

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Commercial Buildings Bromsgrove Ltd	Erection of warehouse building George Road, Bromsgrove Enterprise Park, Bromsgrove, B60 3GT,	15.08.2016	16/0470

RECOMMENDATION:

- (a) Minded to **APPROVE** full planning permission
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following the expiry of the publicity period on **9 June 2016**
- (c) That in the event that further representations are received, that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised relevant to the planning application, and to issue a decision after the expiry of the statutory publicity period accordingly

Consultations

Worcestershire Highways: consulted 18.5.16:
Views awaited

Worcester Regulatory Services- Noise, Dust, Odour & Burning Consulted 18.5.16
No objection – Advisory note: Enclosed re considerate construction for demolition and construction phase.

North Worcestershire Economic Development and Regeneration Consulted 18.5.16-
NWEDR are very supportive of the economic growth in the area. This proposal will see an employment site that has been vacant for a number of years developed in line with its allocation. The granting of permission would also be in line with the presumption in favour of sustainable development, which sits at the heart of the NPPF, as well as helping to meet the adopted Economic Development priorities set out by Bromsgrove District Council. 26.4.16

North Worcestershire Water Management Consulted 18.5.16:
Views awaited

Western Power Distribution Consulted 18.5.16
Views awaited

24 Letters sent 18.5.16– Expire 8.6.16
Site notice Posted 19.5.16 (expires 9.6.10)
Press Notice posted 20.5.16 (expires 3.6.16)

Neighbouring Responses

- Bromsgrove Council would put road blocks at the end of Bridge Road stopping such vehicles short cutting down Bridge Road. high volumes of traffic 'cutting through' in order to get to George Road and adding potentially another 36 cars plus motorcycles and HGVs as proposed on the application will only compound this issue. This causes disturbances and stress on the road. Dead ending the road is surely the only viable solution to ensure the quality of life for Bridge Road residents is not compromised should the plan go ahead.

Second of all, of all the land that is available for development within the site in question, surely it is more logical to utilise the land furthest away from the residential area to mitigate the risks of causing disturbances to local residents (i.e. Bridge Road), and more importantly - not having a negative impact on the financial valuations of these properties.?

Thirdly - building potentially causing blockage of the west facing sun the garden currently enjoys and a large warehouse eclipsing that will not only be detrimental to our enjoyment but also to the grass and plantation that thrives on the sunlight that it receives. Not only impacting agriculture there are also families on the road with pet cats which will be at risk with new building sites and warehouses at the rear of their home.

Would urge the council to do what is right by the local residents and to start populating the land available starting with the sites that are the furthest away. I appreciate the land has been earmarked for this purpose (when it surely should be there for more housing which Bromsgrove is severely lacking), but there has to be some kind of empathy when making these decisions if the implications of the planning application is going to have detrimental impacts for the existing, local residents.

- I did expect this land to be built on at some point but surely it isn't very logical to apply for the land closest to the residential houses when there is plenty of land available elsewhere!
- I do not understand why somebody would be so small minded and think that the land closest to the houses would be the best choice.
- Financial implications of selling properties on that road. These will all down value and will be unsellable in the future. (I have worked as an Estate Agent for many years).
- I would like some form of substantial compensation should this building be erected to cover the losses that will be made.

Relevant Policies

Bromsgrove District Local Plan 2004 (BDLP):

DS3 Main Locations for Growth

DS13 Sustainable Development

E3 Employment Land for Remainder of District

E9 Criteria for New Employment Development

C5 Submission for landscape schemes

TR8 Off-Street Parking Requirements
TR11 Access and Off-Street Parking
ES6 Use of Soakaways
ES11 Energy Efficiency of Buildings
ES14A Noise Sensitive Development

Others

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

Relevant Planning History

- 2016/0120 - Erection of warehouse building – Refused at Committee 9.5.16 due to the concerns regarding loss of amenity to neighbouring properties given the proximity of the building.
- 2002/1014 - Outline Application for Mixed use redevelopment for residential development and ancillary uses and employment uses within B1 and B2 – Approved 24.11.03
- 2005/0161 - Reserved matters – Construction of a spine road – Approved 11.8.05.

Assessment of Proposal

Site and its surroundings

This application relates to an area of land extending to 0.8 Hectares located immediately east of George Road. The site is fairly level with boundaries adjoining the edge of residential development to the North and East and out towards the railway line. The site is level and has been maintained whilst the site remains unoccupied. The site is located in a recognised employment zone.

Proposal

The proposal relates to two buildings. Both are a modern design using a brick works base supporting and classic frame structure design with corresponding cladding and broken up by panels and glazing.

Building A – 22.63m x 44.49m x 5.98m
Containing Remnant Storage, Trade area and office

Building B – External Dimensions of 53.5m x 55.6m and 12.4m high Max with wall up to 9.2 with roof sloping away.

Since the refusal of the first application under reference 16/0120 the applicant has sought to revise details of Building A to address concerns of the proximity of the building by Members of the planning Committee.

These concerns have been addressed as follows.

1. Siting Building A further away from the properties in Bridge Road. The distance is now proposed at **18m away (previously 15 metres)**.
2. Lowering the height of Building A to a overall height to ridge of **5.98m** This has been achieved by lowering the ground level by 0.5m and lowering the overall roof pitch of the building. **(previous height to ridge 8.013 metres)**
3. Proposed elevational changes to the building, to include a brickwork finish with feature dentil course (up to first window level) and beyond this to the roof upper timber cladding detail and light roof panelling.
4. Increase in landscaped margin between the residential properties and Building A.

A diagrammatic cross section is provided showing the Parking spaces lorry turning and cycle storage showers were detailed/provided The applicant has proposed a mixed hard and soft landscaping scheme in order to help further soften the appearance of the buildings and improve drainage for surface water catchment.

The opening times for the site are now confirmed as follows

Office	8am - 6:30pm Monday to Friday
Warehouse	6am - 6pm Monday to Friday 8am - 1pm Saturday
Trade Counter	8am - 5:30pm Monday to Saturday 10am-4pm Sunday

Background to Application

The end user of the site continues a local carpet fitting firm who supply and fit carpet and floor coverings to mainly large commercial house builders including smaller residential properties. (Provided in the applicant's summary statement).

This resubmitted application site represents a consolidation of the applicants business into one site which is presently split over three. The company currently has outgrown their current premises, One warehouse in Stoke Prior, one at Harris Business Park and one office at Rubery. Contract Flooring Solutions currently employ 160 staff and projected growth hopes to see the company increase this number to 200

The application proposes two main buildings in order to provide and contribute toward the long term commercial floor space for the development. The larger building (Building B) is for storage of the floor coverings. The smaller building (Building A) is proposed for remnant storage office accommodation for the business and a trade area with display to sell any remaining remnants (this outlet is currently at Harris Business park).

Building B - The main deliveries will be made to this building and carpet lengths prepared for delivery on site by the company. This is being covered later in the transport element

in the report. The larger building will accept deliveries and the activity of the smaller building will be limited to office and remnant storage with the ancillary trade counter.

Assessment

Bromsgrove Technology Park Design Guide was established when the site was brought forward by Advantage West Midlands. The main thrust was to promote business and Employment related development with contemporary buildings and modern materials. The ethos of this has been established on the site since Application B/2002/1014. Was Approved based on uses falling within B1 and B2 . B1 and B2 cover the majority of industrial and commercial uses. For information below is an extract of the use classes order commercial/industrial uses.

Use Classes Order 2015

B1 Business	Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area. <u>Permitted change to B1 and B8</u>
B2 General industrial	Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste). <u>Permitted change to B1 and B8</u>
B8 Storage or distribution	This class can include open air storage. <u>Permitted change to B1</u>

This is and remains an employment area and the principle of employment uses as proposed are considered acceptable. As this is an employment use Policy E9 would apply. The BDLP sets out the main issues to consider for proposal of new employment and given this site has residential properties neighbouring it the main issues to consider would take into this account and also cover the following:

- * Access Parking and Servicing
- * Siting Design and Appearance
- * Amenity – Noise
- * Landscaping
- * Drainage

Access parking and Servicing

It is proposed that the units will be served by one central access. The access has been designed in order to serve both the small store, office and trade counter in building A and the larger warehouse Block B.

The site will accommodate a maximum of 160 staff (not all based on this site) today up to 200 in the future. Given the mix of uses the development has more than adequate levels of parking of 41 (incl:2 disabled spaces) HGV delivery tracking/turning facilities are provided so that a HGV's can leave the site in a forward gear. Deliveries are made to building B currently at 1 per day and 2 in peak periods. The Company will run its own fleet of vans to collect and deliver and fit the carpets on site and return the following day or day after to undertake the next batch of fittings.

Car parking provision and cycle storage (shower facilities in Block A) has been provided and given the advice contained in the 'car parking standards' it is considered that along with any transport related conditions and specialised condition requiring an integrated management plan/travel plan to cover the vehicular activities that the proposed uses would generate would ensure the development would comply with the provision of policies TR8 and TR11 of the BDLP.

Concerns have been raised in regard to traffic generation. It is considered that there is adequate parking on the site to meet requirements. HGV movements will be unable to access the site via the residential site and a raft of conditions, Management and Travel Plan requirements will be imposed to ensure the development does not create any adverse traffic implications for the surrounding area

Design/siting and Appearance.

The site is still split into two functional units. One large warehouse for the storage and distribution of the carpets (Block B) only and one (Block A) for the offices, ancillary remnant store and any resulting trade sales made from the site in the smaller building. The site layout remains as designed to keep the larger of the two units furthest away from the residential properties.

Access and servicing for Block B will be made from the central service yard area with parking towards the front and rear of Block A. Layout plans now show increased areas of planting which will help break up the visual bulk of the buildings and help soften the appearance of the development.

Block B is simpler in appearance with brickwork base with panelling above large shuttered doors and glazing and panel detailing in order to provide a more active frontage to George Road.

Block A is the smaller of the two units and has a full glazing facing George Road with the trade area and office above and remnant warehouse behind. The amended design for this building reflects an overall lower height to just under 6m in height. The materials of this building have been altered and proposed to reflect this sensitive interface between the residential and commercial area and are now to be constructed in brick with dentil course detailing (picking up the theme of neighbouring buildings and the upper areas are in timber detailing. Given the changes to building A the resulting design of both buildings are considered acceptable for this reason.

Amenity

It is noted that there were numerous objections to the location of the building in relation to the rear of the houses and these are acknowledged and addressed by the applicant in this resubmission. Block A is the smaller of the two units and the closer of the two units. This unit is now purposefully lower (both reduced in height and dug into the ground by a further 0.5m) to not exceeding 5.98m (less than an equivalent 2 storey dwelling) and has no windows facing the residential houses along Bridge Road (the nearest properties). The changes to this building represent the main change to the scheme given the related proximity and potential for being overbearing to these houses. The building has also been moved further away from the boundary to 18m from the nearest house.

It is noted that the majority of the houses in Bridge Road are 'town house' style dwellings (8.6m in height) with the main living accommodation of the first and second floors. The Town houses have gardens extending from 10m up to 12m in depth (shorter ones due to bin access) and have a 1.8m close boarded facing around the boundary. The movement of the building allows a greater landscape area to provide a softer buffer between the residential areas and the proposed buildings.

Members will again appreciate that this site is one of the nearest points between the residential land and commercial land and is the most sensitive interface. There are also no official distance separation requirements for commercial buildings in relationship to residential units however in this case the amended scheme now proposes a distance of 18m from the flank wall of the commercial unit to the rear wall of the dwellings. In this instance this separation is based on a rear elevation of a dwelling to a blank wall of a neighbouring flatted dwelling from SPG1 given the height relationship. It is accepted that there will be a visual difference however it is considered that this amended distance is adequate thus ensuring no adverse overlooking, overshadowing or loss of amenity to these dwellings to continue to warrant a refusal on these grounds.

Residents were concerned about the potential for noise and the associated impact on their amenity. In this instance the units have been laid out on site with the larger warehouse/distribution building being located away from the nearest houses which is opening earlier than the office/trade counter. It is noted that Worcestershire Regulatory Services have raised no objections to the scheme but have suggested an informative in relation to any site clearance works and construction programmes, subject to this the development is considered acceptable.

Since the previous application Members will now note conditions are recommended to control both internal and external changes are subject to an application to ensure control over the appearance and use of the building in the future which would protect the amenities of neighbouring properties.

Landscaping

The applicant's agent has provided in this resubmitted scheme larger landscape areas which would be suitable for more meaningful landscaping. This will help soften the development especially on the transition between the site and residential properties. This would be considered acceptable subject to a formal and detailed scheme being provided by the imposition of a suitably worded condition.

Drainage

The site was subject to a comprehensive scheme for drainage during the outline stage. Given the context to the site the opportunity to provide a full SUD's scheme is considered limited due to the type of activity on the site. The hard surface areas will be subject the Oil and silt traps to ensure the local water courses are not adversely affected and the surface water will be accommodated in the specialist designed storm drains installed from the outset. The drainage engineers had previously suggested a condition to ensure the development will still ensure a safe and satisfactory way of dealing with surface water run off and drainage. Increased size of landscaping area will also provide increased opportunities for surface water to drain.

Other Issues.

Use of trade area. The trade area would represent 8% of the whole developed area for buildings and continues to remain ancillary to the main warehouse and business use of the firm. The supplementary details indicate the level of activity generated by this element and it is considered that this element would not stray away from the original enterprise/business use of the enterprise park. For this reason it is not considered necessary to apply specific conditions for this element suggested to control the opening hours as to be confirmed by the applicant.

Conclusion.

The application site would be located within the existing technology park and would comply with the provision of employment uses. The amended location and finished appearance of the buildings would be of a suitable design and would not create any loss of amenity to the existing dwellings in the vicinity. It is considered that the resulting development may be adequately controlled by the imposition of suitably worded conditions and it is considered that the proposed development complies with the provision of the development plan, advice and guidance and that on balance there are no justifiable reason to refuse planning permission.

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Conditions

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed (to be supplemented)
TO BE UPDATED

Reason: In the avoidance of doubt

- 3) No development of the construction of the buildings shall commence on site until a full schedule of materials is provided this shall include the detail, form colour and appearance to be used externally on the walls and roofs, together with window and door and rainwater goods which shall be submitted to and approved the approved in writing by the Local Planning Authority.

Reason: In order to provide continuity and a satisfactory appearance to the development

- 4) A scheme for foul and surface water drainage shall be submitted to prior to the occupation of the site, and this shall be approved in writing by the Local Planning Authority.

Reason: This is to ensure satisfactory drainage in line with the non-statutory technical standards for SuDS (Defra 2015) and there is no increase the risk of flooding elsewhere as a result of the development. In accordance with policy ES6 of the BDLP.

- 5) Notwithstanding the provision the Town and Country Planning General Permitted Development Order 2015 (as amended) **no** external changes to the buildings **or** further internal subdivision of the buildings A and B or the construction of any mezzanine floors or increase in the floor area of the trade area (Block A) shall take place without the prior written approval of the Local Planning Authority

Reason: to ensure continuity of the site in associated with the original employment uses of the enterprise park and in the interests of the amenities of the neighbouring properties.

- 6) Prior to the occupation of the site the applicant shall provide a full landscaping scheme include details of the hard and soft landscaped areas.

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;

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 buildings hereby permitted are first occupied.

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.

Reason: In order to protect the amenity of the area in accordance with policies DS13 and C5 of the Bromsgrove District Local Plan January 2004.

- 7) Before any other works hereby approved are commenced, visibility splays shall be provided from a point 0.6m above ground level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 70m (to the right) 100m (to the left) in each direction along the nearside edge of the adjoining carriageway as provided on the layout plan. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

REASON: In the interests of highway safety.

- 8) Before any other works hereby approved are commenced, the construction of the vehicular access shall be carried out in accordance with a specification to be agreed in writing with the Local Planning Authority.

REASON: In the interests of highway safety.

- 9) 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 and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 10) 41 car parking spaces shall be provided on site and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

REASON: In the interests of Highway safety

- 11) Prior to the first occupation of the Buildings hereby approved secure parking for cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

REASON: To comply with the Council's parking standards

- 12) The development hereby permitted shall not be brought into use until the applicant has submitted to and have approved in writing a travel plan that promotes sustainable forms of access to the site with the Local Planning Authority. This plan thereafter will be implemented and updated in agreement with Worcestershire County Councils Travel plan co-ordinator.

REASON: To reduce vehicle movements and promote sustainable access

- 13) A Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. This shall include the following:-

- a. Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- b. Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);

The measures set out in the approved Plan shall be carried out in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

REASON - To protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution.

- 14) No external lighting of the buildings or yard shall be permitted without the prior approval in writing by the Local Planning Authority

REASON: In the interests of the amenities of the neighbouring properties.

INFORMATIVES

Drainage Informative

1. If infiltration techniques are used then the plan shall include the details of field percolation tests.

The peak runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event plus an appropriate allowance for climate change² must be as close as reasonable practicable to the Greenfield runoff rate from the development for the same rainfall event but shall never exceed the rate of discharge from the development prior to redevelopment for that event. Flows resulting from rainfall in excess of a 1 in 100 year rainfall event shall be managed in exceedance routes that minimise the risk to people and property.

The runoff volume from the development in the 1 in 100 year 6 hour rainfall must be as close as reasonable practicable to the Greenfield runoff volume from the

development for the same rainfall event but shall never exceed the runoff volume from the development prior to redevelopment for that event.

The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event and not in any part of any building for the 1 in 100 year rainfall event plus climate change.

The scheme shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

HN1 - Mud on Highway

The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

HN4 - Private Apparatus within the Highway

This permission does not authorise the laying of private apparatus within the confines of the public highway.

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 01905 751651), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.

HN5 – Alteration of highway to provide new or amend vehicle crossover

This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.

HN9 - No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.

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