

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>West Midland Contracts 'A'</b>	Amendment to approved layout to relocate Units 11 - 15 closer to the adjacent residential development at Bromsgrove Technology Park, Aston Road, Bromsgrove	EMP	<b>B/2007/1070</b> 01.01.2008

**RECOMMENDATION:** that permission be **GRANTED**.

#### Consultations

WCC (HP)	Consulted 03.10.2007; responded 22.10.2007: No objections
ENG	Consulted 03.10.2007; responded 11.10.2007: No objections
EDO	Consulted 03.10.2007; responded 05.10.2007: No objections
Finstall PC	Consulted 03.10.2007; comments awaited
Publicity	Site Notice posted 10.10.2007; expires 31.10.2007 One letter of objection received raising the following issues: <ul style="list-style-type: none"> <li>- Footprint of the original layout was already close enough.</li> <li>- Residents' privacy will be affected.</li> <li>- Proposal will also affect the amount of daylight in the residential development surrounding the office buildings.</li> </ul>

#### The site and its surroundings

The application site relates to a currently vacant area of land located immediately south and west of recently completed Persimmon dwellings, to the east of commercial buildings on Sherwood Road and north of the remainder of the Bromsgrove Technology Park, which is currently under construction. The application site is within a larger site of some 0.84 hectares, which gained approval for the construction of 15 no. office units under B/2006/0423.

#### Proposal

The approved layout of B/2006/0432 consists of nine buildings to house 15 no. office units. The buildings will be arranged in a 'U' shape and face onto a central courtyard parking area. Planning permission is sought to amend this approved layout by relocating the three office buildings that house Units 11 - 15 1.8 metres closer to residential dwellings located to the east, which face the application site.

#### Relevant Policies

WMSS	QE3
WCSP	SD.2, SD.3, SD.4, SD.5, CTC.1, D.19, D.25, D.26, T.1, T.2, T.3, T.4, T.6
BDLP	DS3, DS13, E3, E4, E9, TR1, TR11, TR13, ES7, ES14, BROM7
Others	PPS1, PPG4

## Relevant Planning History

B/2006/0423 Construction of 15 no. Office Units: granted 21.06.2006

## Notes

I am mindful that there is an extant permission under B/2006/0432 for the office development. The current proposal seeks only to relocate three office buildings 1.8 metres to the east and will not alter the size or design of the buildings, their floor space or the approved car parking layout. Consideration is therefore only given to the impact of the relocated buildings upon the streetscene and neighbours amenity. All suggested conditions have been transferred from the extant B/2006/0432 planning approval.

### **Impact upon the streetscene:**

The approved office buildings in question will be relocated 1.8 metres to the east, thereby reducing the approved separation distance between the rear elevation of the offices and the front elevation of the dwellings opposite from 23.2 metres to 21.4 metres. In terms of visual impact, the adjacent housing estate is high density in character and the proposed separation distance is not untypical of the area. Given that the approved office buildings are two-storey in nature, measuring 8.7 metres high, I am content that the re-sited buildings will not appear cramped or harm the character of the streetscene.

### **Residential amenity issues:**

One letter of objection has been received from an adjacent neighbour stating the footprint of the original layout was already close enough to residential dwellings. The neighbour raises concern that the residents' privacy will be affected and the proposal will also affect the amount of daylight to the residential development surrounding the office. While I am mindful of this resident's concerns, I do not consider that moving the buildings 1.8 metres closer to the dwellings opposite will have any significant impact upon neighbours' amenity when compared to the approved design. Given that the office buildings are two-storey and the roof hips away from the adjacent properties at an eaves height of 5.7 metres, I am content that the minimum separation distance of 21.4 metres will be acceptable to ensure the office buildings are not overbearing and do not cause any significant loss of light or amenity.

In terms of privacy, the office buildings will look onto front gardens rather than private rear spaces and I am therefore content that there will be no loss of privacy to the rear gardens. SPG1 seeks to ensure that a general window to window distance of 21 metres is achieved between two-storey dwellings and I note that this distance will also be achieved between the offices and dwellings. While I am mindful that SPG1 relates specifically to residential development, I consider that it is likely to give a good indication as to what is an acceptable minimum distance.

I am therefore content that the proposed relocation of the office buildings will be acceptable and will not create any significant harm to neighbours' amenity.

**RECOMMENDATION:** that planning permission be **GRANTED**.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. Before the commencement on site of any works, which are the subject of this permission, a scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-
  - (a) Full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed; and
  - (b) Full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when (any of the building(s) hereby permitted are first occupied) (change of use hereby permitted carried out).

Any trees / shrubs / hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

3. Notwithstanding the provisions of the Town and Country Planning Use Classes (Amendment) order 2005, the buildings hereby approved shall only be used for the purposes of B1 use only unless otherwise agreed in writing by the Local Planning Authority.
4. There shall be no internal sub-division or removal of any of the internal walls as shown on the approved drawings unless otherwise agreed in writing by the Local Planning Authority or approved by a planning application thereof.
5. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and these areas shall thereafter be retained and kept available for those uses at all times.
6. Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.
7. The disposal of storm and foul water shall be by means approved by the LPA. The approved system shall be operational before building works commence.

**Reasons**

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to secure the satisfactory appearance of the development in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.

3. To ensure the proposed level of vehicle parking can service the office units satisfactorily in accordance with policy TR11 of the BDLP.
4. To ensure the site is utilised for the purposes as approved and does not lead to a development for enhanced B1 use with limited delivery need.
5. In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway in accordance with policy TR11 of the Bromsgrove District Local Plan January 2004 and policy T.1 of the Worcestershire County Structure Plan 2001.
6. To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004 and policy CTC.1 of the Worcestershire County Structure Plan 2001.
7. To ensure adequate surface and foul water drainage in accordance with Policy ES1 of the BDLP.

**Notes:**

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WMSS    QE3  
WCSP    SD.2, SD.3, SD.4, SD.5, CTC.1, D.19, D.25, D.26, T.1, T.2, T.3, T.4, T.6  
BDLP    DS3, DS13, E3, E4, E9, TR1, TR11, TR13, ES7, ES14, BROM7  
Others   PPS1, PPG4

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance, there are no justifiable reasons to refuse planning permission.