



Planning Committee

Abbey Ward

14 July 2009

**2009/082/FUL INSTALLATION OF 1777 M² OF FLOOR SPACE AT MEZZANINE LEVEL
HOMEBASE LTD, ABBEY RETAIL PARK, REDDITCH
APPLICANT: ESSEX COUNTY COUNCIL PENSION FUND
EXPIRY DATE: 28 JULY 2009**

Site Description

(See additional papers for Site Plan)

This building forms part of the Abbey Retail Park within an overall site area of 1.22 hectares. It lies adjacent to the Alvechurch Highway, and is accessed from a roundabout where the highway meets Middlehouse Lane. This large rectangular building currently contains the Homebase store – (approximately 2908 m² with an additional 743 m² garden centre) and Allied Carpets (933 m²). Beyond this building, further to the south, lies the Sainsbury's Store. The Homebase store, subject to this planning application is of brick and tile construction with a large, sparsely landscaped surface parking area to the Eastern side of the site.

To the west of the building is the service yard. Beyond this are residential properties which front onto Birmingham Road. Their rear gardens back onto the rear of the existing store.

It is a typical retail outlet, with large parking area to frontage, including trolley storage areas.

Proposal Description

This is a full application for the installation of 1,777 m² of new floor space at mezzanine level. The mezzanine floor space would be distributed as follows:

1. Homebase 848 m²
2. New Unit 929 m²
3. The Allied Carpets building would remain unchanged

It should be noted that the 'New Unit' above is that approved under 2008/352 – an application for a certificate of lawfulness (proposed use) which confirms that the occupation of the premises by a catalogue retailer is lawful. This approval has not yet been implemented.

Minor changes to the surface parking area are proposed which will be referred to later in the report.

No external alterations to the building are proposed.

The application is accompanied by a Design and Access Statement, Transport Assessment and a Planning and Retail Statement.

Relevant Key Policies:

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.wmra.gov.uk

www.worcestershire.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1	Delivering sustainable development
PPS6	Planning for town centres
PPG13	Transport

Regional Spatial Strategy

PA13	Out of centre retail development
QE3	Creating a high quality built environment for all
T1	Developing accessibility and mobility within the region to support the spatial strategy
T4	Promoting travel awareness
T7	Car parking standards and management

Worcestershire County Structure Plan

T.1	Location of development
T.3	Managing car use
T.4	Car parking
D.31	Retail hierarchy
D.33	Retailing in out of centre locations
SD.1	Prudent use of natural resources
SD.4	Minimising the need to travel

Borough of Redditch Local Plan No.3

CS.1	Prudent use of natural resources
CS.7	The sustainable location of development
S.1	Designing out crime
B(BE).13	Qualities of good design
B(BE).19	Green architecture
E(EMP).3	Primarily employment areas
E(EMP).3a	Development affecting primarily employment areas
E(TCR).1	Vitality and viability of the town centre
E(TCR).4	Need and the sequential approach
C(T).12	Parking Standards

The site is designated as part of a Primarily Employment Area within the Local Plan, which includes the whole retail park and some industrial and commercial units to the south of the site.

Relevant Site Planning History

1988/242	Erection of D.I.Y unit, garden centre and non-food retail warehouse	Approved	02.06.1988
2008/352	Certificate of Lawfulness (proposed use) to confirm that the proposed occupation of a retail premises by a catalogue retailer is lawful	Approved	05.12.2008
2008/362	External alterations to building	Approved	07.01.2009

Public Consultation Responses

Responses in favour

None received

Responses against

One letter received in objection commenting that the submitted plans do not show how disabled access to the proposed upper level would be achieved

Consultee Responses

County Highway Network Control

No objection

Environmental Health

No comments received

Procedural matters

This application is put before the Planning Committee due to the fact that it is a 'major' application (as defined in the BV109 returns), with the site measuring more than 1ha in area (the site is approximately 1.22 hectares). Under the agreed scheme of delegation to Planning Officers, Part 7 states that 'major' applications should be reported to Committee.

Assessment of Proposal

The key issues for consideration are as follows:-

Principle of development

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 21 years, and therefore the retail use of the site is accepted. The sustainability of the use is considered below but it is not considered appropriate to insist on new employment (B class) uses on this site.

The proposed development needs to be considered in terms of the policy tests set out in the national planning framework and then in more detail in the Borough Local Plan. 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 dependant on the floor area of the proposal. The applicants have demonstrated to your Officers that the new floor space created, (particularly in respect to Homebase, where the mezzanine level would be used for the DISPLAY for purchase of fitted kitchens, bathrooms etc) is of a level which would be ancillary to the existing retail provision on the site.

Given the information provided, the existing use of the site and the policy considerations it is considered in this case that it is acceptable to extend and improve the existing premises internally by means of a mezzanine level and that it would not have any detrimental impacts on any other retail facilities within Redditch. Your Officers have however recommended two conditions (numbers 2 & 3) in order to ensure that the future vitality and viability of the Town Centre is not prejudiced.

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

Parking, access and highway safety

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

The existing car park contains 155 parking spaces, six of which are for disabled parking. It is proposed to increase the number of disabled parking bays to eight, and also to introduce 16 cycle parking spaces where none are provided at present.

In order to accommodate these changes the overall car parking provision would reduce by four spaces to 151 spaces.

A detailed transport assessment produced by the applicant's agent, has concluded through surveys taken at the site that the maximum occupancy of the car park during a weekday would (if permission were granted for the proposals) increase from 44 to 78 spaces. The 151 space car park would therefore operate at just over 50% of its capacity during Monday to Friday.

The parking analysis summarised from the transport assessment indicates that for the weekend period, the busiest times are from 1100 hrs to 1200 hrs where parking accumulation would increase from 102 occupied spaces to a maximum of 145 occupied spaces as a result of the proposed development. This still falls inside the proposed 151 space capacity of the car park. It is noticeable from the surveys carried out, that parking accumulation would drop to 130 occupied spaces between 1200 hrs to 1300 hrs and to 100 occupied spaces between 1000 hrs to 1100 hrs on weekends.

In order to promote sustainable travel habits, your officers are recommending a condition (as recommended under the transport assessment report) that a travel plan be submitted. Members may recall that such a condition was included when approval was granted for the Sainsbury's store (located immediately to the south of the site) to extend under application 2008/254 (9th September 2008 Planning Committee).

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. The delivery arrangements remain as existing and County Highways raise no objections to the proposals in terms of their impact on highway safety.

In response to the representation received regarding disabled access to the mezzanine, this aspect would be fully covered under a subsequent application under the building regulations. Officers within the building control service of the Council have been alerted to the representations received, and have commented to your officers that Building Regulation M1 requires that *'reasonable provision shall be made for people to (a) gain access to and (b) use the building and its facilities'*. The applicant's agent has responded to the representation by stating that part M of the Building Regulations will be complied with; that lifts will be installed to provide access to the mezzanine floors, and that the exact location of the lifts will be determined by the individual tenants depending on their preferred internal layouts.

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. The proposals are therefore considered to comply with the sustainable objectives of the planning system. As referred to earlier in the report, the submission of a travel plan is recommended by condition.

Other matters

Hours of opening at the site are not stipulated on the application form. However, hours of opening were not conditioned when the original approval for the building (1988/242) was given. The works in question would be almost entirely internal other than for the minor re-configuration of the car park. In the absence of any comments received from environmental health officers, your Officers would consider it unreasonable and unnecessary to restrict construction work activity at the site, or hours of opening for this business.

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, planning permission be GRANTED subject to conditions and Informatives as summarised below:

1. Development to commence within 3 years from date of consent
2. Uses restricted to non-food retail as covered by condition 3 (1988/242) in order to ensure that the vitality and viability of the town centre is not prejudiced
3. Minimum size of any retail unit shall be 10,000 sq ft (929m²) as covered by condition 3 (1988/242) in order to ensure that the vitality and viability of the town centre is not prejudiced
4. Cycle spaces – plan and details to be agreed
5. Travel plan to be submitted prior to the commencement of development and agreed and implemented in accordance with included programme

Informatives:

1. A separate application for Advertisement Consent may be required for signage to advertise the business. The applicant should contact the Local Planning Authority for further advice on this matter.