

**PLANNING  
COMMITTEE**

**10th August 2011**

**PLANNING APPLICATION 2011/185/FUL**

**EXTERNAL EXTENSION TO UPPER LEVEL OF EXISTING KINGFISHER SHOPPING CENTRE TO PROVIDE 772 SQ.M OF NEW RETAIL FLOORSPACE (USE CLASS A3 - A5)**

**UPPER FLOOR ADJACENT CINEMA, KINGFISHER SQUARE, REDDITCH**

**APPLICANT: SCOTTISH WIDOWS PLC & SCOTTISH WIDOWS UNIT FUND LTD**

**EXPIRY DATE: 1ST SEPTEMBER 2011**

**WARD: CENTRAL**

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**(See additional papers for Site Plan)**

**Site Description**

The site currently forms a flat roof at the rear of the cinema at the upper level of the bus station. It is also the location for mechanical and electrical equipment that serves some of the malls and existing tenants. The area is screened from view by the provision of 2m high louvre screen walls to the flat roof area.

**Proposal Description**

This is a full application for an external alteration to the upper floor of the Kingfisher Shopping Centre to provide 772 square metres of restaurant / take-away floorspace. Plans submitted indicate that the area would split to form two restaurant areas. Internal arrangements would be finalised once tenants have committed to occupying the space. Externally, the adjacent flat roof areas behind the louvre screens would be used for the relocated existing and new mechanical and electrical plant. Access for the public and staff alike would be via the existing Atrium and escalator that serves this and the three lower levels. The entrance to the restaurants would be immediately opposite that of the entrance to the Apollo cinema. The close proximity of the cinema is intended both to complement the existing offer and to increase dwell time of the visitors to the centre. Servicing for the units would be from Izod Street which is accessed directly off the Ring Road. Izod Street is the dedicated service area that currently serves the existing tenants in this part of the centre. The roof for the proposed development would be in curved profile metal sheeting with metallic silver cladding (walls) below. This would match with the existing built development.

**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

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legislative framework). The planning policies noted below can be found on the following websites:

[www.communities.gov.uk](http://www.communities.gov.uk)

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

## ***National Planning Policy***

PPS1            Delivering Sustainable Development  
PPS4            Planning for Sustainable Economic Growth

## ***Borough of Redditch Local Plan No.3***

CS.7            The Sustainable Location of Development  
E(TCR).1        Vitality and Viability of the Town Centre  
E(TCR).5        Protection of the retail core  
E(TCR).12      Class A3 and A5 uses  
B(BE).13        Qualities of Good Design  
B(BE).14        Alterations and Extensions to buildings  
S1                Designing out crime

## ***SPDs***

Designing for community safety;  
Encouraging Good Design

## ***Other relevant corporate plans and strategies***

Redditch Sustainable Community Strategy (SCS)  
Town Centre Strategy (TCS)

## **Relevant Site Planning History**

None

## **Public Consultation Responses**

None received

## **Consultee Responses**

### ***Town Centre Co-ordinator***

No objection

### ***County Highway Network Control***

No objection

### ***Worcestershire Regulatory Services***

No objection

### ***RBC Development Plans Section***

Comments awaited

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## ***Police Crime Risk Manager***

Comments awaited

### **Procedural matters**

All applications for Class A3/A5 use are reported to Planning Committee for determination.

### **Assessment of Proposal**

The key issues for consideration in this case are the principle of locating the proposed development in this location in terms of its use and the appropriateness of its design, accessibility and security.

#### **Principle**

The site lies within the defined town centre where such uses are considered to be appropriate since they are considered to enhance the vitality and viability of the Town Centre as required under Policy E(TCR).1. Policy E(TCR).5: Protection of the Retail Core seeks to protect existing shop uses from non-retail (A1 Class) development where applications for change of use are proposed. This is not a change of use proposal. Further, the Policy specifically excludes the upper floor of the KSC to which the application site relates. Policy E(TCR).12 sets out that planning permission for the development of new premises for A3, A4 and A5 use will be granted where relevant criteria are met. The cumulative impact of 'clusters' of A3/A5 uses should be taken into consideration in particular, but no such clustering of restaurant / takeaway uses would occur in this area if permission were to be granted. Subject to a condition being imposed which would control odour emissions arising from cooked foods, the proposal would not have a detrimental impact upon neighbouring uses within the KSC.

The principle of the development as such is therefore considered to be acceptable.

#### **Design of development**

The internal height of the development reflects the existing level of the roof of the atrium and the eaves of the curved roof to the cinema. The roof would be curved to match that of the cinema's with the highest point of the new roof being lower than that of the cinema. The geometric form of the roof together with materials which would be used in its construction (profiled metal sheeting) would mirror and co-ordinate effectively with that of the existing cinema roof. The development would therefore complement the existing roofscape. Externally, the development would have little impact visually. The development would be visible from the north but would only be seen from any long views that are available. From the south-west, the development would be visible from the ring road although the majority would be masked by existing storage areas adjacent to Car Park 1 which serve existing units on the mall level below. To the west, the development would be entirely masked by the existing cinema. It is considered that the proposed design is appropriate in this location.

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## Access to development

The site is within a sustainable town centre location, very near to both the train and main bus station. The centre is well served by a number of multi storey car parks. Car Park One is adjacent to the bus station and provides lift access directly to the cinema level and the proposed development. Access from the bus station is also available via lifts.

## Security

Security would be provided through the existing centre's security suite and personnel. Entry is only available from the existing mall and due to its location there is no public access to the perimeter of the development. Access to the adjacent flat roof area is only available to security and maintenance staff. As such there are not considered to be any security / crime risk issues with the proposals. The Police Crime Risk Manager has been consulted. Any comments received will be reported in the update paper.

## Conclusion

The proposed development would be considered to complement existing uses within the shopping centre and in particular, the Apollo cinema. The proposals would enhance the vitality and viability of the Town Centre and, being compliant with relevant policy criteria, Officers support the application.

## Recommendation

**That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions and informatives as summarised below:**

1. Development to commence within three years
2. Odour extraction details to be submitted to and approved in writing by the Local Planning Authority
3. Approved plans defined

## Informatives

1. Permission does not include the approval of any signage / adverts
2. Reason for approval