

**PLANNING  
COMMITTEE**

**13th December 2011**

**PLANNING APPLICATION 2011/286/FUL**

**PROPOSED RESTAURANT, NEW RETAIL AND STORAGE AREA AND  
NEW SELF CONTAINED FLAT**

**PHOENIX MEGASTORE, SMALLWOOD STREET, REDDITCH**

**APPLICANT: HAWKFIELD INVESTMENTS LTD**

**EXPIRY DATE: 8th DECEMBER 2011**

**WARD: CENTRAL**

The author of this report is Steven Edden, Planning Officer (DC), who can be contacted on extension 3206 (e-mail:

steve.edden@bromsgroveandredditch.gov.uk) for more information.

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

**Site Description**

The site comprises an existing retail store (formerly 'Sterling Save'), now known as Phoenix Megastore. The site occupies a corner location, bounded by Summer Street to the south and Smallwood Street to the east. Beyond the site's western boundary lies a storage and service yard area associated with the premises 'Buildbase'. Staff and visitor parking is provided at an in-curtilage car park accessed via Smallwood Street. A secondary access for service vehicles is located off Summer Street to the south-west corner of the site. There are various commercial firms in other premises in Smallwood Street and Oswald Street beyond the sites western boundary, whilst there are residential properties on the south side of Summer Street.

**Proposal Description**

This is a full planning application to create the following:

- 1) Two storey extension to building

This would be attached to the west facing/rear of the existing building and would involve the following:

At ground floor level:

Former storage area (102m<sup>2</sup>) to be demolished, new storage area (73m<sup>2</sup>) to be created. Demolition of an existing retail area (150m<sup>2</sup>) and creation of new retail floorspace. The net increase in new retail floorspace would be 309m<sup>2</sup>.

At first floor level:

New storage area (520m<sup>2</sup>)

**PLANNING  
COMMITTEE**

**13th December 2011**

---

The two storey extension would be of portal frame construction having a pitched roof matching that of the existing building. Walls and roof would be clad in profiled metal panels. The extension would cover the whole of the existing rear elevation of the building (39 metres in length) and would have a width of 14 metres.

2) Change of Use of part of existing retail facility to restaurant use (ground floor)

This part of the building is located to the east of the site and faces directly onto Smallwood Street. The floorspace to be changed would be 150m<sup>2</sup> and would contain table settings for 76 people (covers).

3) Creation of first floor over (part 2 above) to form extension to restaurant

The additional floorspace to be created would be 150 m<sup>2</sup>. This space would contain table settings for 66 people (covers).

In respect to part 2) above, the existing retail facility in this part of the building is constructed of brickwork walls under a flat roof. A pitched roof would be created above (pitch to match existing) in order to accommodate the extended restaurant area. The first floor would be part glazed/ part brickwork with steel clad roof.

4) Creation of new first floor flat

At the Smallwood Street / Summer Street road junction, an office facility exists at first floor level. A change of use is proposed to form residential accommodation. The facilities would include bedroom/lounge, bathroom and kitchen. The use is intended as accommodation for a member of staff involved in the day to day running of the business.

5) External alterations to building

The north facing elevation to the car park would be altered considerably in appearance. Its walls are currently finished in a combination of brickwork and render. The walls to this elevation would be finished in a mixture of profiled metal panels and glazing. The elevation fronting directly onto Smallwood Street would retain the brickwork wall which exists up to a height of 4 metres from ground level. Three existing high level windows would be replaced with three larger windows each measuring 2.75 metres in height by 2.2 metres in width. The upper floor proposed restaurant wall and its roof would be finished in profiled metal panels. Five new rooflights would be inserted in the new roof to allow natural daylight to reach to the new proposed upper floor restaurant.

# **PLANNING COMMITTEE**

**13th December 2011**

Proposed hours of operation would be as follows:

	Monday to Saturday	Sunday/Public Holidays
Restaurant	6pm to midnight	6pm to midnight
Retail operation	9am to 6pm	11am to 5pm

**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](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
PPG13	Transport

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

CS.7	The sustainable location of development
E(TCR).3	Peripheral Zone
E(TCR).12	Class A3, A4 and A5 uses
B(BE).13	Qualities of good design
C(T).12	Parking Standards (Appendix H)

The site is located within the Town Centre Peripheral Zone as defined in Local Plan No.3.

**Relevant Site Planning History**

2007/014/COU	Change of use of part of premises to a restaurant (ground floor only)	GRANTED 12.2.2007
2011/168/FUL	Single storey extension to rear for retail use	GRANTED 15.8.2011

2007/014/COU was granted but never implemented, and has now expired.

2011/168/FUL has not been implemented. The floorspace to be created under that consent is fully covered by the proposed two storey extension referred to under part 1): proposal details (above). Granting permission for the current application would therefore mean that the consent granted under application 2011/168/FUL could not be implemented.

# **PLANNING COMMITTEE**

**13th December 2011**

---

## **Public Consultation Responses**

### **Responses in favour**

One letter received in full support of all proposals

### **Responses against**

None received

## **Consultee Responses**

### ***Worcestershire Regulatory Services: Environmental Health***

No objection. To protect nearby amenities, recommends the imposition of conditions / informatives in the event of planning permission being granted in respect to odour control; light nuisance; refuse storage and construction times on site being limited

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

No objection

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

No objection

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

No objection

### ***Severn Trent Water***

No objections. Drainage details to be subject to agreement with Severn Trent

## **Assessment of Proposal**

The key issues for consideration are as follows:

### **Principle**

The site is situated within the Town Centre Peripheral Zone in Local Plan No.3 where Policy E(TCR).3 states that proposed uses which comprise one or a mix of residential, retail, commercial, light industrial, warehousing, social, community, education, leisure and entertainment uses will be given favourable consideration. All of the proposed uses: retail, storage, residential and restaurant use are therefore considered to be appropriate in this area which already contains a mix of residential and commercial uses.

### **Impact upon nearby residential amenity**

As before, under application 2007/014/COU, the proposed restaurant would front onto Smallwood Street, a commercial street, rather than Summer Street which is mainly residential in character. This part of the proposal is considered to be acceptable having regard to Policy E(TCR).12 which deals specifically with proposals for restaurant use, where such proposals can impact upon residential amenity. No objections have been received from Worcestershire Regulatory Services in respect to this aspect.

**PLANNING  
COMMITTEE**

**13th December 2011**

---

Location of site relative to car parking facilities

The site occupies a sustainable urban location, near to the town centre and historically this retail premises has always served a relatively densely populated local area. Your Officers would suggest that many of the retail store customers walk to and from the premises. Officers consider that it is important that such facilities continue to thrive and serve local people who can easily walk to such a destination since the lack of such facilities is likely to lead to greater car borne travel contrary to sustainability objectives.

A total of 35 car parking spaces are available within the curtilage car park. Two of these are disabled spaces, and they are all marked out on site.

It is important to emphasise that the restaurant use would not be used concurrently with the retail store and as such, the sharing of car parking is appropriate. A condition to this effect is recommended. However, a number of on-street car parking spaces exist within close proximity to the site. County Highways have raised no objection to the application and Officers consider that the proposals are unlikely to give rise to highway safety issues.

Residential accommodation

Given that Policy E(TCR).3 states that residential uses are acceptable uses within the peripheral zone and that the proposed flat would make use of what is currently a vacant office, this part of the proposal is therefore encouraged.

Design

The external alterations to the elevations of the building are considered to represent an improvement over the existing building's somewhat dated appearance. The extension over the existing flat roof fronting onto Smallwood Street in particular, would greatly enhance the visual appearance of this part of the site. Submitted plans state that graffiti which has historically been applied to the facing brickwork would be removed in the redevelopment.

Security

The only aspect of the proposal which was originally a concern to your Officers was the proposed insertion of three larger windows in replacement of three smaller windows which would front directly onto the pavement serving Smallwood Street. The insertion of these windows without provision for defensible space is not ideal, although a condition would be attached to the decision notice in the case of approval stating that laminated glass for improved security should be used in their construction. The applicant is in agreement with the insertion of such a condition. The Police Crime Risk Manager has been consulted on this application and raises no objection.

# **PLANNING COMMITTEE**

**13th December 2011**

---

## **Conclusion**

Approval of the proposed development would be considered to enhance the aesthetics of this particular part of Smallwood Street / Summer Street whilst creating new employment opportunities in a sustainable location near to the town centre. Since national policy guidance encourages the growth of both the day time, evening and night time economy in appropriate areas and taking into consideration the lack of perceived harm to amenity or highway safety, officers can support the application.

## **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 three years
2. Development in accordance with plans (listed)
3. Hours of operation (retail) to be limited to between 9am to 6pm Monday to Saturday and from between 11am to 5pm on Sundays/Public Holidays. Hours of operation (restaurant) to be limited to between 6pm to midnight daily
4. Full details of the means of extraction, ventilation and control of odour to be submitted
5. Details of a refuse storage facility to be submitted
6. Laminated glass (to remain in perpetuity) to be used in the construction of windows labelled a,b,c facing Smallwood Street

## **Informatives**

1. Reason for approval
2. No burning of materials on site
3. Lighting – standard information item
4. Drainage
5. A separate planning consent would be required for hot food takeaway sales (Class A5)

## **Procedural matters**

All applications for Class A3 (restaurant) use are reported to Planning Committee for determination