

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
Heller Machine Tools Ltd. 'A'	Erection of B2 building with ancillary car parking and servicing areas at land adjacent to Heller Machine Tools (Extension of time for B/2005/0351) - Acanthus Road, Redditch, B98 9EX	Emp	10/0213-DK 08.06.2010

RECOMMENDATION: that permission be **GRANTED**.

Consultations

Beoley PC	Consulted: 15.03.2010. Response received: 15.04.2010. No objection as this was previously approved by District Council.
WH	Consulted on: 15.03.2010. Response received: 12.04.2010. No objection subject to the same conditions being applied as per the previous application.
ENG	Consulted 15.03.2010. Response received: 25.03.2010. No objection.
EHO	Consulted 15.03.2010. Response received: 16.03.2010. No objection. The business carried out on site will be required to comply with food safety legislation.
EDO	Consulted 15.03.2010. Response received: 07.04.2010. No objection. Heller Machine Tools are a major exporter and has a very enlightened policy on apprenticeships which is rare in contemporary industry. The company is actually expanding despite the present economic climate.
WCC Public Rights of Way LP	Response received: 18.03.2010. No objection. Consulted 15.03.2010. Response received: 25.03.2010. No objection but the revised guidance in Draft Planning Policy Statements must be taken into account.
Tree Officer Publicity	Consulted 15.03.2010. No response to date. Press Notice published 25.03.2010, expires 15.04.2010. Site Notice posted 30.03.2010, expires 20.04.2010. No responses received to date.

The site and its surroundings

The application site is currently undeveloped and extends to 1.12 hectares located to the north of the existing operating Heller Machine Tools site. It is located to the corner of Acanthus Road and Ravensbank Drive. The site is located in a designated employment zone.

Proposal

The proposal is for an extension of time for permission B/2005/0351 for the erection of B2 building with ancillary car parking and servicing areas.

Relevant Planning History

- B2005/0351 Erection of B2 building with ancillary car parking and servicing areas. Granted 24.08.2005.
- B/2001/0781 Engineering operations comprising earthworks. Granted 03.09.2001.
- B/1991/0223 Development of site as Business Park to include Class B1, B2 and B8 uses and associated access works, car parking and landscaping. Refused. Appeal allowed.

Relevant Policies

- WMSS QE1, QE2, QE3
- WCSP SD.2, SD.3, SD.4, SD5, SD.6, SD.7, CTC.1, T.1
- BDLP DS13, C4,C17, E4, E9, TR11, ES4, ES7
- Others PPS1, PPS4, PPG14, PPS23, PPG24, SPG3

Notes

Members should note that the application under consideration is purely for an extension of time of an existing planning permission (B/2005/0351). The merit of the proposal, its acceptability in terms of the provisions of the development plans and material considerations have been examined in this application which was considered by Planning Committee on 15th August 2005.

The Town and Country Planning (General Development Procedure) (Amendment No. 3) Order 2009 was introduced on 1st October 2009 in order to provide greater flexibility in terms of the implementation of planning permissions. One of the amendments was the provision to allow the time limit for unimplemented consents to be extended through an application. There does not appear to be an established approach towards the assessment of such applications so I will refer to the Department for Communities and Local Government (DCLG) publication: Greater Flexibility for Planning Permissions: Guidance. The outcome of a successful application will be consent with a new time limit attached. Conditions can be varied if there has been a significant change in policy since the original application. I note that paragraph 13 makes it clear that additional information other than that on the application form is usually not required except for applications where an EIA was required and may need updating.

Assessment

The site is situated in land designated for Employment purposes within the BDLP and the principle of employment related development has been established through the granting of outline application B/1991/0223. The main development plan policies considered with the application were policies E9, DS13 and TR11 of the BDLP as well as policy T1 of the WCSP. I consider that these policies would still apply to the proposal and it would accord.

National Planning Policy Guidance has been updated with the introduction of PPS4 which supports a coordinated approach to employment development. Policy EC10 of PPS4 states, all planning applications for economic development (which includes development

within the B Use Classes as stated in paragraph 4 should be assessed against the following impact considerations:

- whether the proposal has been planned over the lifetime of the development to a limit carbon dioxide emissions, and minimise vulnerability and provide resilience to climate change
- the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured
- whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions
- the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives
- the impact on local employment

In respect of the updated national guidance, the comments from the Economic Development Officer in support of the application should be noted and the potential for employment creation. It should be noted that this application seeks to extend the time of the application and is not a renewal of an expired consent. As such, it would not be appropriate to impose additional conditions in respect of the limitation of carbon emissions. Similarly, limited weight can be attached to the Draft PPS: Planning for a Low Carbon Future in a Changing Climate. I do not consider that granting an extension of time for the implementation of the permission would have any greater impact on the natural environment and biodiversity resources on the site than the current implementation of the extant permission.

Members should note that the site remains undeveloped at the present time and since there is no significant change in the planning policies which apply to the site, permission should be granted for an extension of time. Although the applicant has requested the longest possible extension, I am mindful that the original consent was for 5 years and I refer to the DCLG Guidance which allows the Local Planning Authority discretion in making decisions on applications to extend time on permissions. Therefore, a two year consent is reasonable. Since none of the conditions have been discharged, the same conditions on the original permission will be applied.

RECOMMENDATION: that permission be **GRANTED** subject to the following conditions:

1. C1 (2 years)
2. C3
3. No mezzanine floor areas, other than those shown on the approved drawings, shall be provided within the building hereby approved without the prior written consent of the Local Planning Authority.
4. C10
5. C11
6. C12
7. C13
8. C14
9. C15

10. C16
11. C17
12. C18
13. C19
14. C21
15. The car parking area and associated manoeuvring areas shown on the approved plan shall be kept free from obstruction and shall be kept free for the parking and turning of vehicles and no other purpose.
16. HC25

Notes

The applicant is referred to the legal agreement relevant to the site entered into as part of planning permission reference B/1994/0898. The applicant should satisfy themselves that works proposed do not contravene the terms of this agreement prior to any works being carried out. The applicant is advised to contact the Council's Head of Legal Services with regard to this matter.

The LPA suggests that the landscape screening to the northern boundary shall consist of at least a 6m wide belt for the entirety of this boundary.

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	QE1, QE2, QE3
WCSP	SD.2, SD.3, SD.4, SD5, SD.6, SD.7, CTC.1, T.1
BDLP	DS13, C4,C17, E4, E9, TR11, ES4, ES7
Others	PPS1, PPS4, PPG14, PPS23, PPG24, SPG3

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.