

**PLANNING
COMMITTEE**

25th April 2012

PLANNING APPLICATION 2012/071/EXT

EXTENSION OF TIME APPLICATION: INSTALLATION OF 1,777 SQ.M OF FLOORSPACE AT MEZZANINE LEVEL AS APPROVED UNDER APPLICATION 2009/082/FUL

**HOMEBASE LTD, ABBEY RETAIL PARK, ALVECHURCH HIGHWAY
REDDITCH**

**APPLICANT: ESSEX COUNTY COUNCIL PENSION FUND
EXPIRY DATE: 15TH JUNE 2012**

WARD: ABBEY

The author of this report is Steven Edden, Planning Officer (DM), 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

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. The large rectangular building currently contains the Homebase store – (approximately 2904 m²) and Argos to its southern end (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 a large car parking area to its frontage, including trolley storage areas.

Proposal Description

This extension of time application relates to application reference 2009/082/FUL. Permission was granted for the installation of 1,777 m² of new floor space at mezzanine level at the Planning Committee of 14th July 2009. The decision notice was dated 15th July 2009. The mezzanine floor space as approved was to be distributed as follows:

1. Homebase 848 m²
2. 'New Unit' 929 m²
3. The unit currently occupied by Argos (formerly Allied Carpets) was not affected by the proposals.

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It should be noted that the 'New Unit' above is that which would sit between the Argos store to the south and Homebase to the north. The creation of this unit was approved under application 2008/352/CPL. A subsequent and more recently approved application 2011/084/S73 allows Chemists/Opticians to operate from the premises. At the time of writing, the future occupier has yet to occupy this unit.

Under application 2009/082/FUL, minor changes to the surface parking area to the frontage were granted permission, which will be referred to later in the report.

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.redditchbc.gov.uk

National Planning Policy

The National Planning Policy Framework (NPPF)

Regional Spatial Strategy and Worcestershire County Structure Plan

Whilst the RSS and WCSP still exist and form part of the Development Plan for Redditch, they do 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 Regional Spatial Strategies and Structure Plans are 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, or the WCSP.

Borough of Redditch Local Plan No.3

CS.7	The Sustainable Location of Development
E(EMP).3	Primarily Employment Areas
E(TCR).1	Vitality and Viability of the Town Centre
B(BE).13	Qualities of Good Design
C(T).12	Parking Standards (Appendix H)

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.

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Relevant Site Planning History

1988/242/FUL	Erection of D.I.Y unit, garden centre and non-food retail warehouse	Approved	02.06.1988
2008/352/CPL	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/FUL	External alterations to building	Approved	07.01.2009
2009/082/FUL	Creation of 1777 sq m of floor space at mezzanine level	Approved	15.07.2009
2011/053/FUL	Partial widening of service road within service yard	Approved	01.04.2011
2011/084/S73	Variation of Condition 2 (1988/242) To allow additional goods and a Chemist /Optician to operate	Approved	26.05.2011
2011/152/S73	Variation of Condition 5 (2009/082/FUL) to allow retailing to the public from mezzanine level	Approved	10.08.2011
2011/229/FUL	External and internal alterations to create two new units	Approved	17.10.2011
2011/315/EXT	Extension of time application: External alterations to building and internal works to create one additional unit as approved under application 2008/362/FUL	Approved	05.01.2012

Public Consultation Responses

None received

Consultee Responses

County Highway Network Control

No objection

Worcestershire Regulatory Services (Environmental Health)

No objection

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Background

Due to the general economic slowdown, the previous Government enacted legislation to allow an applicant (via a formal application) to be able to extend the length of time before the commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. In this case, the 'original' consent is indeed extant but will expire on 15th July 2012. Subject to no material changes to the planning policy framework in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable.

Assessment of Proposal

In considering such applications, it is only relevant to consider what has changed since the previous approval, both in terms of the planning policy framework under which the decision should be made, and also, any significant physical changes to the site and/or its surroundings that might result in different impacts from the proposed development. In terms of policies, The National Planning Policy Framework, which was enacted on 27th March 2012, replaces the former National Guidance set out within Planning Policy Statements (PPS's) which formed part of the development plan during the consideration of application 2009/082/FUL. PPS and PPG guidance is no longer relevant under the new policy framework. The new NPPF does not raise any different issues in the consideration of this particular application.

Policies within the Borough of Redditch Local Plan No.3 which were considered under the earlier application have not changed and the same policies are used here and would be in the future (until at least March 2013) for such development proposals. No material changes to the development plan are considered to have occurred since the 2009 approval which would affect the impact of this extension of time proposal. Members will be aware that permissions have been granted for extensions to the Sainsbury's store (to the south) and for the development of the 'teardrop' site (to the north) since the approval of 2009/082/FUL. However, these future physical changes to the sites surroundings would not be considered to result in any material impacts on the proposed development.

The plans which have been submitted under this application are identical to those plans approved under the 2009 application. The issues which were considered to be relevant under application 2009/082/FUL are as follows:

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Principle of development

Local Plan No.3 designates that the site falls within a wider area designated for employment purposes where Policy E(EMP).3 would apply. The site is already in use for retail purposes and has been for approximately 23 years since the buildings original use as a DIY centre and therefore the retail use of the site is accepted. In practical terms, officers consider that there is little chance of this building ever returning to B1, B2 or B8 use since the building is a purpose built retail outlet. In addition it could be argued that an Industrial Employment user for example is unlikely to wish to locate near to a supermarket to the south and the residential development of Birmingham Road immediately to the west. Indeed, Policy E(EMP).3a warns about the incompatibility of different uses in close proximity to one another. Therefore, notwithstanding the sites employment designation in LP3, officers consider that the lands (B1, B2 and B8) employment use has already been lost since the building already has established retail use.

Parking, access and highway safety

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 applicants 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.

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.

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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

Condition 5 of planning permission ref. 2009/082/FUL states:

“The mezzanine area to the current Homebase store highlighted in a light yellow colour on drawing number 4376-37 (proposed first floor plan) shall be used for storage and display use ancillary to the main retail use of the store, and shall not be used for retailing to the general public.”

Application 2011/152/S73 granted permission to vary this condition such that it now reads:

“The floorspace hereby approved within the Homebase unit highlighted in a yellow colour shown on drawing number 4376-37 (proposed first floor plan: Application 2009/082/FUL) shall be used for uses restricted to non-food retail as covered by Condition 3 (1988/242)”

As stated in the planning history section earlier in this report, application 1988/242 is the original consent for the erection of D.I.Y unit, garden centre and non-food retail warehouse on the site.

Should members be minded to grant permission for this extension of time application, Condition 5 (as shown below in summary) would read as per the amended description agreed under application 2011/152/S73 stated in full above.

Conclusion

The planning policy framework under which this application should be determined has changed in the intervening period but not materially in terms of considering an application of this nature. The site itself and its surroundings have not changed to such an extent that the context of the site should be considered differently. It is therefore considered that the proposed development would accord with policy criteria and objectives and would not result in harm to amenity or safety. Officers consider it reasonable to allow an extension of time to implement this consent for a further three years, subject to the inclusion of conditions as summarised below.

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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 of consent
2. Travel plan to be submitted
3. Development in accordance with plans (listed)
4. Mezzanine area defined
5. Floorspace approved to be used for uses restricted to non-food retail as covered by Condition 3 (1988/242)

Informative:

1. Reason for approval
2. Advert consent requires a separate application

Procedural matters

The Council receives relatively few 'extension of time' applications and they are rarely presented before the Planning Committee. This application only comes before the Committee due to the fact that it is a 'major' application, with the site measuring more than 1ha (the site is approximately 1.22 hectares). All 'major' applications are reported to Committee where the recommendation is for approval.