

PLANNING APPLICATION NUMBER:P07/1599

Type of approval sought	Full Planning Permission
Ward	
Applicant	Modus Alpha Property LP
Location:	THE CROWN CENTRE, CROWN LANE / NEW STREET, STOURBRIDGE, WEST MIDLANDS
Proposal	REDEVELOPMENT OF THE CROWN CENTRE TO PROVIDE INCREASED AREA FOOD STORE (A1), 5 X A1 RETAIL UNITS, NEW MARKET HALL, 75 RESIDENTIAL APARTMENTS (60 X 1 BED & 15 X 2 BED) & ASSOCIATED CAR PARKING & SERVICING AREAS WITH ACCESS FROM NEW STREET.
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site occupies approximately 1.18 hectares of land on the western edge of Stourbridge town centre incorporating the Crown Centre and Bell Street multi-storey car park. The site is bisected by a section of pedestrianised and open highway (New Street) and is also adjacent to Bath Road to the west, Crown Lane to the north and Bell Street to the south. The site also incorporates a section of Smithfields, a pedestrianised highway which links to Market Street to the east.
2. This site currently accommodates some 8267 square metres of floorspace excluding car parking,(5285 square metres being retail), but including the vacant former Morrisons supermarket, the Market Hall, individual shop units and Council offices. The Crown Centre is serviced from Crown Lane via an underground facility, with parking access via the Bell Street multi-storey car park off New Street. Pedestrian access is achieved from High Street, New Street, Smithfields and via lifts and stairs from the car park. The scale of existing structures is of between three and seven storeys.

3. The site is directly adjacent to Stourbridge Town Hall and library and the Grade II listed former Market Hall. The main pedestrian entrance from High Street and the front section of the Crown Centre is within a designated conservation area, (Stourbridge High Street) which accommodates a number of individually listed buildings and structures including the town clock.
4. The Unitary Development Plan (UDP) Stourbridge Town Centre Inset Proposals Map places the application site within Development Block 5 and Opportunity Site B is also partly located within the site boundary. The plan proposes the creation of a Town Square 'Crown Square' at the High Street entrance to the Crown Centre.

PROPOSAL

5. This application seeks approval for the refurbishment/alteration of the existing Crown centre retail area in order to create a new single level anchor foodstore incorporating the areas of the former supermarket, indoor market and entrance retail units. Two small additional retail units will be formed within the existing retail unit opposite the superstore where such existing units are otherwise unchanged. A new car parking level is to be constructed above the existing parking deck with a travelator, lifts and stairs to provide access to the levels below. Existing planting beds to the High Street entrance will be removed to create a new 'Crown Square' with hardscape/landscape treatment and appropriate public art features. Windows will be inserted into the existing brickwork curtain walls fronting Crown Lane to improve legibility and break up large areas of brickwork. The entrance to the superstore is to be from the approximate middle of the centre where the Smithfields access joins with that from High Street. A raised pedestrian priority crossing with surface treatment is proposed across New Street, with a step and lift access to the mall area. A predominantly ramped and stepped access for pedestrians will be located off High Street.
6. The refurbished Crown Centre is to be linked with redevelopment of the Bell Street multi-storey car park, to provide a new market hall fronting Bath Road at ground floor with servicing from the Bell Street slip road. Above this floor (at Superstore

level) will be two retail units fronting New Street, access to upper storey residential properties, a car park entrance, control office and cycle parking. Both car parking access and egress to the overall development will be from this level with similar arrangements to those currently existing. Above this level will be a deck of parking which will combine with the Crown Centre deck providing 221 disabled and standard spaces, with level access to lifts, travelators, trolley park and stairs. The next level will provide a parking deck with 237 spaces and similar linkages. The next level will provide for 15 flats fronting the Bath Road elevation with dedicated residential car parking to the rear which is not linked to the Crown centre. Four further levels of flats are then proposed which are generally set back from the main Bath Road elevation and rise in a diminishing pinnacle, providing 21, 19, 9 and 8 flats at each level respectively. Overall, 72 flats are proposed (54 one bedroom and 18 two bedroom) with 72 dedicated car parking spaces and 72 cycle storage spaces.

7. Specific elements of the proposed application are as follows:

Retail Development

Superstore area 5540 square metres to include food and non-food sales, café, toilets, bakery and stockroom.

New retail units 1 and 2, 28 square metres.

Freezer store (Unit 3) 300 square metres

New retail units Bell Street (Units 5a and 5b) 250 and 300 square metres respectively.

New market hall 1336 square metres.

Total retail floorspace 8048 square metres (Increase overall of 2763 square metres).

Non retail development

Staff and ancillary accommodation 90 square metres.

Public car parking spaces 458

Residential car parking spaces 72.

Total flats 72.

One bedroom flats 54.

Two bedroom flats 18.

8. This application has been supported with a Design and Access Statement, Transport Statement, Noise assessment, Bat Surveys, Heritage Assessment and a Sustainability Report. Contextual access plans and compound viewpoints to demonstrate the visual impact of the development have also been submitted.

Significant changes to the scale and design of the development have been made since the application was submitted, following discussions with officers.

HISTORY

9. There is no planning history relevant to consideration, although Members should note that the appeal against refusal of a Tesco superstore, on the edge of centre Angel Triangle site, was withdrawn following progress with this development which the company are likely to occupy.

PUBLIC CONSULTATION

10. Following statutory publicity in the press, the display of site notices and direct notification of properties in the area, only two letters of objection has been received. One letter is on the non-material planning grounds that part of the undercroft service area contains a store room that is within the lease of a Crown Centre retail unit. A second letter raises general concerns about the height and potential loss of views resulting from the originally submitted plans and if containing a Café, the impact upon existing premises.
11. On receipt of final revised plans this application has been the subject of re-notifications, the result of which will be reported to Members in a pre-committee note

OTHER CONSULTATION

12. Head of Public Protection: raised no objection subject to the imposition of relevant conditions.

Group Engineer – Development: Following the agreement of the applicants to the imposition of conditions and the submission of specific amendments to plans, no objection is raised.

English Heritage: As a statutory consultee English Heritage do not wish to comment in detail but made general observations with regard to the potential impact of the development upon the historic environment and adjacent listed buildings. Comment was given in respect of originally submitted plans and that the application should be progressed in accordance with the Councils own specialist officers advice. English Heritage did not consider it necessary to be consulted thereafter.

Police Architectural Liason Officer: Raised a number of issues relative to specific detailed design considerations which will be subject to condition.

RELEVANT PLANNING POLICY

13. Adopted Unitary Development Plan (2005)
Stourbridge Town Centre Inset Plan Block 5

Policy ST1, Policy STC2(v) and Opportunity Site B OS(B), Town Square and Pedestrian Link.

CR1 Hierarchy of Centres

CR2 Expansion of Centres

CR5 Regeneration of Centres

CR12 Car Parking in Centres

CR13 Residential Development in Town Centres

DD1 Urban Design

DD3 Design of Retail Development
DD6 Access and Transport Infrastructure
DD7 Planning Obligations
DD9 Public Art
AM14 Parking
H5 Affordable Housing
HE4 Conservation Areas
HE6 Listed Buildings
NC6 Wildlife Species
West Midlands Spatial Strategy – Policy PA12B

National Planning Policy

PPS6 Planning for Town Centres

ASSESSMENT

14. The key issues for consideration are:-

The principle of development and planning policies.

The scale, appearance and urban design.

Historic environment.

Traffic and parking.

Nature conservation

Planning obligations

Principle of Development and Planning Policies.

15. The impact of out of centre development in combination with a range of national economic and social forces, has contributed over time to the decline of some of the Borough's traditional town centres. In Stourbridge a range of problems have been faced including increases in vacant and obsolete floorspace, constraints on

development and re-development opportunities, a decline in the range and quality of shops and other attractions and a poor image in the eyes of potential investors.

16. As a result of such issues the Council engaged consultants to prepare the Dudley Retail Study, which advised upon a strategy for allocation of new retail floorspace between the Borough's town centres. This study informed the preparation of the now adopted 2005 UDP which identified a hierarchy of town centres (including Stourbridge) to be sustained and enhanced by the provision of a range of competitive convenience shopping facilities, including at least one major foodstore of over 2,300 square metres (gross) and a range of comparison shopping to meet local and specialist needs.
17. Policy CR1 therefore identifies potential in Stourbridge town centre for the provision of some 4,500 square metres (gross) of additional mixed comparison shopping together with the provision of a further town centre foodstore.
18. The West Midlands Regional Spatial Strategy: Phase Two Revision – Draft Preferred Option December 2007, maintains Stourbridge within a number of “non-strategic centres” under Policy PA12B which states that local authorities should be proactive in encouraging appropriate development to enhance their function as town and district centres. The main focus of the non-strategic centres will be on meeting local needs, in particular, convenience shopping; the provision of local services and a limited amount of comparison shopping.
19. The targeting of retail floorspace to enhance the vitality and viability of Stourbridge in accordance with Policy CR1 and RSS is specifically re-iterated in Policy CR2 which identifies the need for a large foodstore to act as both a catalyst for regeneration and to anchor the shopping function. The requirement for 4,500 square metres (gross) of new comparison floorspace being determined by the ‘physical’ and economic capacity, underlying market demand and principles of sustainability. Delivery of a major foodstore of some 5540 square metres and an additional 2763 square metres of retail floorspace will accord with this policy.

20. In order to provide a focus for new investment and to maintain compact and attractive shopping areas, Policy CR5 seeks to concentrate retail activity within Retail Core Areas of town centres. The Policy also identifies upper floors of development as a preferred location for new residential uses along with convenience short stay parking facilities. High quality design which is sympathetic to its surroundings in terms of size, scale, mass, form and accessibility is also sought.
21. The Stourbridge Town Centre Inset of the adopted UDP places the application site within Block 5 and the Retail Core of the town referred to in Policy CR5 above. The site is also partly located with Opportunity Site (B), is located adjacent to Town Square and contains Pedestrian Link, subject to Policy STC 1.
22. Block 5 of the inset is subject to Policy STC2 (v) which seeks to accommodate retail and residential (upper floor only) uses as preferred options. The Bell Street multi-storey car park forms part of Opportunity Site B of the inset for redevelopment potential. The policy notes opportunities for redevelopment to present a more active and attractive frontage to the ring road, traffic management in Bell Street, replacement of the Multi-storey car park (and link to the Crown Centre) and reinstatement of the former route of New Street for pedestrian access and possible servicing. Preferred uses for the opportunity site are retail, residential and car parking.
23. The proposed retail, car parking and residential uses therefore accord with Stourbridge Town Centre policies of the UDP and provide the opportunity for an active and accessible retail frontage to the ring road. Although aspirations for reinstatement of New Street cannot be delivered due to development constraints and level changes, the development does enable a link to New Street from Bath Road through the proposed Market and via a travelator. Traffic Management in Bell Street will also be delivered as part of the wider scheme in the form of signalised crossings.

24. In terms of Regional and adopted UDP policies the location, nature and principle of such uses is supported and further reaffirmed within Government PPS6 – Planning for Town Centres.

Scale, appearance and urban design

25. The delivery of regeneration aspirations within a town centre location compromised by site, highway and heritage limitations will inevitably result in difficulties accommodating the quantum of retail, car parking and residential units needed to make such a scheme viable. In this instance an additional complication has arisen as a result of the retention and extension of the Crown Centre and the redevelopment of the former Bell Street car park.
26. In order to accommodate a modern superstore and appropriate levels of car parking, an additional parking deck has been added to the Crown Centre and two further levels have been added above the existing scale of the Bell Street car park. Furthermore, this application has been the subject of negotiations with officers relative to the scale and mass of development which has resulted in the submission of revised plans.
27. In order to assess the impacts of the scale of development relative to the town centre, consideration has been given to the context of views from the High Street, Crown Lane and Bath Road.
28. From the High Street the Crown Centre and additional parking deck over is viewed in the context of the adjacent Grade II listed Market Hall and buildings located within the High Street Conservation Area.

From this viewpoint and as demonstrated by streetscene representations, the development is of a similar scale to the Market Hall and is not considered to have a detrimental impact upon the streetscene. Due to the significant set-back of upper levels of the redeveloped Bell Street buildings, there is not considered to be a

detrimental impact upon the setting of the High Street, especially if considered from a street level view.

29. From Crown Lane, where levels fall towards the ring road and the scale of development increases consequently, the additional deck of parking does not project above the top of existing building elements and consequently the additional scale of development is not considered to result in an adverse impact. Again, the significant set-back of elevated sections of the building from this viewpoint and at street level means that no adverse impact will result.
30. From Bath Road with views from the north and south, the full height and scale of the maximum nine storey development can be assimilated. From these viewpoints the development is seen in the context of broad footways, a three lane highway and the fourteen storey high Baylie and Kennedy Court block of flats. Significant revisions have been made to the scale and mass of development from this viewpoint by setting back the majority of upper level flats from this elevation and from Bell Street to a diminishing pinnacle. This treatment significantly reduced the scale and mass of the development in comparison to the originally submitted plans which indicated a more monolithic structure. In conjunction with other alterations to the appearance of the building, the development is now considered to be of an acceptable scale relative to the wider context of which it is viewed and with no adverse impact upon the streetscene.
31. Further composite streetscene views of the development have been submitted at the request of officers, to demonstrate the setting of the buildings within the town centre from a number of locations. These views are considered to satisfactory demonstrate that impacts are limited and the scale of the development is therefore acceptable.
32. In assessing the appearance of the building the viewpoint from High Street, Crown Lane and Bath Road were again the subject of detailed consideration. In terms of integration with the High Street, the frontage upper elements of the Crown Centre are now to be rendered to reflect the treatment and panels of the adjacent listed

Market Hall. The existing visually heavy canopy entrance to the Crown Centre is to be removed and replaced with a visually lighter glazed canopy of a higher level which is set back beyond the listed building. The canopy is also cantilevered off the Crown Centre and will not touch the listed buildings.

33. The question of the 'visor' canopy as indicated to the Crown Centre frontage has been the subject of a number of revisions which are still not considered to be appropriate to the appearance of the historic environment. On this basis, and with the applicant's agreement, the provision of this feature and glazed mall frontage will be the subject of a condition and approval of appropriate details.
34. From Crown Lane and notwithstanding the additional parking deck, a significant lifting of the appearance of the building is achieved by the insertion of windows into currently blank areas of brickwork. The windows help to break up the mass of the building by providing additional vertical emphasis, activity at ground floor and views into the superstore at upper levels.
35. The addition of the extra parking deck and removal of internal columns to provide the wider internal areas required by modern superstore operators has resulted in the addition of external supporting columns to the exterior of the remaining Crown Centre building. These columns give an added visual benefit of providing additional vertical emphasis to the building, thereby breaking up existing horizontal mass.
36. The Bath Road elevations have a good mix of vertical and horizontal elements to reduce mass and are indicated to have a good quality brick facing to match the Stourbridge vernacular. Upper residential levels proposed with a lighter composite panel appearance and balconies to add activity.
37. Most importantly in terms of both appearance and urban design, the Bath Road frontage is predominantly glazed at ground floor level to give views of and access to the proposed Market hall

The access to, and through the Market hall to New Street, albeit via a travelator, gives legibility and permeability to the development which is in accordance with the aspirations of Policy STC 2(v). Further activity is provided at first floor to the rear of retail units fronting New Street. Here activity and legibility is maintained with access into the shops and residential accommodation.

38. Pedestrian linkages are maintained to the Crown Centre over New Street via a raised pedestrian priority crossing where pedestrian links are maintained with a lift and stepped access. Lifts are to be glass faced to maintain views into the centre and maintain community safety. Thereafter pedestrian linkages are maintained at current levels of accessibility with a new predominantly ramped and stepped access from High Street. Though there is no specific entrance to the store from High Street, activity will be viewed through windows and congregation encourages in the proposed square area by seating steps.
39. Indicative proposals for the creation of a Crown Square, off High Street with landscaping and a public art feature. As with the proposed visor/canopy these proposals need to be developed further and will be the subject of specific condition that takes into account outstanding highway and townscape considerations. The existing Automaton public art feature is to be located within the revised Crown Centre.
40. Within the complex environment of the town centre overall, the proposed development is considered to make a positive contribution in accordance with policies DD1, DD3, DD7, STC1 and STC2(v) of the adopted UDP.

Historic Environment

41. Following the receipt of amendments to confirm the set-back of the high level glazed canopy, that the canopy will not touch the adjacent listed Market Hall and that the visor canopy is not approved as currently indicated, no Historic Environment objections are raised. Whilst the panel rendering of the Crown Centre frontage is considered appropriate in the context of the adjacent Market Hall, the

proposed 'visor canopy' was considered to be inappropriate in terms of scale, horizontal emphasis and mark up, which did not demonstrate compartmental detail construction. With the omission of details pertaining to this item which will be the subject of further submissions, the development is considered to be in accordance with Policies HE4 and HE6 of the adopted UDP with the amenity of the vicinity maintained or enhanced.

Traffic and Parking

42. Following additional modeling and assessment of the submitted Transport Statement, the Group Engineer – Development has no outstanding concerns relative to traffic impacts, car parking numbers, access or layouts for both retail and residential elements. No impacts are considered likely to arise from servicing of the superstore and market proposals. Issues are still to be resolved relative to servicing arrangements for retail units 5a and 5b above the indoor market and to this end a condition is requested in order for an appropriate scheme to be agreed. To this end the indicated service lay-by on new Street should be disregarded.
43. On the basis of consideration given to the Transport Statement the provision of car parking numbers at levels appropriate to location and the provision of significant levels of cycle parking, the development is considered to comply with the requirements of Policies CR12, DD6 and AM14 of the adopted 2005 UDP.

Nature Conservation

44. As a result of bat sightings in the vicinity of the Crown Centre basement service area, a detailed Bat Survey has been undertaken from which little potential for roosts or habitat has been established. Notwithstanding these findings mitigation measures have been submitted to and have been agreed by the Council Nature Conservation Officer. No concerns are raised on this basis and the development is considered to accord with Policy NC6 of the adopted 2005 UDP.

Planning Obligations

45. As a development involving the erection of more than 15 dwellings, a requirement would arise for the provision of 30% of the total as affordable dwellings on site in accordance with Policy H5 of the adopted 2005 UDP. The policy does however indicate that affordable housing will be secured, where appropriate having regard to criteria including 'any exceptional costs associated with the site above those normally encountered'.
46. Due to the very considerable costs of adaptations to the Crown Centre buildings to accommodate the functions of a modern superstore with appropriate levels of car parking, financial returns normally to be expected to accrue to a developer will not be provided with this scheme.
47. Detailed financial assessments have been provided to the Council's Strategic Surveyor who has concluded that the developers returns could not support the provision of affordable housing at any level on this site. The residential element (which is fully supported under Policy CR13) effectively providing necessary subsidy for the development. On this basis, and with regard to the important regeneration role the development would play in enhancing the vitality and viability of the town, it is considered affordable housing should not be required relative to criteria 4 of Policy H5.
48. In accordance with Policies DD7 Planning Obligations and DD9 Public Art, a lesser requirement arises which will not compromise the viability of the development and can be delivered as part of proposals for the creation of Crown Square. A commuted sum payment will be required for the enhancement of public open space and children's play area provision.

Procedural Information

49. It should be noted that should the Development Control Committee resolve that the

application be approved, due to the development involving retail floorspace of over 2500 square metres, regulations require that this application must be referred to the Government Office for the region for consideration and possible intervention. A period of three weeks (which may be extended) is provided before such a decision is made.

Conclusion

50. The proposed development will deliver town centre retail development of a form that will anchor the retail function with associated car parking and residential development that as a whole will contribute to the vitality and viability of Stourbridge. The overall scale, mass and appearance of the development is considered to be appropriate to the varied contexts from which it will be viewed and no adverse impacts will result upon interests of the historic environment. Pedestrian access is maintained or enhanced as is permeability and legibility of the town centre with active frontages replacing those which do not function appropriately in terms of good urban design. Subject to conditions the townscape will be improved with appropriate levels of car parking and servicing arrangements being provided. No adverse impacts will result upon nature conservation interests. Although the development will not deliver affordable housing due to financial constraints, this is an acknowledged exception within the relevant policy and other requirements such as Public Art and the enhancement of open space/children's play will be provided.

Overall the development will deliver significant regeneration benefits to Stourbridge town centre whilst avoiding adverse impacts in accordance with Policies CR1, CR2, CR5, CR12, STC1, STC2(v), DD1, DD3, DD6, AM14, DD7, DD9, H5, HE4 and NC6 of the adopted 2005 Unitary Development Plan and Policy PA12B of the West Midlands Regional Spatial Strategy:- Phase Two Revision.

Recommendation.

51. It is recommended that subject to:-

- a) Referral to the Government Office for the West Midlands under the Town and Country Planning (Shopping Development) England and Wales (No. 2) Direction 1993; and no objection being raised that:-
- b) The application be approved subject to the development not beginning until a scheme for the submission and approval of the planning obligation to guarantee the payment of a commuted sum of £85,302.72 for the enhancement of off site public open space and children's play areas and the provision of a new public art feature within or adjacent to the development site, has been submitted to and agreed in writing by the local planning authority.
- c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments to these as necessary.

REASON FOR APPROVAL

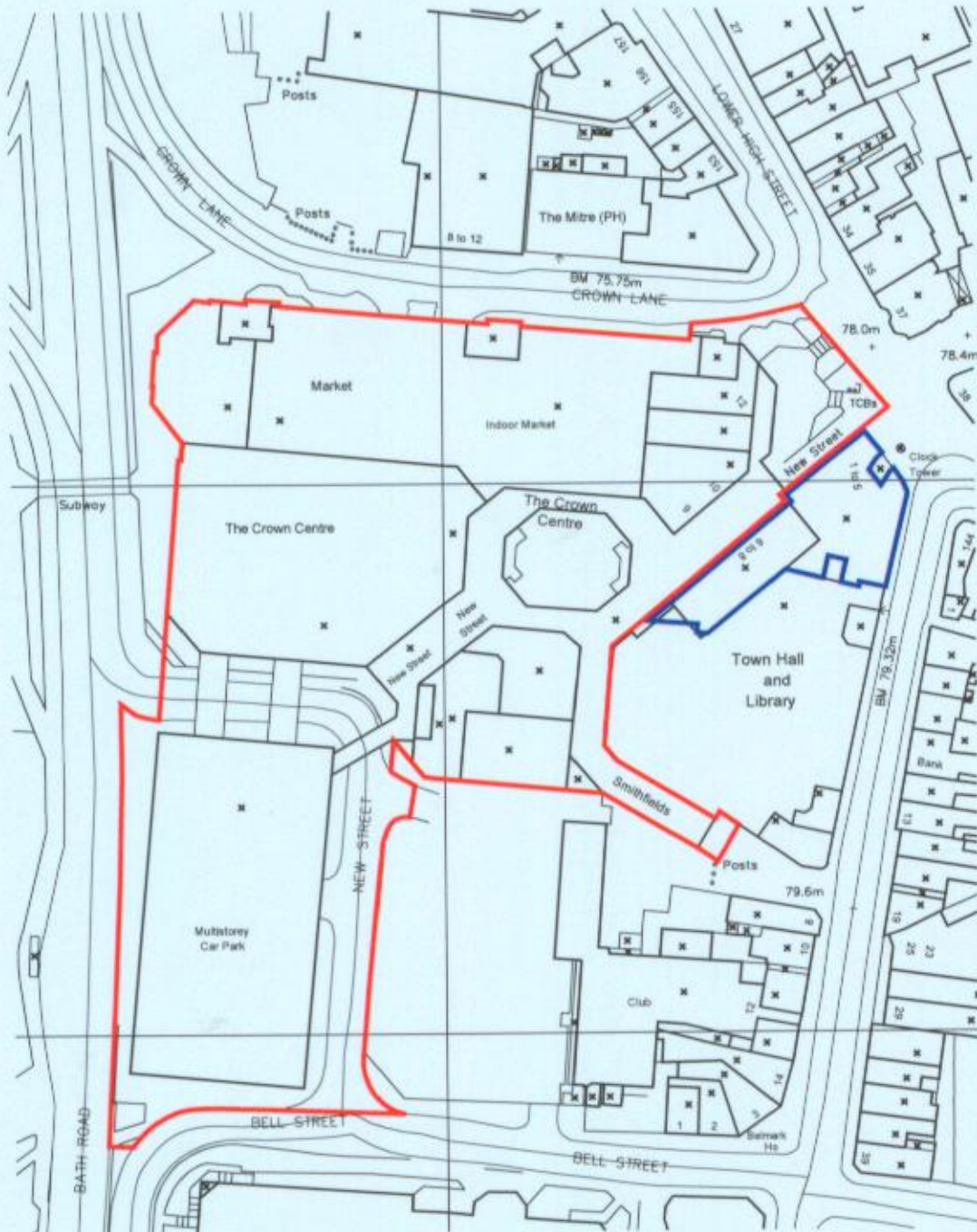
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INFORMATIVE

For the avoidance of doubt, this permission shall relate to the following drawing numbers except where elements of such drawings are excluded by specific conditions 0-001, 0-002F, 0-002F, 0-006E, 0-007D, 0-008, 1-101L, 1-1020, 1-103J, 1-104J, 1-105L, 1-106H, 1-108A, 2-101F, 2-102C, 2-103, 2104, 3-100F, 3-101G, 3-102E, 3-103E, 3-104F.

Port 1599
location plan



SITE BOUNDARY ———
ADJACENT LAND OWNED OR
CONTROLLED BY APPLICANT ———

SIZE OF SITE :
11,787.31 Sqm
126,877 sqft
2.913 acres

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Rev.

MODUS PROPERTIES, STOURBRIDGE

TITLE

LOCATION PLAN

Drawn	Date	Scale
GG	JAN 07	1:1250 @ A4
Job No	Draw No	Rev
1MP34	0-001	-