

PLANNING APPLICATION NUMBER:P08/0243

Type of approval sought	Full Planning Permission
Ward	HALESOWEN SOUTH
Applicant	Asda Stores Ltd
Location:	ASDA STORES LTD, THE CORNBOW CENTRE, QUEENSWAY, HALESOWEN, WEST MIDLANDS, B63
Proposal	INSTALLATION OF MEZZANINE FLOOR TO CREATE CUSTOMER CAFE AND TOILETS, CHANGING ROOMS, TOILETS AND RESTAURANT FOR STAFF AND OFFICE AREA
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

- 1 The application site comprises the western section of the existing Cornbow shopping centre, and adjoining land fronting onto Queensway. This site is currently being redeveloped to accommodate a new food store on 2 levels with a four level multi-storey car park on top (by virtue of planning permission P05/0878). This is part of wider redevelopment proposals for this part of the town, consisting of a new bus station and road realignment.
- 2 The site is within the Town Centre, with other commercial uses adjoining it. Halesowen bus station is located immediately adjacent to the affected part of the Cornbow Centre. Further west, across Queensway, is the Andrew Road car park, and beyond that, flats. To the south of the site, again across Queensway, is a mixed business and residential area.

PROPOSAL

- 3 This is for a proposed mezzanine floor, to be suspended above the upper (Queensway) level of the store, comprising 964 square metres of floorspace (this is in addition to the 6970 square metres of floorspace for the rest of the store).

- 4 The mezzanine floor is shown to accommodate –
 - A customer restaurant and toilets;
 - Staff restaurant, toilets, changing area and training room.

- 5 The staff facilities were originally approved in the basement area of the store. The customer facilities are new. The toilets are in addition to the toilets at the Queensway level (the applicants have confirmed this).

- 6 The works are primarily internal – the only change to the external envelope being windows to the staff restaurant, overlooking the service yard on the southern elevation (next to the car park egress ramp).

- 7 In support of the application, the applicants have submitted a design and access statement and information clarifying the amount of retail floorspace.

- 8 Amended plans have been submitted to show ambulant cubicles in the male and female toilets (in response to concerns expressed by Access in Dudley). An additional cross section has been provided to show the mezzanine floor from within the store.

HISTORY

- 9 A summary of the planning history is set out below.

<u>APPLICATION</u>	<u>PROPOSAL</u>	<u>DECISION</u>	<u>DATE</u>
98/51889	Outline – retail and leisure	Approved	23.04.1999
P05/0878	Redevelopment of Cornbow Centre to provide 2 level retail store and replacement multi storey car park.	Approved	24.04.06

PUBLIC CONSULTATION

- 10 No representations have been received.

OTHER CONSULTATION

- 11 Group Engineer (Development) – no objections (in view of the site's position within Halesowen Town Centre and that the proposals are ancillary to the retail store).
- 12 Access in Dudley – ambulant cubicles are required in the male and female toilets.

RELEVANT PLANNING POLICY

- 13 Unitary Development Plan (adopted 2005)
- DD3 – design of retail development
 - DD6 – access and transport infrastructure
 - DD7 – planning obligations
 - CR1 – hierarchy of centres
 - CR2 – expansion of centres
 - CR4 – protected frontages
 - CR8 – new retail development
 - HTC2 (i) – Halesowen Town Centre Development Blocks
 - AM15 – personal mobility

Supplementary Planning Documents

Parking and travel plans

Planning Obligations

Planning Policy Statements

PPS6 – Planning for Town Centres

ASSESSMENT

- 14 The key issues are –
- Principle (of the additional floorspace)
 - Design
 - Planning Obligations

- Disabled access

15 Principle

The submitted information specifies that the mezzanine itself would account for 967 square metres of additional floorspace of which 225 square metres will be used as a customer restaurant and the remainder for staff facilities - administration, changing, toilets and a restaurant.

16 The staff facilities had previously been approved at the back of house on the lower level – that area is now proposed for storage. The only new additional facility within this proposal is therefore the customer restaurant.

17 The original permission for the retail store (P05/0878) allowed for the provision of 6970 square metres of new floorspace, of that 4587 square metres was sales area.

18 As part of the submissions with the current application, the applicants have stated that they do not intend to utilise the total retail floorspace they have had permission for – even after accounting for the customer restaurant within the proposed mezzanine, this would equate to 4452 square metres or 135 square metres less than the sales area which they have had approval for.

19 Given the lower total figure of retail sales area arising and that the proposed development falls within Halesowen Town Centres Retail Core Area, it is not considered necessary for the applicants to have to have submitted a needs assessment or a sequential test with this current application.

20 However, should the whole of the mezzanine floorspace be used for retail sales (perhaps in the future), then this may raise planning policy concerns or at least the potential need for a further assessment on retail impact. A relevant condition is therefore recommended to prevent any increase in retail sales area. Subject to this condition, it is considered that the proposal will not negatively impact on the vitality and viability of the Borough's centres.

21 Design

The additional windows, proposed to be installed in the southern elevation overlooking the service yard, helps to add relief and interest to this relatively blank façade. It also gives contact with the outside world from staff within the restaurant. This is therefore considered to be a positive design feature.

22 Planning Obligations

The proposed increase in floorspace triggers a requirement for an arrangement to be entered into for the provision of planning infrastructure in accordance with the Council's adopted Planning Obligations SPD. This is now achieved through a recommended condition. A relevant condition is therefore recommended.

23 Disabled Access

The applicants have agreed to address the comments of Access in Dudley and provide for ambulant cubicles in the male and female toilets. Amended plans are therefore anticipated – an update will be provided at the committee meeting as necessary.

CONCLUSION

- 24 As the proposal will not give rise to additional retail sales area, subject to suitable controls being in place, the potential impact on the viability and vitality of existing centres is not at issue. The amendments to the external elevation are considered positive in terms of design, and there is no harm to highway safety arising. The proposal is therefore considered in compliance with the provisions of the development plan, in particular policies DD3, CR5 and HTC2 of the Unitary Development Plan.

RECOMMENDATION

- 21 The application be approved subject to
- a) the development not be beginning until a scheme for the submission and approval of a planning obligation to guarantee traffic infrastructure improvement

monies has been submitted to and agreed in writing by the Local Planning Authority.

b) the following conditions, with delegated powers to the Director of the Urban Environment to make the necessary amendments to these as necessary.

Note for applicants

A. This permission relates to the amended plans deposited on.....

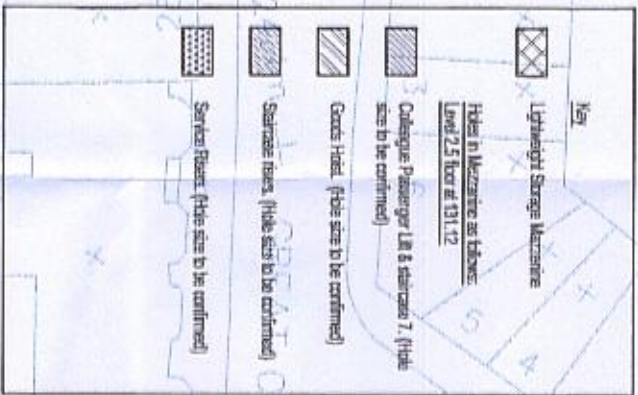
Reason for approval

As the proposal will not give rise to additional retail sales area, subject to suitable controls being in place, the potential impact on the viability and vitality of existing centres is not at issue. The amendments to the external elevation are considered positive in terms of design, and there is no harm to highway safety arising. The proposal is therefore considered in compliance with the provisions of the development plan, in particular policies DD3, CR5 and HTC2 of the Unitary Development Plan.

Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development shall not be begun until a scheme for the provision of a means to guarantee the financial payment of monies to be agreed for transport infrastructure improvements and the managing and monitoring and spend of those monies has been submitted to the LPA for approval.
The scheme shall include the method, timing and arrangements to comply with the LPA's policies for the provision of the infrastructure required in connection with the proposed development.
3. Unless otherwise agreed in writing by the Local Planning Authority, there shall be no increase in the net sales area for durable and convenience goods within the wider development site (defined by planning permission referenced P05/0878) resulting from this development, above that which was approved under the terms of permission P05/0878.

XREF'S IN THIS DRAWING



Boundary of adjacent land

Application site boundary

RECEIVED
15 FEB 2008
DIRECTORATE OF THE
TERRA INSTITUTE

BOWMER & KIRKLAND

HALESOWEN

QUEENSWAY LEVEL

PLANNING

DRAWN	GSH	CHECKED
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JAN 2008

41 90E

ARCHITECT
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A	APL	CO	CO

deposited 17/3/08
Addendum plan
Pg 10/243

No.	Date	Description	Drawn Out By
CLIENT			
BOWMER & KIRKLAND			

PROJECT
CORNBOW CENTRE
HALESOWEN

CROSS SECTION
GRID LINE 3

PLANNING STATUS	
PLANNING APPROVAL	
DESIGN CAL	CHECKED
SCALE	1:2000A1
DATE	14/03/08

DRAWING NUMBER
 REV
 07-037 A PL 08

