

**PLANNING  
COMMITTEE**

**5th September 2012**

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**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](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. Building F has been vacant for over one year.

**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. This 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

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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.wmra.gov.uk](http://www.wmra.gov.uk)

[www.worcestershire.gov.uk](http://www.worcestershire.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***

CS.6	Implementation of Development
B(RA).1	Control of development in the Green Belt
B(RA).5	Reuse and conversion of buildings
B(BE).13	Qualities of good design
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

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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**

37 letters 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
- Insufficient number of facilities of this nature in the Redditch area: would be appreciated by many
- Good that a bus service is to be provided
- Adequate parking provision on site

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## Responses against

11 letters received raising the following concerns:

- Inappropriate use in a rural green belt 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
- Additional vehicle movements would harm residential amenity
- Incompatible with existing Industrial uses
- 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
- Vehicle movements on a Saturday and Sunday would be particularly disturbing to neighbouring properties
- Peak times of movement would coincide with the peak times of Astwood Bank First School which will coincide with peak commercial traffic times of existing businesses. Such a high volume of car movements along a narrow rural lane would be unacceptable

## **Consultee Responses**

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

Comments summarised as follows:

Traffic generation figures presented by the applicant show an overall reduction in the peak hour movements for such a proposed use in comparison to the permitted uses. The applicant's intention to introduce an extension to the bus service could furthermore reduce traffic.

The County Council have no objection to permission being granted for the development.

### ***RBC Development Plans Section***

Comments summarised as follows:

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.

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The supporting information states that the local bus operator has undertaken to divert bus service 70 to Astwood Farm. This matter would need to be examined in more detail.

The proposed use should be located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (NPPF para 34).

***RBC Economic Development Unit***

The ten properties listed in the sequential test are all of those currently available of the size specified. Of the properties listed, EDU would object to change of use on 9 of the 10 on the grounds of unacceptable loss of employment land

***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 (Redditch Bridleway 744). The applicant should make clear how the development would affect the Public Right of Way. Applicant should be reminded of their duties under PROW legislation to ensure that the development would not affect the PROW

***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 been submitted under the current application (2012/148/COU) 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.

This application was originally scheduled to be presented before members at the 18th July 2012 Planning Committee. At that time, no details of the proposed bus route or any evidence of this commitment from the operators had been submitted. County Highways Officers requested a detailed trip generation analysis to fully assess the merits of the application which had similarly not been submitted by 18th July.

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The applicant requested that the current application be temporarily deferred from consideration by the planning committee until the above requested information had been submitted and considered. Officers agreed to this request and the additional information has now been submitted and considered.

## **Assessment of Proposal**

The key issues for consideration are as follows:-

### **Applying the Sequential Test**

The proposed use is a leisure, and 'Town Centre' use. 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. 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.

The sequential assessment has identified all of those units currently available of the size specified on the EDU database. Of the properties listed, 9 of the 10 are located on designated employment land where Officers could not support a change of use to leisure due to loss of employment land. The remaining property lies within the Kingfisher Shopping Centre, where adopted policies would not support a change of use to a non-retail use. Further, many of the listed sites are unsuitable for an indoor play centre use due to the particular requirements of such a use (restricted floor to ceiling heights for example). Officers have concluded that the sequential test undertaken is satisfactory and that no sequentially preferable sites exist for such a use.

### **Nature of use**

A children's indoor play centre use is defined as a D2 use as far as the Town and Country Planning (Use Classes) Order is concerned. Other D2 uses include (*inter-alia*) cinemas, bingo halls, ice skating rinks and swimming pools. The applicant considers that a children's play centre use would be a less intensive use than many 'other' D2 class uses, and officers would agree with this assertion to an extent (adults may go to a cinema, swimming pool without children but would not go to a children's play centre without a child). Further, the expected 75 visitors per day would include a minimum of one adult and one child per car rather than perhaps, a single adult arriving by car to use a swimming pool. The applicant has suggested in the case of members being minded to approve this application, that a condition be imposed restricting the use to a children's play centre only which would prevent an otherwise more intensive use from taking place on the site without a separate application for planning permission being considered.

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## Transport Implications

The applicant expects that the site would attract approximately 75 visitors per day (including parents and children). Such figures would create in the order of 30 'in' and 30 'out' movements per day based on an average occupancy rate of 2.5 persons per car. As another example, 100 visitors per day (including parents and children) would create 50 'in' and 50 'out' movements per day based on an occupancy rate of 2.0 persons per car (one child and one adult).

It is important to consider that Building F already has consent for both B8 and B1 use. B1 (office) uses are likely to generate higher vehicle movements by car than B8 uses, as reflected in adopted car parking standards. B8 uses are likely to generate far fewer journeys by car but a far higher percentage of movements by Heavy Goods Vehicles. County Highways have been asked to compare either a B1 or B8 scenario (were the unit occupied) with that of a D2 children's playcentre use. Detailed trip figures have been submitted by monitoring vehicle movements to and from the existing Imagination Street facility at Bromsgrove. County Highways have examined this data, and have also taken into consideration the remote location of this site and the paucity of public transport routes to the site which currently exist. The applicant and your officers agree that it is reasonable to assume that the vast majority of employees and visitors would travel to the site by private car.

County Highways have concluded that there would be an overall reduction in the peak hour movements for the application site in comparison to the permitted uses. They consider that the proposal to introduce an extension to the existing bus service could furthermore reduce car borne traffic.

The local bus operator has undertaken to divert bus service 70 to Astwood Farm. At the time of writing a planning obligation is being drafted which would ensure that a service to Astwood Farm would be provided every 1 hr and 20 minutes between Monday and Saturday.

A planning obligation tying the use of the building to the provision of an extended bus service would ensure that sustainable transport modes can be utilised both by visitors to the proposed children's play centre and to existing uses at Astwood Farm.

The applicant commits to a Green Travel Plan and comments that car sharing would be encouraged wherever possible.

## Impact upon nearby amenities

As stated above, Officers now consider having examined the trip generation data, that vehicle movements would be lower than they could potentially be if Building F were to be used for its consented B1/B8 uses.

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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. Vehicle movements over the weekend are likely to be higher than would be the case for a B1 use although it would still be necessary to assess whether in the order of 30 'in' and 30 'out' movements per day based on an average occupancy rate of 2.5 persons per car and 75 visitors per day would necessarily harm residential amenity. Having considered this particular aspect in detail and the fact that vehicle movements would be spread throughout the day (as opposed to at peak times etc), movements would not be considered to unduly harm the amenities enjoyed by nearby occupiers, taking into account existing largely unrestricted consents on the site. Such a use (especially when in use over the weekend period) would not place any great demands on the rural road network. Worcestershire Regulatory Services have considered any impact the use might have upon nearby amenity and have raised no objections. None of the existing businesses at this centre have raised objections to the application.

## Additional Information

The applicant has supplied additional information in support of the application. Comments are summarised below for members' information:

The applicant states that substantial investment has been made in both Building F and the Astwood Business Park site as a whole. It is stated that Building F has been marketed for over a year with no realistic chance of letting. The applicant is keen to stress some of the wider positive advantages of the application to the area, commenting that business locally would benefit as the proposal would have a positive impact on the local economy, creating new jobs.

The applicant in particular wishes to draw the Committee's attention to Paragraph 28 of the NPPF which seeks to support a prosperous rural economy and to Paragraph 29 in which the Government recognises that different policies and measures will be required in different communities and that the opportunity to maximise sustainable transport solutions will vary from urban to rural areas.

## Conclusion

As a leisure use, which is defined by the NPPF as a main town centre use, the proposal should ideally be in a location which can be easily accessed by sustainable transport modes and where the need to travel can be minimised. No sequentially preferable sites have been identified and are available in this case.

County Highways have confirmed that an increase in vehicle movements would not result from the proposal, taking into consideration how the building could operate under its consented use. A planning obligation has been



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prepared which would (at the applicant's expense) extend the existing number 70 bus service to Astwood Farm with a service every 1hr and 20 minutes, allowing the facility to be accessed by more sustainable modes of transport. The proposal would create a number of new jobs having a positive impact on the local rural economy in accordance with the aims of Paragraph 29 of the NPPF.

Taking all of the above matters into consideration, Officers are recommending that permission be granted for this proposal.

**Recommendation**

**Officers are seeking an either/or resolution from Members in this case as follows, in that Officers would carry out whichever of the two recommendations below applied:**

**Either:**

- 1) That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:
  - a) A planning obligation providing an extended bus service to Astwood Farm; and**
  - b) the conditions and informatives as summarised below:****

**Conditions**

1. Development to commence within three years
2. Use limited to a children's play centre use only (no other D2 or other use)
3. Hours of operation specified
4. Plans approved specified
5. Green travel plan to be submitted

**Informatives**

1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water
3. Public Rights of Way informatives

**Or:**

- 2) In the event that the planning obligation cannot be completed by 28th September 2012:**

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- a) **Members are asked to delegate authority to Officers to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to sustainability objectives as set out within the National Planning Policy Framework and the Borough of Redditch Local Plan No.3**
  
- b) **In the event of a refusal on the ground at 2a) above, and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members in their decision making.**

## **Procedural matters**

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