

**PLANNING
COMMITTEE**

2nd November 2011

PLANNING APPLICATION 2011/219/FUL

**ERECTION OF CLASS A1 STORE EXTENSIONS TO SIDE AND FRONT,
ELEVATIONAL CHANGES INCLUDING NEW SHOP FRONT AND
CANOPY, ALTERATIONS TO CAR PARK LAYOUT, NEW LANDSCAPING,
RELOCATED RECYCLING FACILITIES AND ASSOCIATED PLANT, AND
REMOVAL OF PFS FROM SITE**

J SAINSBURY'S SUPERMARKET, ALVECHURCH HIGHWAY, REDDITCH

APPLICANT: SAINSBURY'S SUPERMARKETS LTD

EXPIRY DATE: 7TH NOVEMBER 2011

WARD: ABBEY

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(See additional papers for Site Plan)

Site 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 existing 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/fuel 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.

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Proposal Description

The proposal is to extend the store and amend its appearance, and as a result amend the car park layout, whilst removing the PFS from the site.

The store extensions would be to the front and side, and result in the provision of a new shop front and some elevational changes. The front would have significant quantities of glazing added to brighten the internal store areas, with cladding surrounds, and a steel canopy to provide porch/shelter style accommodation to the front. The entrance would be moved south along the store frontage and an internal porch area would be created. The ATMs would also be relocated externally further south along the front elevation, to the left of the new entrance.

To the south side of the store would be a further extension – the front and side extensions are relatively narrow and wrap around the existing store, bringing its footprint out towards the car park – and this would accommodate the restaurant. The internal layout of the whole store would be altered in terms of circulation patterns and locations of different elements as a result of these proposals.

The total new floor area would be 5262m², of which 335m² would be for an additional trading area.

The alteration of the layout of the site and particularly vehicle circulation within is intended to improve access and safety. Vehicles would leave the roundabout on the Alvechurch Highway and flow round to their left around the perimeter of the site to continue south into the store car park which would have a two way lane layout around the whole perimeter. A lay-by would be provided to accommodate the recycling facility just near the entrance from the roundabout. The car park would continue to have lanes perpendicular to the store front. Vehicles would all exit either using the existing egress onto the mini roundabout which is located adjacent the NE corner of the store, or turning left onto the approach and going the whole way around the mini roundabout. 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.

The Fishing Line Road vehicular access point would be opened up to two way traffic for all users, so that this access could be used by shoppers coming by car from the Birmingham Road direction, as well as its continued use by buses.

Cycle parking is located at either end of the store front, within the parking layout. A bus stop is shown in its current location.

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The proposal is likely to result in around 20 full time and 40 part time new jobs being created at the store in addition to the existing 100 full time and 200 part time jobs.

The application is accompanied and supported by a Planning & Retail statement, Design & Access statement, Transport statement and Travel Plan Framework document, Statement of Community Involvement, Contaminated Land assessment, tree impact and method statement and survey schedule, lighting assessment, noise assessment, renewable energy & energy efficiency assessment, FRA and ecological assessment.

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

PPS4 Planning for sustainable economic growth

PPG13 Transport

Regional Spatial Strategy

Whilst the RSS still exists and forms part of the Development Plan for Redditch, it does not contain any policies that are directly related to or relevant to this application proposal. Therefore, in light of recent indications at national level that such policy is likely to be abolished in the near future, it is not considered necessary to provide any detail at this point in relation to the RSS.

Worcestershire County Structure Plan

T1 Location of development

T3 Managing car use

D31 Retail hierarchy

D32 Preferred locations of large scale retail development

D33 Retailing in out of centre locations

SD1 Prudent use of natural resources

SD2 Care for the environment

SD4 Minimising the need to travel.

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Borough of Redditch Local Plan No.3

CS1 Prudent use of natural resources
CS2 Care of the environment
CS3 Use of previously developed land
CS4 Minimising the need to travel
CS7 The sustainable location of development
S1 Designing out crime
B(BE)13 Qualities of good design
B(BE)14 Alterations and extensions
B(BE)19 Green architecture
B(NE)5 Pollution implications of development
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
E(TCR)11a Retail sales at petrol filling stations
E(TCR)12 Class A3 uses
C(T)1 Access to and within development
C(T)7 Public transport infrastructure
C(T)10 Traffic management
C(T)12 Parking standards.

SPDs

Encouraging good design
Designing for community safety

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.

Emerging policies

The government has recently published its draft National Planning Policy Framework document (NPPF). Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

It is not considered in this case that this policy direction is significantly different from that in the other Development Plan documents that are relevant to this decision, and therefore is not referenced further due to it having only little weight at this stage.

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The Core Strategy is the document that will eventually replace the local plan, and is currently working through the process towards adoption. It has been published and consulted upon, and therefore counts as emerging policy to which some weight can be given in the decision making process. The current version is the 'revised preferred draft core strategy' (January 2011).

The Core Strategy contains objectives for the overall approach to development in the Borough up until 2026, as well as strategic policies.

Relevant Site Planning History

Application No.	Description	Decision	Decision date
87/693/OUT	Food Superstore, PFS, Coffee shop parking and access	Approved	17/02/1988
88/199/RM	Design, appearance and landscaping details of food superstore, PFS and Coffee shop	Approved	13/05/1988
98/119/FUL	Sales area extension and improvements to existing retail store	Approved	21/09/1998
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	01/10/2003
2003/145	PFS refurbishment	Withdrawn	15/07/2003
2003/491	Advert resubmission	Approved	26/11/2003
2004/040	Various advertisements	Approved	16/03/2004
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

Application 2008/254/FUL was for additional sales area and a two storey decked car park, a mezzanine and alterations to the PFS. It was granted consent but has never been implemented. By the time of the Committee meeting, it will have lapsed.

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Public Consultation responses

One objection received raising the following concerns:

- Opening up of Fishing Line Road access in theory as well as practice
- On street parking would increase and thus worsen
- Visibility at junction of Fishing Line Road and Birmingham Road is poor and increased use would reduce safety
- Pedestrians crossing Fishing Line Road already feel unsafe and this would worsen.

Comments relating to matters not proposed in this application and not located within the application site have been disregarded as irrelevant and therefore not reported.

Consultee responses

County Highway Network Control

No objection subject to conditions, informatives and a planning obligation for off site enhancements to the transport network and the provision and ongoing implementation of a travel plan, providing the Fishing Line Road access is not opened up to all traffic but the current restrictions retained and carried forward.

WRS: Environmental Health

No objection

Development Plans Team

No objection as the policy tests have been adequately addressed.

Drainage Officer

No response received

Tree Officer

No objection

Crime Risk Manager

No response received

Severn Trent Water

No objection subject to conditions regarding drainage provision

Environment Agency

No objection subject to conditions regarding detailed contaminated land risk investigation work related to the removal of the existing PFS and in case of any other contaminants being found

Procedural matters

This application is reported to Planning Committee because it is a major application recommended for approval.

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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 and access details, 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 20 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 approximately 60 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 ideally 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. In this case, due to the size of the proposal additional information regarding alternative locations and impact on existing retail facilities has been sought and received. The applicants have demonstrated that there are no alternative sites where new retail provision could be located adequately as the floorspace sought is ancillary to the existing retail provision on this site and could not be provided as a separate stand alone store.

Given the information provided, the recently expired 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.

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

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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, 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 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	406	385	-21	-145
Disabled spaces	26	18	25	+7	-1
Cycle spaces	53	2	24	+22	-29
Motorcycle spaces	26				-26
Lorry spaces	3				-3
Parent & Child		18	17	-1	
Totals	638	444	451	+7	-187

(It should be noted that the totals line at the bottom does NOT provide an overall summary, as this is not comparable with the other information in the table).

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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.

The re-arranged access from the Alvechurch Highway roundabout is considered to be a benefit, as it would improve access to the site and thus prevent congestion backing up onto the roundabout. It would also aid in separating vehicles accessing the superstore and those accessing the other retail park units.

The full opening up of the access onto Fishing Line Road to all traffic was originally proposed, however due to the safety implications at the junction of Fishing Line Road and Birmingham Road, the highway officer requested that this be retained as a restricted access for the bus route only, and the applicant has agreed for the above to be amended accordingly. 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 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, with additional space to the rear for online shopping delivery vehicles 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 S106 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 Allied Carpets (now Argos) site, a contribution towards a cycleway on Fishing Line Road and highway signage improvements.

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- 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
- Improved road signing and marking on the Riverside roundabout
- 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

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 have indicated their willingness to enter into an agreement to provide them and the necessary documents are being drawn up.

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

Officers are seeking an either/or resolution from Members in this case as follows, in that Officers would carry out whichever of the two recommendations below applied. Members should note that each of the two recommendations has two parts to it:

Either:

- 1. That subject to receipt of an amended plan showing the access onto Fishing Line Road restricted to buses only and having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning & Regeneration to GRANT planning permission subject to:**
 - a) a planning obligation ensuring that contributions are received towards:**
 - Fishing Line Road cycle lane works; and
 - Lydham Close underpass works; and
 - Pedestrian signage works; and
 - Riverside roundabout works; and

and

- b) conditions and informatives as summarised below:**

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Conditions:

1. Commencement within three years
2. Fishing Line Road access point – details of restriction to bus/emergency vehicle use only and measures in the event of failure to be agreed and implemented
3. Uses as specified and not for any other, even those within the same Use Class
4. Extensions not to be brought into use until the parking area is fully laid on surfaced and marked out
5. Bus shelter to be provided prior to occupation of extended store (adjacent to bus stop)
6. Hard and soft landscaping details to be submitted and agreed
7. Hard and soft landscaping implementation timing restriction
8. Construction hours on site (to protect nearby residential amenity in Birmingham Road)
9. Parking during construction to be agreed
10. Details of phasing of development to be provided and agreed to ensure customer safety and vehicle accessibility during construction
11. No external storage on the site at all at any time
12. As requested by STW
13. CCTV details to be submitted and agreed
14. Approved plans specified
15. The entire store resulting on site from the implementation of this consent shall continue to comply with condition 2 of consent reference 1987/693/OUT in order to protect the town centre

Informatives

- i) Reason for approval
- ii) S106 to be read in conjunction with consent
- iii) Adverts may need separate consent, except where replacing existing
- iv) As requested by STW
- v) For advice on Secured by Design contact Crime Risk Manager

Or:

2.

- a) **In the event that the planning obligation cannot be completed by 7th November 2011, Members are asked to delegate authority to the Head of Planning & Regeneration to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements; and**

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- b) In the event of a refusal on this ground and the applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to **GRANT** planning permission subject to the conditions stated above as amended in any relevant subsequent update paper or by Members at the meeting.