

Name of Applicant Type of Certificate	Proposal	Map/Plan Policy	Plan Ref. Expiry Date
<b>Redman Heenan Properties Ltd. 'A'</b>	Proposed industrial warehousing (B1, B2 and B8) (Approval of Reserved Matters) - Part Cofton Centre, Groveley Lane, Cofton Hackett	Emp	<b>10/0727-DK</b> 29.10.2010

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the application, subject to the satisfactory views of WH and issue **APPROVAL OF RESERVED MATTERS** following the satisfactory completion of a Section 106 Agreement to secure a financial contribution as part of the Longbridge Infrastructure Tariff (LIT) in accordance with the terms of the adopted Longbridge Area Action Plan.

**AND** to authorise **REFUSAL** of the application if an agreed legal mechanism as set out above is not received by the expiry date of the application (29th October 2010).

**MINDED TO APPROVE.**

#### Consultations

Cofton Hackett PC  
WH

Consulted: 09.08.2010. Response received: 27.08.2010.  
No objection

Consulted 09.08.2010. Response received: 19.08.2010  
Recommends that the permission be **deferred** for the following reasons:-

The applicant does not provide sufficient car parking for the site. The Longbridge Area Action Plan (April 2009) indicates that a maximum car parking ratio of 1 space per 60m<sup>2</sup> of gross floor area should be provided. Whilst noting that this is a maximum standard the proposed 109 spaces including disabled spaces fall short of the maximum of 239 spaces by a significant margin. There is no travel plan provided as part of the application to reduce car trips and the condition relating to the travel plan in application 07/356 has not been discharged. Notwithstanding this it would seem unlikely that a travel plan could achieve such a significant reduction in car activity to the site.

The LAAP also indicated that the Longbridge Infrastructure Tariff applies to this site. The Tariff for B1, B2 and B8 development is £30 per m<sup>2</sup> which results in a LIT of £431010. The applicant should provide this to the banker organization through an appropriate legal framework.

National Grid - Transco  
GPU Power UK  
WCC PROW  
Ramblers Association

Consulted 03.09.2010. No response to date.

Consulted 03.09.2010. No response to date.

Consulted 09.08.2010. No response to date.

Consulted 09.08.2010. No response to date.

ENG	Consulted 09.08.2010. Response received: 16.08.2010. No objection subject to the following comments. If wash down areas are to be provided, then appropriate interceptors will be required. EA/DEFRA conditions will need to be complied with especially concerning possible spillage.
EHO (Contaminated Land)	Consulted 09.08.2010. Response received: 20.08.2010. The records in relation indicate that site investigation has been completed for the site and a remediation methodology agreed. Records indicate that planning conditions relating to site investigation and remediation method statement for outline approval 07/0356 have previously been recommended for discharge but that the condition relating to validation remains outstanding because insufficient details relating to gas protection measure have been submitted. As such I recommend that any outstanding conditions relating to contaminated land risk assessment are attached to this application for reserved matters.
EHO (Commercial)	Consulted 09.08.2010. Response received: 20.08.2010. This section has no objections in principle to the above application. The premises and business will be required to comply with health and safety legislation which may be enforced by this Council depending on the actual use of the premises. The business and premises will be subject to routine inspection to assess compliance.
EDO Network Rail	Consulted 09.08.2010. No response to date. Consulted 09.08.2010. Response received 10.08.2010. No objection in principle to the development subject to the addition of advisories because of the proximity of the application site to the railway.
British Waterways	Consulted 09.08.2010. Response received 10.08.2010. No objection.
LP Tree Officer	Consulted 03.09.2010. No response to date. Consulted 03.09.2010. No response to date.
Publicity	Press Notice published 19.08.2010, expires 09.09.2010.

Site Notice posted 24.08.2010, expires 14.09.2010.

### The site and its surroundings

The application site is currently a large employment site at the Cofton Centre to the south of Groveley Lane. It was formerly part of the MG Rover works at Longbridge. The Birmingham to Bristol railway line adjoins the site to the west beyond which is the site of the former Longbridge East works. The current application is for Unit 5 and Units 3 and 4 are complete to the west of the application site and approval has been granted for an additional (unit 6) to the south of it. The site is substantially enclosed by a palisade fence and landscape bund.

### Proposal

The proposal is for the Approval of Reserved Matters for the erection of industrial warehousing (B1, B2 and B8). The building now proposed is a single substantial warehouse with a floor area of 14,367m<sup>2</sup> which includes 718m<sup>2</sup> of first floor offices. The proposed building has a height of 15m. There will be a large service yard to the front

(south side). The materials proposed for the building are a mixture of red brick, blue profiled roof cladding. There will be a double linear arrangement of double glazed windows to the west elevation.

### Relevant Planning History

- B/2007/1115 Erection of industrial warehouse units (Reserved Matters) Granted 10.01.2008.
- B/2007/0356 Erection of industrial warehouse units and associated works (B1, B2, B8) (Outline). Granted 02.08.2007.

### Relevant Policies

- WCSP SD.2, SD.3, SD.4, SD5, SD.6, SD.7, CTC.1, T.1.
- BDLP DS13, C4, C17, DS13, E4, E9, TR11, ES4, ES7, TR1, TR11, TR12.
- Others PPS1, PPS4, PPS9, Longbridge AAP (2009)

### Notes

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/2007/0556. The reserved matters being considered in this application relate to the appearance, landscaping and layout and scale of the proposal.

The main development plan policies relevant to the consideration of this application are policies E9, DS13 and TR11 of the BDLP as well as policy T1 of the WCSP. It is noted that the proposal for Unit 5 corresponds with the indicative layout for this unit presented at outline stage. It is noted that the proposal includes first floor offices but scale was a reserved matter on the outline application so this can be considered at this stage.

Policy E9 states that:

All applications for new employment development will need to demonstrate that:

- (i) traffic to be generated by the development will not overload the capacity of the highway system or adversely affect residential or other non-industrial development.
- (ii) Adequate parking and servicing areas are provided
- (iii) there would be no undue environmental disturbance, by way of noise, vibration, smell, dust or significantly reduced daylighting will be caused to adjacent residential properties. If necessary, restrictions on the use or hours of operation of the site will be imposed;
- (iv) there shall be no open storage of industrial goods allowed and appropriate landscaping provided

The proposal is acceptable in principle and its appearance is appropriate for the context of an employment site. The materials proposal will be in keeping with the already completed units 3 and 4. There is no conflict with the scale of the proposal and what was permitted at outline stage. In terms of landscaping, the applicant has presented a plan

(Ref: 10030 A002 Rev A Received 13th September 2010) which shows indicative hard and soft landscaping areas. The views of the Tree Officer are awaited.

In terms of residential amenity, the site is enclosed and buffered by Green Belt to the south. There are no residential properties in the immediate vicinity and I do not consider that a loss of residential amenity would arise from noise and the proposal is compatible with the approved land uses on the site.

In terms of access, parking and servicing, there is a significant shortfall in the parking requirement with the initial plans. There are 109 spaces proposed and the requirement is for 239. The applicant has presented a revised plan as detailed above which increases the provision to 170 spaces. The Green Travel Plan required by condition on the outline application has not been discharged so limited weight can be attached to this in respect of the parking requirements. The views of Worcestershire Highways are awaited on the revised plan and Members will be updated on this matter.

I do not consider that the issues of scale, appearance or landscaping are a significant concern such that this application should be rejected. I note that there are additional sustainability requirements in respect of carbon emissions outlined in PPS4. However, the principle of development has already been accepted at outline stage and I do not consider that additional requirements would be reasonable. The conditions which have not been discharged and require additional information are added to this consent (if approved).

The issue of the Longbridge Infrastructure Tariff has been raised in this application. The requirement for contributions towards infrastructure is outlined in paragraphs 4.11 - 4.13 of the Longbridge Area Action Plan (adopted April 2009). This tariff will facilitate the development of transport, physical and ecological infrastructure and assist in providing a number of community services identified in pages 48-51 of the Longbridge AAP. The tariff would require a contribution of £30 per square metre for the development proposed. Thereby, the tariff requirement for the scheme amounts to £431,010. There are mechanisms in the AAP which allow the contributions to be varied but these would require the submission of a viability assessment and none has been forthcoming. The issue has been raised with the applicant who has responded to the effect that the requirements for contributions cannot be made since the principle of development has been agreed at outline stage. Paragraph 42 of Circular 05/05 states that planning registers need to include details of any planning obligation (including unilateral undertakings) entered into or proposed in respect of an application for planning permission or application for the approval of reserved matters. This implies it is possible to require a contribution for these sorts of application. Legal advice has confirmed this position.

It is evident that the proposal falls within the scope of the outline application which permitted B1, B2 and B8 uses at a scale of 28,000m<sup>2</sup>. It should be noted that landscape, design, siting and materials were reserved matters at outline stage. The principle of development has been accepted at the site and Members must consider whether the benefits of the scheme in terms of the wider regeneration of the area. However, the issue of developer contributions is also important in terms of physical and community infrastructure provision so the decision of Members must involve a balanced analysis of these issues. The views of Members as to the reasonableness of requesting

contributions in accordance with the requirements of the Longbridge Infrastructure Tariff is sought.

**RECOMMENDATION:** that **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the application, subject to the satisfactory views of WH and issue **APPROVAL OF RESERVED MATTERS** following the satisfactory completion of a Section 106 Agreement to secure a financial contribution as part of the Longbridge Infrastructure Tariff (LIT) in accordance with the terms of the adopted Longbridge Area Action Plan.

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