

**PLANNING
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9th July 2014

Planning Application 2014/114/FUL

Minor extension and alterations to store to accommodate relocated restaurant, toilets and Explore and Learning concession, together with car park alterations and improvements.

Sainsbury's Supermarkets Ltd , Alvechurch Highway, Enfield, Redditch, Worcestershire, B97 6RF

**Applicant: Sainsbury's Supermarkets Ltd
Expiry Date: 6th August 2014
Ward: ABBEY**

(see additional papers for Site Plan)

The author of this report is Ailith Rutt, Planning Officer (DM), who can be contacted on Tel: 01527 534064 Email: ailith.rutt@bromsgroveandredditch.gov.uk for more information.

Site & Proposal Description

Existing large site forming part of retail park adjacent to Alvechurch Highway, and accessed from roundabout where the Highway meets Middlehouse Lane. The application site includes the former Sainsbury's petrol filling station (PFS) and also the existing store and car parking area. However, it does not include the other retail units on the retail park. The small roundabout does lie within the site, where all traffic entering the site arrives, and turns left for Sainsbury's or right for the other retail units (Homebase/Argos). The site also includes some highway margins along Fishing Line Road.

The Sainsbury's store is of brick and tile construction, with large, sparsely landscaped surface parking area. It is a typical retail outlet, with large pedestrian area to frontage, including trolley storage areas. The parking area rises gently to the southern end of the site, where it joins Fishing Line Road, and where there is currently an emergency/bus access.

The boundary of the site with the large roundabout and Alvechurch Highway is planted and thus the site is well screened from passing traffic. To the west of the site are residential properties which front onto Birmingham Road. Their rear gardens back onto the rear of the existing store.

The proposal is to extend the store and as a result amend the car park layout:

The store extension would be to the side at the southern end of the site, extending the store towards Fishing Line Road. The elevations would include some glazed panels and brickwork/tiles to match the existing store. The roof line would be continued as it is. The ATMs would also be relocated externally further north along the front elevation, to the right of the new entrance.

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The new floor area would measure 554m², which would represent 61m² additional A1 sales trading area, 275m² for the restaurant/café use and 118m² for the ancillary educational crèche facility. The restaurant and educational use would be relocated into the extension from the existing provision along the front of the store. The front of the store would then become part of the trading sales area as reconfigured.

The alteration of the layout of the site and particularly vehicle circulation within is intended to improve access and safety. A layby would be provided to accommodate the recycling facility approximately in the current location. The car park would continue to have aisles perpendicular to the store front. Cars seeking to access the other elements of the retail park would proceed as now, unaffected. Deliveries to Sainsbury's would also remain as currently operational and home delivery vans would also use the rear service area.

Cycle parking is located at the southern end of the store adjacent to the bus entrance to the site. A bus stop is shown in its current location.

The application is accompanied and supported by a Design & Access statement and a Flood Risk Assessment.

Relevant Policies :

Borough of Redditch Local Plan No.3:

CS02 Care for the Environment

CS06 Implementation of Development

S01 Designing Out Crime

BBE13 Qualities of Good Design

BBE14 Alterations and Extensions

BBE28 Waste Management

EEMP03 Primarily Employment Areas

EEMP3A Development Affecting Primarily Employment Areas

Others:

NPPF National Planning Policy Framework

National Planning Practice Guidance

SPG Encouraging Good Design

SPD Designing for Community Safety

Relevant Planning History

2002/584	Extension of existing supermarket and erection of associated decked car park	Approved (inc.S106)	13/02/2007
2003/144	Totem and canopy signs	Withdrawn	1/10/2003
2003/145	PFS refurbishment	Withdrawn	15/07/2003
2003/491	Advert resubmission	Approved	26/11/2003
2004/040	Various advertisements	Approved	16/03/2004

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2007/179	PFS refurbishment	Withdrawn	21/03/2007
2007/185	Advertisements at PFS	Approved	22/05/2007
2008/063	Replacement totem sign	Approved	14/03/2008
2008/254	Store extension, decked car park and revision of PFS layout	Approved	27/10/2008
2011/219	Store extension, new shop front and canopy, car park layout alterations, new landscaping, and relocated plant and recycling facilities (removal of PFS)	Approved	24/11/2011

Application 2008/254 was for additional sales area and a two storey decked car park, a mezzanine and alterations to the PFS (petrol filling station). It was granted consent but has never been implemented.

Application 2011/219 has also not been implemented except in so far as the partial re-arrangement of the car park following the removal of the PFS. Therefore a lawful start is considered to have been made. However, the requirements of the Section 106 planning obligation are triggered by occupation and thus have not been met yet. The permission included a small area for educational use on the approved plans, which was to be ancillary to the main A1 use.

Consultations

Community Safety Officer

The revised footpath route looks much better than that originally proposed. Sightlines towards the underpass link to Lydham Close could be improved by reducing/removing some of the planting there.

Worcestershire Regulatory Services

No objection subject to condition regarding potential contaminated land

North Worcestershire Water Management

No comments to make on this application

Highway Network Control

No objection

Public Consultation Responses

None received

Background information

The 2011 planning consent for this site has been partially implemented. This means that the remainder of it could be implemented at any time. It is for a larger store extension and works to the frontage. The extension is in the same location, but larger than, that currently for consideration. Due to the triggers set out in the accompanying planning obligation in 2011, the contributions would not be paid until the whole of the large

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extension were completed and opened for public trade. If the smaller extension currently under consideration were implemented, then this would mean that the Section 106 contributions associated with the 2011 consent would not be gained because the full size of the extension would not be reached. However, the need for these obligations is considered to continue to apply in this case, and so a Section 106 agreement in relation to this application is also required.

In general, this application is similar, but smaller in scale than, the previous consent and therefore the differences should be considered. However, since the previous approval there have been many different policy changes, including the introduction of the NPPF and therefore it seems prudent to consider the proposals afresh:

Assessment of Proposal

The key issues in the consideration of this application are the principle of the development, the design and visual impact of it, the suitability of the parking quantity and layout, sustainability and any items required through a planning obligation.

Principle

The site is designated for employment generating uses, most of which fall within Class B of the Use Classes Order. Therefore, other proposed uses, such as this for A1 retail use, need to address the relevant criteria of Policy E(EMP)3. The site is already in use for retail purposes, and has been for approximately 25 years, and therefore the retail use of the site is accepted. The sustainability of the use is considered below, and the applicant has confirmed that additional jobs would result from the proposed extensions and alterations. It is therefore not considered appropriate to insist on new employment (B class) uses on this site.

Further, the sequential test for retail uses is not appropriate in this case as the proposal is for the extension of an existing store rather than the creation of a new one, which should be located within the town centre wherever possible.

The proposed development needs to be considered in terms of the policy tests set out in the relevant planning policy documents as detailed above. Whilst new retail proposals not located within the town centre are required to demonstrate (using the sequential test) that there are no more suitable sites nearer the town centre, the tests relating to the extension of an existing store are less rigorous and dependent on the floor area of the proposal. In non-town centre locations, sustainability and access to the site by a variety of modes of transport should also be available. The floorspace sought is ancillary to the existing retail provision on this site and therefore it would be unreasonable to require it to be provided as a separate standalone facility.

Given the information provided, the extant consent and the policy considerations, it is considered in this case that it is acceptable to extend the existing store in this location, and that it would not have any detrimental impacts on any other retail facilities within Redditch. Access and sustainability are considered further below.

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Given all these factors, and the existing use of the site it is considered acceptable for the current site to be improved and extended.

Having considered the principle of the development, the remaining elements must now be considered:

Design and visual amenity

The proposed design of the store extension is considered to be appropriate to the existing store and the other retail units on the site. It is not considered that the proposals would have any greater impact on the visual amenity of any residential properties, as it would not be visible from any. The nearest residential properties are on Riverside, and they are at a sufficient distance, with existing good quality screening such that there would be minimal additional visual impact from the proposed development. There could be impacts of noise from the service area on the rear of residential properties along Birmingham Road, however the size of the extension is such that it is not considered likely that there would be any significant detrimental impacts.

Parking and highway safety

The parking provision (type, quantity and quality) and the internal circulation within the site should all be considered in relation to the relevant policy documents.

The table below gives details of the numbers of spaces proposed relative to policy requirements:

Space type	Max standard	Existing	Proposed	Difference (Existing – proposed)	Difference (proposed – standard)
Car spaces	530	520	441	-79	-89
Disabled spaces	26	18	29	+11	-3
Cycle spaces	53	8	24	+16	-29
Motorcycle spaces	26				-26
Lorry spaces	3	2	2	0	-1
Parent & Child	0	18	20	+2	+20

Although there is a shortfall of parking provision relative to the maximum standards, it is considered that the site lies within a sustainable location accessible by other modes of transport, the local routes for some of which would be improved as a result of this application (if it is successful), and therefore this level of provision is considered to be acceptable in this case. For example, the site is served by a bus route and is within easy and safe walking distance of the Riverside area of the town.

The access onto Fishing Line Road is to be retained as a restricted access for the bus route only. This would result in minimising any noise and disturbance to surrounding residents and not cause an increased highway safety concern in this area. The retail park

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site as a whole does not exceed 5ha, and therefore there is no requirement to retain an emergency vehicle access onto Fishing Line Road, and therefore it is considered acceptable that the existing access point be restricted.

The pedestrian and vehicular circulation routes through and within the site are considered to be safe and direct and thus are beneficial to all users of the site. The delivery arrangements remain as existing for HGVs and are therefore considered to be acceptable.

Sustainability

The site lies within the urban area of Redditch and is therefore considered to be in a sustainable location. The site is accessible to a variety of modes of transport including walking, cycling and public transport, and is therefore considered to comply with the sustainable objectives of the planning system. Some of these need to be improved to encourage sustainable travel in order to minimise any traffic increase related to the increase in store size, and are dealt with below as planning obligations.

Planning obligations

The previous approvals were subject to a Section 106 planning obligation requiring various infrastructure improvements. These were improvements to the subway leading to Lydham Close, Riverside; improvements to the footpath from the retail park to the roundabout; the provision of a safe pedestrian crossing between Sainsbury's and the Argos site, a contribution towards a cycleway on Fishing Line Road and highway signage improvements.

Due to the scale and content of the current proposals, it is now considered that these infrastructure enhancements would still be required in relation to the current policy framework, and therefore these are still sought. The applicants are in discussions with officers on these matters and further advice will be provided at the meeting.

It is therefore considered that the following matters should be included in a planning obligation in relation to this development:

- Works to Fishing Line Road to provide a new cycle lane to access the store
- Provision of pedestrian signage between the store and the town centre on Fishing Line Road/Birmingham Road
- Improvement works to Lydham Close underpass to provide new lights, anti-graffiti paint, improved landscaping, mirrors, lines separating pedestrians and cyclists, new signage and new litter bins

Other issues

The condition regarding potential contaminated land is recommended for inclusion as per the advice of the regulatory services officer. It is considered that the landscaping proposals around the entrance/exit to the subway under the Alvechurch highway should

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be provided and agreed in detail in order that the safety of subway users is ensured in the longer term and conditions are attached accordingly.

Conclusion

The proposed development is considered to be compliant with current policy and unlikely to cause significant harm to amenities, safety or other retail interests within Redditch, and is therefore recommended favourably.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be delegated to the head of Planning and Regeneration to GRANT planning permission subject to:-

a) The satisfactory completion of a Section 106 planning obligation ensuring:

- The creation of a new cycle lane on Fishing Line Road
- Provision of pedestrian signage
- Improvement works to Lydham Close underpass

And

b) Conditions as summarised below:

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

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3.

- 3) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed boundary treatment and other means of enclosure, hard surfacing materials, new planting, trees and shrubs to be

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retained, together with measures to be taken for their protection while building works are in progress.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 4) All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy CS.8 of the Borough of Redditch Local Plan No.3

- 5) If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the LPA) shall be carried out until either;

- a site investigation has been designed and undertaken in accordance with details approved in writing by the LPA, a risk assessment has been produced and a method statement detailing the remediation requirements using the information obtained from the site investigation has been approved by the LPA or;

- If the above has been previously undertaken, the developer has submitted and obtained written approval from the LPA for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with National Planning Policy Framework.

- 6) The vehicular access to the site from Fishing Line Road will continue to be available for the use only of buses and not for the public in their own private vehicles.

Reason: In the interests of highway safety and sustainability and in accordance with Policy C(T)7 of the Borough of Redditch Local Plan No.3.

- 7) The development hereby approved shall be implemented in accordance with the following plans:

plans to be listed here

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Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.3

Procedural matters

This application is reported to Planning Committee for determination because the application is for 'major' development and because it is recommended subject to a planning obligation and as such the application falls outside the scheme of delegation to Officers.