

**PLANNING
COMMITTEE**

18th July 2012

PLANNING APPLICATION 2012/148/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: 27TH JULY 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) 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 (Assembly & Leisure) 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 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 made

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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.

The applicant seeks permission for an unrestricted D2 use, which could at any point include other Assembly & Leisure uses, not just that proposed here.

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

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
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 Green Belt as shown on the Borough of Redditch Local Plan No.3 Proposals Map

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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
2012/057/COU	Change of use of building F from permitted class B1 or class B8 uses to children's indoor play centre (class D2) with associated parking	Withdrawn	25.04.2012

Public Consultation Responses

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

Responses in favour

1 letter received. Comments summarised as follows:

- Good play space facility for children in the local area
- Ideal community meeting place
- Job creation for the local area
- Will be of economic, social and educational benefit to Redditch

Responses against

4 letters 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

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- Noise pollution concerns
- No footpaths or street lighting on Astwood Lane / access drive to the site nor public transport facilities able to reach this remote location
- Asking a bus company to stop outside the play centre would not reduce the volume of traffic accessing the site, since that service would have to run more frequently

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. Mention is made of the possible re-routing of the number 70 service, however, no evidence has been provided in support of this, nor has a business case been submitted to substantiate the viability of the proposal. The available footpaths are un-surfaced rural footpaths and there are no cycleways within a reasonable distance from the development, therefore there are no reasonable methods of reducing car usage. The inclusion of these services as evidence of a sustainable location is not accepted by the Highway Authority.

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.

No firm evidence of proposed traffic/trip generation has been submitted. The Imagination Street facility in Bromsgrove is in a Town Centre location with adequate walking, cycling and public transport links. It is therefore not appropriate to compare the two sites. A detailed analysis of trip generation would be required rather than by using 'assumed' figures submitted.

On the basis of the information submitted, the anticipated 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:

This application is a re-submission of planning application 2012/057/COU. As the proposal remains the same as the previous application the comments made for 2012/057/COU remain relevant for this application and are

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duplicated below. Additional supporting information has been submitted with this application therefore the comments below concentrate on this.

The planning policy comments for 2012/057/COU raised concerns regarding the location of the proposed development and sustainable transport. The proposed use is Class D2 'Assembly and Leisure'. Annex 2 of The National Planning Policy Framework (NPPF) defines leisure as a main town centre use. Policy E(TCR).4 (Need and the Sequential Approach) of Local Plan No.3 sets out a sequential approach to the location of main town centre uses. A sequential assessment of other available units within the Borough has been submitted in order to demonstrate that the unit at Astwood Farm is the most appropriate. The submitted information shows that there are currently 10 available properties which would meet the size requirements of the applicant including one within the Town Centre. The applicant has concluded that none of the 10 properties are suitable to accommodate the requirements of the proposed D2 use. However, it is advised that the Council's Economic Development Service view is sought regarding the properties identified in the sequential assessment.

The supporting information states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm. There are no further details of the proposed route or any evidence of this commitment from the operators. The closest existing bus services stop is in Astwood Bank and would result in a 2km walk to the site along some roads which do not have footpaths. There are also no dedicated cycling facilities close to the site. The planning statement makes the assertion that a children's indoor play centre is less intensive than other leisure uses but this is not evidenced. The proposed use is expected to generate significant movement and therefore should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (NPPF para 34). Based on the information submitted regarding current access to the site it is not considered the proposal will be in a location where the need to travel can be minimised and where sustainable transport modes can be maximised.

RBC Economic Development Unit

Object on the basis of loss of employment use floorspace. Confirmed that ten sites nearer the town centre have been identified as large enough to accommodate the proposed development, but that nine of them would result in the loss of employment floorspace and so would not be acceptable, as is the case for this site. One unit in the town centre would be acceptable for this use, and the reason that the applicants discount it is lack of headroom, which should be investigated further as this would be a location where this proposal could be supported.

Severn Trent Water

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

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County Council Public Rights of Way

Notes: that the site is situated adjacent to a public right of way (Redditch Bridleway 744). States that the information supplied by the applicant does not make clear how the development would affect the Public Right of Way. Until it can be proven that the development would not affect the PROW, we object to this application

Worcestershire Regulatory Services

No objection

Background

A very similar application for change of use to that proposed here (reference 2012/057/COU and as detailed above) was to be presented before members of the Planning Committee when they sat on 25th April 2012. This application was withdrawn shortly before the start of that meeting by the applicant in order that additional information could be submitted in an attempt to address concerns raised by your Officers.

A sequential assessment of other available units within the Borough has now been submitted in order to demonstrate that the unit at Astwood Farm is the most appropriate. In addition, supporting information states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm.

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. The sequential approach does not apply to applications for *small scale rural offices or other small scale rural development*. However, *small scale rural development* is not defined within the NPPF. Officers considered a sequential assessment of alternative sites would be required, when application 2012/057/COU was under assessment.

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.

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Following the submission of the sequential assessment, at the time of writing, Officers consider that the undertaking carried out is satisfactory although comments are awaited by the Councils Economic Development Section regarding the properties identified in the sequential assessment.

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 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 marked 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, Officers consider 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.

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 information submitted in support of this revised application states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm. However, there are no further details of the proposed route or any evidence of this commitment from the operators. The closest existing bus service stop is in Astwood Bank and would result in a 2km walk to the site along some roads which do not have footpaths. There are also no dedicated cycling facilities

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close to the site. The planning statement makes the assertion that a children's indoor play centre is less intensive than other leisure uses but this is not evidenced. The proposed use is expected to generate significant movement and therefore should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised as required under Paragraph 34 of the NPPF.

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 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. This point has been referred to within the neighbour representations received.

Conclusion

It is considered that, as a leisure use, which is defined by the NPPF as a main town centre use, the proposal should be in a location which can be easily accessed by sustainable transport modes and where the need to travel can be minimised (NPPF Para 34). The proposed location and access available by sustainable transport modes does not achieve this requirement.

Officers agree with concerns raised by Planning Policy Officers and Highway Network Control which are that this children's indoor play centre use (or any other D2 use) is likely to generate significant vehicular movements but is not considered to be in a location where the need to travel waste 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.

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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 Class 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 location 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.

Informative:

1. Plans refused consent listed for information

Procedural matters

All proposed D2 uses are reported to Planning Committee for determination.