.gilbert@bromsgroveandredditch.gov.uk](mailto:claire.gilbert@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The application site is situated on Howard Road, in the curtilage of, and to the rear of 4 Upper Crossgate Road and the public highway. The site is located in a primarily employment area within both the adopted Redditch Borough Local Plan No. 3 and the emerging Redditch Borough Local Plan No. 4 and so the character and appearance of the area is industrial. The site is not allocated to meet strategic employment needs.

Unit recently the site was a vegetation buffer strip; however this vegetation has now been cleared. The area of land does have a small area of hardstanding within it, where a previous small building once stood, but other than this the site area is vacant.

There is a disused bus layby within Howard Road to the front of the application. This layby is where the applicants cite their existing mobile catering unit.

**Relevant Policies:**

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

E(EMP).01 Employment Provision  
E(EMP).03 Primarily Employment Areas  
B(BE).13 Qualities of Good Design  
B(BE).22 Temporary Buildings and Uses

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

Policy 23: Employment Land Provision  
Policy 24: Development within Primarily Employment Areas  
Policy 17: Flood Risk Management

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**Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

**Relevant Planning History**

None

**Consultations**

**Worcestershire Regulatory Services**

No objections from a noise / nuisance point of view.  
No other comments received to date.

**North Worcestershire Water Management**

Environment Agency maps indicate that the site is located within Flood Zone 1, there is some surface water flooding indicated by the EA Surface Water Flood Mapping at the 1 in 100 year return period on Upper Crossgate Road but none on the site itself or on Howard Road to the north. Overall the flood risk to the site is not deemed considerable.

It is recommended that all proposed hard standing is completed in permeable surfacing; it is likely that the underlying ground conditions are impermeable so this surfacing should be under drained and connected into to the surface water drainage from the site.

**North Worcestershire Economic Development and Regeneration**

No Comments Received To Date

**Development Plans**

- NPPF para.22 states that applications for alternative uses on employment land should be treated on their merits.
- The extensive trading history of this business demonstrates a long-standing need for this facility in this location.
- Temporary structures should not be considered as a long-term structural solution. This application offers a reasonable solution to this issue.
- The site is not an allocated employment site to meet strategic needs and due to its size (180 sqm), would not have an unacceptable impact on the employment land supply.
- Due to the collaborative nature of the applicant and the adjacent business use owner, it is unlikely that this proposal will compromise the existing business use.
- This proposal would make best use of a small plot of land that would otherwise remain as undeveloped curtilage land.

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

**Highway Network Control**

Has No Objection to the grant of permission.

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**Public Consultation Response**

No comments received to date.

**Assessment of Proposal**

The site lies within an area designated as primarily employment within both the adopted Redditch Borough Local Plan No. 3 and the emerging Redditch Borough Local Plan No. 4.

The proposal is for a change of use of the application site to an A5 (hot food take away) use with the erection of a static catering unit, to service the surrounding business uses. This business has been in operation in the vicinity of the application site for the last 20 years on a mobile basis, which does indicate that there is a need for this facility in this location.

**Use of the site**

Saved Policy E(EMP).3 and Emerging Policy 24 both set out that Non employment development within primarily employment areas will only be permitted if they don't have an unacceptable impact or accentuate a significant shortage of employment land in the borough. Paragraph 22 of the NPPF sets out that 'where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits...'.

Although the proposal falls within an area designated for primarily employment use, our Planning Policy colleagues have considered that the site could best be described as SLOAP (Space Left Over After Planning), as it comprises a vegetation buffer within the curtilage, and to the rear of, an existing business unit and the public highway. So other than providing an opportunity for an extension to the existing business unit which is located to the rear of this site (4 Upper Crossgate Road), it is considered that the application site would remain undeveloped.

The application site is owned by Unit 4 Upper Crossgate Road who have offered this land to the applicant to put their catering unit on it. It is therefore considered that the proposal would be unlikely to compromise the existing business use of this site.

Due to the size of the application site and the fact that it is not an allocated employment site in the Saved or Emerging Local Plan, it is not considered that the loss of this area of employment land would have an unacceptable impact on the employment land supply.

**Sustainable Development**

The site being located within the primarily employment area would mean that the catering unit would be within close proximity and easily accessible on foot to its end-users. This

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proposal would therefore promote and support the principle of sustainable development set out in paragraph 197 of the NPPF.

To maintain the sustainability of this proposed use, it is deemed necessary to condition the opening hours of the catering unit so that it is open to meet the needs of the surrounding businesses.

**Character of Area**

Being in a primarily employment area, the planning application site and its surrounding area has an industrial character and appearance, with industrial buildings, open storage of goods and equipment, palisade fencing, car and lorry parks and some vegetation forming the main character of the street scene.

The catering unit that is proposed would be a refurbished modular building, which would be fitted out to meet current Environmental Health Legislation. It would be situated within the fenced compound, on an area of hardstanding. It would be located approximately 2.5metres behind the fence and would be approximately 29sqm in area and 3metres high. All fenestration would be secured with metal shutters outside of normal opening hour.

Due to the industrial nature of the area that surrounds the application site, and the varied street scene that this offers, it is not considered that the proposal would have a detrimental effect on the character or appearance of the locality.

As a modular building, the proposed catering unit would not be considered to be a permanent building. However due to the nature of the business proposed here and the overall character and appearance of the area in which this application site is situated, it is not considered that the proposed modular building would adversely affect the character and appearance of the area if it were cited for a long term. As such in case this it is not considered that it would be necessary to impose a temporary condition on the building.

**Amenity of area**

Due to the industrial nature of the surrounding area, it is not considered that the proposed development would have a detrimental effect on the amenity of the area or its existing occupiers.

**Parking**

Although no parking has been allocated for the proposed catering unit, the applicant has confirmed that the staff of the proposed catering unit would park in the spaces available to the front of Unit 4 Upper Cross Gate Road.

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In terms of customer parking, a large proportion of the end-users of the proposed catering unit would be within walking distance of it and so would not require parking. However it is noted that on street parking is widely available within the vicinity of the application site. This on street parking would increase if the application is approved, as the proposed use would free up the disused layby that the existing mobile catering unit occupies.

It is also noted that Worcestershire County Highways have raised no objection to the proposal.

**Conclusion**

Overall therefore I consider that the proposal subject to conditions would accord with the saved policies in the Redditch Borough Local Plan No. 3, the emerging policies in the Redditch Borough Council Local Plan No. 4 and the NPPF. As such it is my view that the proposed development is acceptable.

**RECOMMENDATION:**

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

**Conditions:**

- 1) The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

- 2) The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

Drawing No. 3022\_001- Proposed Plans and Elevations

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with Policy B (BE).13 of the Borough of Redditch Local Plan Number 3.

- 3) The Proposed Catering Unit shall only be only be open for business during the hours of 7.00am to 2.00pm Monday to Saturday and not on Sundays or Bank Holidays.

Reason: To maintain the sustainable nature of the proposed development in accordance with the NPPF.

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- 4) All of the proposed hard standing shall be completed in a permeable surfacing; and the surfacing should then be under drained and connected into to the surface water drainage.

Reason: To alleviate the risk of surface water flooding in accordance with Policy 17 of the emerging Redditch Borough Council Local Plan No. 4 and the NPPF.

**Informative**

- 1) Proactive engagement by the local planning authority was not necessary in this case as the proposed development was considered acceptable as initially submitted.

**Procedural matters**

This application is being reported to the Planning Committee because the application is for a Change of Use to A5 (hot food takeaway). As such the application falls outside the scheme of delegation to Officers.