

**PLANNING  
COMMITTEE**

**10th October 2024**

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**Planning Application 24/00639/FUL**

**Erection of 13 Class E Business Units with associated parking**

**Claybrook House, Claybrook Drive, Matchborough East, Redditch, B98 0FH**

**Applicant: Mr Chris Moen**  
**Ward: Matchborough and Woodrow**

**(see additional papers for site plan)**

The case officer of this application is Steven Edden, Principal Planning Officer (DM), who can be contacted on Tel: 01527 548474 Email: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk) for more information.

**Site Description**

The site, which is 0.62 ha in size, and a part of the Washford Industrial Estate, is located to the west of Claybrook drive on land designated as a Primarily Employment Area within the Borough of Redditch Local Plan No.4.

Immediately to the south is an existing commercial site, Valeo Service UK with a public footpath skirting the northern boundary with a landscape buffer between the footpath and residential development further to the north, that of Binton Close and Dunchurch Close which are accessed via Milhill Road further to the north.

The site historically contained a large office facility known as Claybrook House, formerly occupied by the company 'Interserve' which was erected in the 1960's. This was demolished in around the Summer of 2023. Before this time, the site, which had been vacant for a period of time had been subject to vandalism and anti-social behaviour issues.

**Proposal Description**

The proposal is a full planning application for the erection of 13 Class E Business Units with associated parking. A total of 1944 square metres of floorspace would be created with each factory unit ranging from 137 sqm upwards in size. The buildings would be split into two main terraced blocks and would have pitched roofs with a maximum height of 8m and an eaves height of 5.8m.

79 car parking spaces would be provided across the site. Vehicular access to the site would be primarily via Claybrook Drive (serving units 1 to 12) with a secondary (existing) vehicular access serving Unit 13 only. Parking for 16 cycles is also proposed on site together with a bin store.

**PLANNING  
COMMITTEE**

**10th October 2024**

---

**Relevant Policies:**

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

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Effective and Efficient use of Land

Policy 16: Natural Environment

Policy 19: Sustainable travel and Accessibility

Policy 20: Transport Requirements for New Development

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**

Redditch High Quality Design SPD

National Planning Policy Framework (2023)

**Relevant Planning History**

2005/044/FUL	23 Additional Car Parking Spaces	Granted	22.03.2005
1997/370/FUL	Elevation Alterations and Additional Car Parking.	Granted	27.11.1997

**Consultations**

**Worcestershire County Council Highway Authority**

No objections are raised subject to conditions.

Comments received are summarised below:

The site is located within an industrial estate with a vehicular access located off Claybrook Drive a classified road. The existing vehicular access has good visibility in both directions. The site also shares a rear vehicular access with Valeo located off Heming Rd. The site is located within walking distance of a bus route and bus stops. A pedestrian / cycle path LCN14 also runs in close proximity to the proposed development. Access to this has been provided.

**PLANNING  
COMMITTEE**

**10th October 2024**

---

The applicant has provided 79 car parking spaces (74 car parking is the requirement) and therefore this figure is considered to be acceptable. Parking for 16 cycles is also proposed on site (13 is the requirement) and therefore this figure is considered to be acceptable.

The applicant has provided tracking of the largest vehicle to use the site – accepted.

No changes are proposed to the existing vehicular access located off Claybrook Drive - accepted.

It is also noted that Unit 13 would have access from the existing vehicular access located off Heming Road only and not off Claybrook Drive. WCC highways have also fully assessed this existing vehicular access and raise no objections to the use of this vehicular access by Unit 13.

If any street lighting is proposed, the applicant will be required to carry out a lighting assessment in accordance with Worcestershire County Council's Street Lighting Design Guide (SLDG).

Conditions are recommended with respect to the provision of a Construction Management Plan, cycle and motorcycle parking provision, lighting and the submission of a travel plan.

**Arboricultural Officer**

Comments summarised below:

The only significant tree is a mature Oak tree currently under protection from TPO No. 5/1966. This tree is situated off site on the southern border. This tree will be unaffected by the proposed development. If any works are deemed necessary in the future this can be controlled under the TPO application process.

The trees along the Northern boundary consist of x1 Sycamore, x1 Norway Maple and 1 Ash tree. These are all low quality, most notably the Norway Maple. No objections would be raised to the removal of these trees.

There is an Ash tree to the entrance to the site. The only influence this tree will have on the development is access. The tree may need to be pruned to allow access for high sided vehicles. I hold no objection to this. BS3998 guidelines should be used for any tree works on site.

**North Worcestershire Water Management**

No objections subject to the inclusion of an appropriately worded drainage condition.

# **PLANNING COMMITTEE**

**10th October 2024**

---

Comments summarised below:

The proposed development site is situated in the catchment of Ipsley Brook. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. The EA's flood mapping however does indicate that there is some risk to the site from surface water flooding with three areas of pooling, two indicating medium risk and the third indicating high risk. Correctly designed drainage will mitigate any flood risk from surface water on the site and in the surrounding area.

While in principle I have no issues with the proposed development, further drainage details ought to be provided and agreed. These details can be provided via a condition. This should be in the form of a drainage plan and should include the means to manage surface water from the site appropriately. It should also detail the extent of the new buildings and any new hard standing and what materials will be used to finish these areas.

## **Worcestershire Regulatory Services: Noise**

Comments summarised below:

The application site has a reasonable standoff distance from the residential dwellings to the north and given the proposed use, internal unit noise should not be an issue. The layout of the development is such that external noise is similarly unlikely to be problematic although it is recommended that a 2.0m acoustic grade fence to the northern boundary be erected which would act as further mitigation from external noise. (Condition recommended).

## **Worcestershire Regulatory Services: Light Pollution**

Comments summarised below:

Full details of any proposed external lighting should be agreed in writing

## **Public Consultation Response**

26 occupiers notified in writing including occupiers of dwellings in Dunchurch Close and Binton Close.

One letter received in support. Comments received are summarised as follows:

- The regeneration of the land and potential creation of additional jobs and businesses within the community is welcomed
- The layout and orientation of the units is considered to be acceptable

One letter received in objection. Comments received are summarised as follows:

- Traffic flow from Unit 13 along Heming Road is a concern, even more problematic if the use was going to be a retail one

# **PLANNING COMMITTEE**

**10th October 2024**

---

## **Assessment of Proposal**

### **Principle of development**

The site is within an area designated as a Primarily Employment Area in the Borough of Redditch Local Plan No.4 where the primary aim of Policy 24 is stated to maintain uses within Classes B1 (Business), B2 (General Industry) or B8 (Storage or Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and to safeguard employment land.

Members will be aware that the Borough of Redditch Local Plan No.4 was adopted in 2017 and remains the development plan for Redditch. In September 2020, the then government introduced significant amendments to the Use Classes Order which means that Use Class B1 no longer exists. The specific uses proposed in this application now fall within Class E(g) (iii) which covers industrial processes which can ordinarily be carried out in close proximity to residential uses without detriment to amenity (as opposed to general industrial B2 uses). Class E(g) (iii) would have previously fallen within Classification B1(c).

The application seeks the redevelopment of this vacant site for employment purposes. The proposals clearly accord with the policies of the adopted Local Plan which seeks to safeguard employment sites in the Primarily Employment Areas for employment development. Provided that the uses proposed fall only within the Class E(g) (iii) category of use, (rather than for example, Class E (a) retailing of goods), no objections are raised to the principle of the proposed development. Whilst the applicant states that the proposed uses would fall within Class E(g) (iii) on the submitted application form, it is considered prudent to condition this accordingly.

### **Design and layout**

The proposed development would be in scale with neighbouring industrial properties. The new units would be constructed using grey profiled metal sheeting with anthracite grey contrasting feature fenestration with similar profiled metal sheeting to roof areas, final details of which could be agreed with the Council by condition.

The neighbouring industrial site is grey clad and your officers are satisfied that the design and external appearance of the proposed development would respect the context of the site and would therefore comply with relevant policies of the development plan.

### **Residential amenity**

One objection has been received from the occupier of a commercial business to the immediate south of the site boundary. The nearest residential properties are approximately 42m due north of the site, separated by means of a public footpath and a green landscaped buffer. WRS raise no objection to the application subject to the inclusion of appropriate conditions which would cover lighting and the provision of an acoustic fence to the northern boundary. No concerns have been identified in this respect.

# **PLANNING COMMITTEE**

**10th October 2024**

---

## Highways, access and parking

County Highways have raised no objections to the proposed development on highway safety grounds and consider that the proposed access arrangements are acceptable. Only Unit 13 would be accessed via Heming Road and no highway safety concerns have been raised. As set out earlier in this report, the application if approved is proposed to be restricted to Class E(g)iii uses which would prevent the unit being used for other Class E uses such as (for example) a gymnasium, restaurant or retail premises.

Cycle and motorcycle parking would be provided on site and secured by a recommended planning condition. Car parking on site is in accordance with the Council's standards.

## Drainage

The existing site lies in flood zone 1 and is not identified by the Environment Agency as an area at risk of fluvial flooding. The site enjoys existing mains drainage connection with the new proposed footprint larger than that of the original site in building and car park land use. It is however proposed to employ sustainable drainage techniques in that the permeable parking spaces will be provided using block paviors with tarmac accessways to drained gulleys so as to attenuate water run off so that it will be no greater than the original office scheme that the proposal will effectively replace. Since the receipt of original comments from NWWM (above) further details have been submitted for comment. Whilst NWWM are in general agreement with the further details submitted, at the time of writing they have commented that the in-principle approval of Severn Trent Water for the proposed connections and a management strategy for the future management of communal surface water drainage assets is still required and for this reason a condition which would cover outstanding matters is recommended.

## Ecology

In line with Policy 16 of the Borough of Redditch Local Plan and Paragraph 186 of the NPPF, appropriate mitigation measures must be implemented to ensure protection of the natural environment, with benefits from development to biodiversity captured. The site is adjacent to well established green network corridors and as such, to enhance ecological biodiversity, permanent bat and bird nesting opportunities should be integrated within the scheme. An appropriately worded planning condition is recommended to be imposed.

Biodiversity Net Gain (BNG) has now become mandatory for all relevant applications since the 2nd April 2024. This application was submitted after this date and therefore subject to the mandatory BNG requirements.

A Biodiversity Net Gain Assessment for the site has been submitted which clarifies that the existing site has some young and middle-sized trees along its boundary. The proposal is to plant 7 new trees on the site with 250 sqm of mixed shrub and planting, to include small hedgerow barrier areas to parking spaces. To areas to the rear of the site there is the opportunity to enhance existing green space, increasing the biodiversity value

**PLANNING  
COMMITTEE**

**10th October 2024**

---

of the site by 19.43%. This figure exceeds the required 10% uplift figure required under the legislation. A BNG condition is recommended below.

**Conclusion**

Overall, it is considered that the application proposals comprise sustainable development in accordance with the definition set out in the NPPF. The proposed development performs well against all three overarching objectives to sustainable development outlined at Paragraph 8 of the NPPF providing substantial economic benefits by redeveloping a vacant site within an employment area for employment uses generating jobs both during the construction and operational phase of the development.

Account has been taken of environmental issues through the preparation of technical reports on transport, and ecology with mitigation measures identified being implemented through the consent and via recommended planning conditions.

Subject to compliance with conditions as listed below, a favourable recommendation can be made.

**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 development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Drawings 4053-020; 4053-021F; 4053-022; 4053-023A dated 1<sup>st</sup> October 2024

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) Prior to their first installation, 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.

**PLANNING  
COMMITTEE**

**10th October 2024**

---

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) No works in connection with site drainage shall commence until a scheme for a surface water drainage strategy for the proposed development has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall include details of surface water drainage measures, including for hardstanding areas, and shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS). If possible infiltration techniques are to be used and the plan shall include the details and results of field percolation tests. If a connection to a sewer system is proposed, then evidence shall be submitted of the in principle approval of Severn Trent water for this connection. The scheme should include run off treatment proposals for surface water drainage. Where the scheme includes communal surface water drainage assets proposals for dealing with the future maintenance of these assets should be included. The scheme should include proposals for informing future owners or occupiers of the arrangements for maintenance of communal surface water drainage assets. The approved surface water drainage scheme shall be implemented prior to the first use of the development and thereafter maintained in accordance with the agreed scheme.

Reason: In order to ensure satisfactory drainage conditions that will not create or exacerbate flood risk on site or within the surrounding local area

- 5) Prior to its first installation, details of any lighting to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the building and other parts of the application site and the hours at which such lighting is to be operated. The agreed scheme shall be implemented in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form

Reason: In the interest of public safety, to safeguard residential amenities and to ensure that protected species are not harmed in the interests of biodiversity

- 6) The Development hereby approved shall not be brought into use until the applicant has submitted a Travel Plan using Modeshift STARS Business. They must meet green level accreditation before occupation and bronze level accreditation within 12 months of occupation.

Reason: To reduce vehicle movements and promote sustainable access



**PLANNING  
COMMITTEE**

**10th October 2024**

---

- 7) The Development hereby permitted shall not be first occupied until sheltered, safe, secure and accessible cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only

Reason: To comply with the Council's parking standards

- 8) The Development hereby approved shall not be brought into use until secure motorcycle parking spaces have been provided in a location to be agreed in writing by the Local Planning Authority and thereafter shall be kept available for motorcycle parking as approved.

Reason: To provide safe and suitable access for all

- 9) The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-
- o Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
  - o Details of site operative parking areas, material storage areas and the location of site operatives facilities as required;
  - o The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
  - o Measures to demonstrate that those immediately affected by the construction works will be kept informed and due consideration and courtesy will be shown to the local community.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

- 10) No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management and Monitoring Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

**PLANNING  
COMMITTEE**

**10th October 2024**

---

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with Borough of Redditch Local Plan Policy 16, the National Planning Policy Framework and The Environment Act 2021.

- 11) Prior to occupation of the proposed development, one Schwegler (or equivalent) bat and one Schwegler (or equivalent) bird box shall be placed on site in suitable locations at least 3 metres above ground level and shall be kept thereafter in perpetuity.

Reason: In the interests of biodiversity having regard to Paragraphs 180 and 186 of the NPPF

- 12) Any works to trees on site shall be carried out in accordance with BS3998:2010 recommendations

Reason: In order to protect trees which form an important part of the amenity of the site.

- 13) Prior to the first use of the development hereby approved, details of acoustic fencing to be installed at the northern boundary of the site shall be submitted for the prior written approval of the Local Planning Authority. The details approved shall be implemented prior to first use of the development and shall remain in perpetuity

Reason: To provide adequate noise mitigation to protect nearby residential amenities

- 14) This application permits uses on site falling within the Class E(g) (iii) category of uses as set out under the Town and Country Planning (Use Classes) Order 1987 (as amended) only. No other category of Class E use is permitted without applying separately for planning permission to do so.

Reason: In the interests of safeguarding land for employment uses only in accordance with Policy 24 of the Borough of Redditch Local Plan No.4

**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.