

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan. Ref Expiry Date
Bromsgrove District Council 'A'	Extension of temporary planning permission for car park extension Former Market Hall site, St John Street, Bromsgrove	TCZ	12/0316 07.06.12

RECOMMENDATION: that a temporary planning permission is **GRANTED** for a period of one year

Consultations

WH Comments received 27.04.12 recommend that permission is refused for the following reasons:

'The application will encourage additional car movements into the town centre. The development cannot promote sustainable means of access as there is no ability for the application to encourage walking, cycling or bus access over car access. There is a real danger of encouraging car trips into the town centre which will create congestion and in educating motorists as once they regularly access the town via car reversing that trend is very difficult regardless of how attractive the alternative means are.

It is considered that the principle of a development that encourages car activity and does not encourage sustainable development is unacceptable and should be refused.'

WCC Public Rights of Way Comments received 25.04.12: No objection

Ramblers Consulted 19.04.12; no comments received to date.

CO Comments received 10.05.12:

No objection subject to use being limited to a two year period.

Water Management Officer Initial comments received 19.04.12:

"The site is in flood zone 3 (high risk of fluvial flooding from Spadesbourne Brook) and is partially at risk of surface water flooding. It is known that there have been significant flood incidents at the site. As the site is used only for car parking, I do not see that the flooding is a high risk to this site, but it might be an idea to have signs

warning that the car park is within a flood risk zone.

I do however have concerns that surface runoff is to be discharged into the brook.

I would like more details on if there are pollution traps in place, and if not I would like to see these added. The reason for this is that there are water voles in the vicinity, which are a protected species under the Countryside & Rights of Way Act (2000), and any damage to the species or their habitat is an offence.”

Further comments received 10.05.12:

“As I now understand gulleys in the existing car park have functioning traps, and that runoff from the new parking area is likely to flow towards the older parking area and therefore the trapped gullies, I am happy that there is no increased risk to the water vole populations.”

EA

Comments received 14.05.12:

No objection subject to the receipt of satisfactory comments from the Council's Drainage Officer.

Site Notice Posted 03.05.12
expires 24.05.12.

None received

Press Notice published
27.04.10 expires 18.05.12

The site and its surroundings

The application site relates to an existing town centre car park. The site was previously occupied by the Market Hall building until its demolition in March 2010. The site is bounded by St Johns Street and Market Place to its northern and eastern boundaries, a public car park to its western boundary and Spadesbourne Brook to its southern boundary. The site is within the Town Centre Zone and the junction of Market Place and St John Street is defined in the BDLP as a Primary Shopping Street. The site is adjacent to, but not within, the Town Centre Conservation Area. There is a public right of way running along the south eastern boundary of the site. The site lies within Flood Zone 3 as defined on the Environment Agency's Flood Map.

Proposal

Planning permission was granted on 16 June 2010 (application ref. 10/0317) for the provision of a temporary car park on the site. That permission is subject to a condition requiring that the use of the site for car parking shall cease on or before the expiry of two

years starting from the date of the permission. The existing planning permission for the car park is therefore due to expire on 16 June 2012.

The site is designated within the BDLP as a Primary Shopping Street. The site is also allocated within the Draft Area Action Plan for Bromsgrove Town Centre as presenting an opportunity for retail led mixed use development. The site forms an important part of the Council's strategic vision for the regeneration of Bromsgrove Town Centre. The existing use of the site for car parking was pursued by the Council as a short term solution due to a lack of developer interest at the time as a consequence of the current economic situation.

Concerns were raised by your Officer in relation to 10/0317 on the basis that the car park proposal would not be appropriate in a Primary Shopping Area but rather in a secondary shopping or edge of centre location. Concerns were also raised by the Highways Authority as the proposal would increase the parking provision of the town centre which would act as a disincentive for people to travel to the Town Centre by more sustainable means such as public transport, cycling and walking.

To address these concerns and to reflect the short term intention of the Council in relation to use of the site for car parking, planning permission ref. 10/0317 was granted for a temporary two year period.

There remains to be no confirmed developer interest in the site. As such this application has been submitted by the Council to seek planning permission for the continued use of the site for car parking.

Relevant Policies

WCSP SD.9, CTC.1, CTC.8
BDLP DS13, ES1, ES2, BROM 11, BROM 12, BROM 13
Draft CP3, CP15
CS2:
Others NPPF, Bromsgrove Town Centre Draft Area Action Plan 2011.

Relevant Planning History

10/0109 Demolition of Market Hall – Prior Approval of demolition not required
10/0120 Change of use from Market Hall to car park - Withdrawn
10/0317 Change of use from Market Hall to car park – PPG 16/06/10

Notes

It should be maintained that the proposed use of the site for car parking is not an appropriate land use within a Primary Shopping Street. It should also be noted that the Highways Authority maintain their objection to the proposal on the basis that it would undermine sustainable transport objectives.

It should be however noted that the site is being actively marketed for retail/leisure development and it is understood from the applicant that initial interest has been received from a number of developers.

It is clear that reasonable efforts are being made to secure the long term retail use of the site. The short term intention of the applicant in relation to use of the site for car parking is also clear.

It is considered that the continued use of the site for car parking would be acceptable under these circumstances. This would allow for revenue to be made from the site until a development proposal is secured.

It is recommended however that planning permission is granted for a further period of one year so to avoid any long term harm to planning policy and sustainable transport objectives.

RECOMMENDATION: that a temporary planning permission is **GRANTED** for a period of one year.

Conditions:

- 1 The use hereby permitted shall cease on or before the expiry of one year starting from the date of this permission.

Reason: To protect the primary retail function of Bromsgrove Town Centre in accordance with Policy BROM13 of the Bromsgrove District Local Plan 2004, and to ensure that the development does not undermine the objectives of sustainable transport advocated in the National Planning Policy Framework 2012.

Informative(s)

This decision has been taken having regard to the policies within the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan 2004 (BDLP) and the National Planning Policy Framework (NPPF) 2012 as summarised below:

WCSP:	SD.9, CTC.1, CTC.8
BDLP:	DS13, ES1, ES2, BROM 11, BROM 12, BROM 13
Draft CS2:	CP3, CP15
Others:	NPPF, Bromsgrove Town Centre Draft Area Action Plan 2011.

It is the Council's view that the proposed development complies with the provisions of the Development Plan and the National Planning Policy Framework (2012) and there are no justifiable reasons to refuse planning permission.