

**PLANNING  
COMMITTEE**

25th April 2012

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**PLANNING APPLICATION 2012/057/COU**

**CHANGE OF USE FROM PERMITTED CLASS B1 OR CLASS B8 USES  
TO CHILDREN'S INDOOR PLAY CENTRE (CLASS D2) WITH  
ASSOCIATED PARKING**

**BUILDING F, ASTWOOD BUSINESS PARK, ASTWOOD FARM,  
ASTWOOD LANE, ASTWOOD BANK**

**APPLICANT: MR J RANSON  
EXPIRY DATE: 30TH APRIL 2012**

**WARD: ASTWOOD BANK & FECKENHAM**

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk)) for more information.

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

**Site Description**

Building F is one of six buildings (the others being known as buildings A, B, C, D and E) which were refurbished and converted to provide offices, light Industrial, general Industrial and storage floorspace under application 2007/061/FUL and subsequent applications for planning permission. Building F has brown profiled metal sheet cladding to its walls and roof and has an internal floor area of approximately 1,586 square metres. The site is in a rural area accessed from a farm road which itself is accessed from Astwood Lane.

**Proposal Description**

The permitted use of Building F is Class B8 – storage and distribution uses, by virtue of permission 2007/061/FUL, or Class B1 – business uses under permission 2010/080/COU. The proposal is to change the permitted use of the building (from B1 or B8) to a use which would fall under Class D2 of the Town and Country Planning (Use Classes) Order 1987 as amended – specifically for use as a children's indoor play centre. The proposed business 'Imagination Street' already operates a similar centre in Bromsgrove which has been in existence since July 2009. The company proposes to occupy the whole of the building which would provide a large internal space for soft play frames and other activities. The ground floor space (1,586 square metres) would be used to provide a reception area, servery and kitchen, an office, four small 'party rooms' and toilets, although the majority of the floor space would be left open to accommodate play equipment and provide for activities. A smaller mezzanine floor area (192 square metres) would also be created providing five further small party rooms and toilets. No changes are proposed to the external appearance of the building. Parking provision for 50 vehicles including three bays designated for disabled drivers would be

**PLANNING  
COMMITTEE**

**25th April 2012**

---

made adjacent to the front of the building. This part of the site is a rough gravelled area where car parking currently takes place on an ad-hoc basis.

Proposed opening times would be:  
Monday to Saturday: 10:00 to 18:00 hrs  
Sundays 10:30 to 17:30 hrs

The applicant's agent states that based on their existing operation at Bromsgrove, the site would attract approximately 65 to 75 visitors per day, seven days per week. Approximately seven full-time members of staff would be employed by the business as well as another 25 part-time members of staff.

**Relevant Key Policies:**

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

***National Planning Policy***

The National Planning Policy Framework (NPPF)

***Regional Spatial Strategy and Worcestershire County Structure Plan***

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, in light of recent indications at national level that Regional Spatial Strategies and Structure Plans are likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS or the WCSP.

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

B(RA).1	Control of development in the Green Belt
B(RA).5	Reuse and conversion of buildings
B(RA).8	Development at Astwood Bank
CS.7	The Sustainable Location of Development
E(TCR).4	Need and the Sequential Approach
C(T).12	Parking Standards

The site is located within the designated as Green Belt as shown on the Borough of Redditch Local Plan No.3 Proposals Map

# **PLANNING COMMITTEE**

**25th April 2012**

## **Relevant Site Planning History**

2007/061/FUL	Refurbishment and conversion of buildings A, B, C, D, E, and F to provide offices, light Industrial, general Industrial and storage floorspace. (Building F limited to Class B8 use)	Approved	11.09.2008
2010/080/COU	Change of Use of building F from Class B8 use to Class B1 use (not implemented to date but remains valid until June 2013)	Approved	09.6.2010
2010/238/COU	Use of land for the display and sale of motor vehicles  (adjacent site)	Refused  Appeal Dismissed	28.10.2010  31.03.2011

## **Public Consultation Responses**

Neighbour consultation letters posted and site notice erected at the site.

### **Responses against**

1 letter received raising the following concerns:

- Unacceptable use in green belt location
- Inappropriate use in a rural area contrary to sustainability objectives
- Detriment to highway safety due to further vehicle movements – accidents in area are likely to increase. Area has a high accident rate already
- Use is more suited to a town centre location
- Additional vehicle movements would harm residential amenity
- Incompatible with existing Industrial uses

## **Consultee Responses**

### ***County Highway Network Control***

Comments summarised as follows:

The Planning Statement submitted by the developer confirms that the majority of public transport services are over 2 Kilometres from the application site. Coupled with the available footpaths being un-surfaced rural footpaths, the inclusion of these services as evidence of a sustainable location is not accepted by the Highway Authority.

Similarly, the statement suggests that employees will be encouraged to cycle to work. As there are no cycleways within a reasonable distance from the development, this is not accepted as a reasonable method of reducing car usage.

**PLANNING  
COMMITTEE**

**25th April 2012**

---

The applicant has suggested from experience of their operations elsewhere that there will be 'a considerable degree of car sharing', however, there is no supporting evidence to indicate how significant. Furthermore, the projected arrival by 'other modes' is quoted at 5%, given the reasons above and the rural location, as opposed to the town centre location of the other facility, we do not therefore accept this percentage.

It is therefore considered that the increase in vehicle trips on the rural network as a result of this proposal is unacceptable, and is considered to be contrary to highway safety policy.

It is therefore recommended that the application is refused permission.

***RBC Development Plans Section***

Comments summarised as follows:

National Planning Policy Framework (NPPF)

*Ensuring the vitality of town centres*

This proposal is considered to be small scale rural development and therefore a sequential approach is not required (Para 25).

*Promoting sustainable transport*

Paragraph 34 states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. It is noted that this needs to be considered in line with other policies in the NPPF, particularly in rural areas, as is the case for this proposal.

Borough of Redditch Local Plan No.3

*Policy CS.7 The Sustainable Location of Development*

This policy sets out a sequential approach to the location of all development and states that uses that attract a lot of people will be directed to the Town Centre. The proposed D2 use is considered to be a use that will attract a lot of people and therefore sites within the Town Centre should be considered first. Criterion iv. states that Green Belt locations will only be considered in exceptional circumstances, when all other options have been exhausted and where there is a clear development need. The Planning Statement submitted with this application does not demonstrate that consideration has been given to other, more sustainable locations nor has any justification been provided for the Green Belt location. However, there is a conflict between this policy and paragraph 25 of the NPPF which means little weight can be applied to policy CS.7.

**PLANNING  
COMMITTEE**

**25th April 2012**

---

*Policy E(TCR).4 – Need and the Sequential Approach*

A D2 use, as proposed by this application, is considered a main town centre use; the policy preference for siting main town centre uses is Redditch Town Centre. This policy requires that applications for a main town centre use on a non town centre site (as this application proposes) be accompanied by an assessment of the impact that the proposal would have upon Redditch Town Centre and any other centre within its catchment. However, paragraph 26 of the NPPF only requires an impact assessment for proposals of 2500 square metres or more. As this proposal is below this threshold it is not appropriate to apply weight to policy E(TCR).4.

Revised Preferred Draft Core Strategy considerations

*Policy 4 – Sustainable Travel and Accessibility*

This policy aims to improve access and mobility, reduce the need to travel by car and increase public transport use, walking and cycling. As stated above, this proposal raises concerns with regards to the potential for access by public transport as well as access by walking and cycling. The proposed D2 use is likely to attract a significant number of users and should therefore be in a location that is more readily accessed by sustainable modes of transport in order to comply with this policy. This is in accordance with the requirements of the NPPF identified above.

*Policy 24 – Leisure and Tourism*

New leisure proposals are supported by this policy but they are also required to be located in places that are sustainable and accessible by a choice of transport modes and where additional visitor numbers can be accommodated without detriment to the local environment, principally Redditch Town Centre. As identified above, the proposed location is not considered readily accessible by a choice of transport modes.

Conclusion

Based on the provisions of the NPPF and saved Local Plan No.3 policies this proposal raises concerns with regards to sustainable transport. The proposed use is likely to generate significant movement but is not considered to be in a location where the need to travel will be minimised and the use of sustainable transport modes can be maximised (NPPF paragraph 34).

***RBC Economic Development Unit***

The property was marketed via the commercial property search service from 23rd December 2010 to 25th August 2011 when we were informed that the property had been let. I have no information as to how the property has been promoted since August last year.

There are currently 9 industrial premises, between 15,000 and 20,000 sq ft on the database. During the last 12 months we have received 18 requests for properties of that size.

**PLANNING  
COMMITTEE**

**25th April 2012**

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On this basis, we do not recognise any exceptional reason why the change of use should be granted.

***Severn Trent Water***

No objection. Drainage to be subject to agreement with Severn Trent Water

***County Council Public Rights of Way***

Notes that the site is situated adjacent to a public right of way. States that the proposal would have no detrimental impact upon the PROW, but that applicant should be aware of obligations concerning PROW legislation

**Assessment of Proposal**

The key issues for consideration are as follows:-

**Applying the Sequential Test**

Paragraph 24 taken from the NPPF states that authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Town centre sites should be looked at first, where main town centre uses (such as here) are proposed. It goes on to say that edge of centre locations should then be considered and only if suitable sites are not available should out of centre proposals be considered. The paragraph states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. As Policy Officers have referred to, the sequential approach does not apply to applications for *small scale rural offices or other small scale rural development*. However, it is considered that the proposal is significant enough to fall outside the term of *small scale rural development* and it is certainly not a small scale rural office development.

Policy CS.7 from the Local Plan sets out a sequential approach to the location of all development and states that uses that attract a lot of people will be directed to the Town Centre. Criterion iv. states that Green Belt locations will only be considered in exceptional circumstances, when all other options have been exhausted and where there is a clear development need. The Planning Statement submitted with this application does not demonstrate that consideration has been given to other, more sustainable locations nor has any justification been provided for the Green Belt location. Being a town centre type use, the proposals are considered to have therefore failed to address the requirements of paragraph 24 of the NPPF and policy CS.7 of the Borough of Redditch Local Plan No.3.

**Transport Implications**

In view of the remote location of the site and the paucity of public transport routes to the site, it is likely that the vast majority of employees and visitors would travel by private car. Car parking currently takes place on an informal basis within a rough gravelled area to the north-east corner of the site. A

**PLANNING  
COMMITTEE**

**25th April 2012**

---

building (formerly known as building G) was once present on this part of the site but has long since been demolished. It is proposed to make provision for 50 demarked car parking spaces within this area which would include three disabled spaces.

The Planning Inspector, when considering application 2010/238/COU as referred to earlier in this report, commented that when the wider business park is fully occupied with uses in conformity with its planning permission, that there would be a need to have all 179 parking spaces (on the wider site) to be available to meet the standards as set out in the Local Plan. He commented that without adequate provision, it would be likely that parking would take place along the access road and stated that he did not consider the access road to be wide enough to accommodate a two-way flow of traffic into and out of the site if vehicles were also parked along one or both sides. He therefore considered that if such a situation were to occur that it would interfere with the smooth and efficient running of the business park.

Application 2010/238/COU proposed the displacement of 45 parking spaces. Whilst this proposal would not displace any existing car parking, your Officers would agree with the concerns received from Highway Network Control in that the likely increase in vehicle trips on the rural network as a result of this proposal would be contrary to highway safety and sustainability objectives.

The majority of public transport services are over 2 Kilometres from the application site and available footpaths are un-surfaced rural rights of way. The applicant's statement suggests that employees will be encouraged to cycle to work, but there are no cycleways within a reasonable distance from the development. Officers therefore consider that the inclusion of these services as evidence of a sustainable location should not be accepted.

Although the applicant has suggested from experience of their operations elsewhere that there would be 'a considerable degree of car sharing', no supporting evidence has been submitted to indicate how significant. Projected arrival by other modes of transport (quoted at 5%) given the rural location of the site, as opposed to the town centre location of the company's other facility (in Bromsgrove Town Centre), is not accepted as a percentage.

The importance of promoting sustainable transport is emphasised under Paragraph 34 of the NPPF which states that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Impact upon adjacent uses

Officers consider that the proposals would intensify the use of the site as a whole and would increase traffic to such an extent that it would harm the

**PLANNING  
COMMITTEE**

**25th April 2012**

---

amenities of occupiers of nearby dwellings contrary to the provisions of Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

The nature of such a use, as accepted by the applicant means that visitors to the site would typically expect to spend on average around two hours in the centre with movements generally spread throughout the day as opposed to at peaks with B1 type uses. Not only would vehicle movements be higher, but such uses typically attract a rise in vehicle movements over the weekend period rather than through Monday to Friday as would be the case with an office type user. Residents would therefore be inconvenienced by a far higher number of vehicle movements over the weekend period than they currently experience. The proposed hours of opening which include opening between 10:30 to 17:30 hrs on Sundays also suggest this.

The provision of a leisure facility in this area would also be considered to hinder the amenities of the adjacent employment units and would not be compatible with the potential and existing employment uses at this complex.

Other issues

Borough of Redditch Local Plan Policy B(RA).8 states that development in the Astwood Bank area should only be permitted where it is at an appropriate level to meet local needs for housing, employment and/or other community facilities and services. Such uses should be proportionate to the needs of Astwood Bank and the rural area of the Borough. The Councils Economic Development Unit state that during the last 12 months, they have received 18 requests for industrial units of this size and do not recognise any exceptional reason why the change of use should be granted. Although the unit is not within a designated primarily employment area, where other policies (not stated here) would apply, the loss of this unit to a non employment use would arguably have a harmful impact on the rural economy. This is considered to add weight to the argument that the proposed use is inappropriate.

Conclusion

Officers agree with concerns raised by Planning Policy Officers and Highway Network Control which are that this children's indoor play centre is likely to generate significant movement but is not considered to be in a location where the need to travel will be minimised and the use of sustainable transport modes can be maximised. The proposal would therefore be contrary to saved local plan policies together with the provisions of the National Planning Policy Framework.



**PLANNING  
COMMITTEE**

25th April 2012

---

**Recommendation**

**That having regard to the development plan and to all other material considerations, planning permission be REFUSED for the reasons as stated below:**

1. The creation of a main town centre and D2 use in a location outside the town centre in a rural green belt area, poorly served by public transport and readily accessible only by means of motor vehicle would be likely to generate a significant quantity of unsustainable trips in private vehicles contrary to paragraph 34 of the National Planning Policy Framework and Policy CS.7 of the Borough of Redditch Local Plan No.3.
2. The provision of a leisure facility and Class D2 use in this area would hinder the amenities of adjacent occupiers including nearby residential uses and would not be compatible with the potential and existing employment uses in this complex. As such, the proposed development would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3.
3. Documents submitted by the applicant to justify the location of a leisure facility outside the town centre are insufficient to address the sequential assessment requirements set out in the National Planning Policy Framework under which applications for planning permission should be assessed. As such, the proposed development cannot be considered to comply with Paragraph 24 of the National Planning Policy Framework and Policy CS.7 of the Borough of Redditch Local Plan No.3.

**Informative:**

1. Plans refused consent listed for information

**Procedural matters**

All D2 use class proposed developments are reported to Planning Committee for determination