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Application Number: 2013/05304/PA

Accepted: 18/07/2013  
Application Type: Full Planning

Target Date: 17/10/2013  
Ward: Hall Green

**Stratford Road/Wycombe Road, Hall Green, Birmingham, B28 9EH,**

**Erection of a new retail food store (Use Class A1) with associated parking and landscaping.**

**Applicant:** Aldi Stores Limited  
Holly Lane, Atherstone, Warwickshire, CV9 2SQ

**Agent:** Dalkin Scotton Partnership Architects Limited  
216 Fort Dunlop, Fort Parkway, Birmingham, B24 9FD

**Recommendation**

**Approve Subject To Conditions**

1. **Proposal**

1.1 This application is for the erection of a new single storey retail food store with associated car parking and landscaping on a former car showroom and repairs site located on the corner of Stratford Road and Wycombe Road. Vehicular access to the site would be directly off Stratford Road using a slightly repositioned existing access point. The store would be set back approximately 20m from the site frontage and approximately 12m from the adjacent retail parade frontage to accommodate car parking and deliveries within the site along with the store itself.

1.2 The proposed car park would provide 60 car parking spaces including 4 accessible spaces and 6 parent and child spaces along with 8 cycle spaces. A single entrance/exit is proposed, which would also be utilised by the delivery vehicle. Storage and loading activities would be located to the side of the store adjacent to the boundary of the site with 2-6 Wycombe Road. Goods would be delivered to the store via a dedicated loading bay positioned away from the store’s customer entrance. The delivery area would be constructed with a delivery ramp, canopy and dock leveller system that allows unloading without any external activity such as forklifts, cages or scissor lifts ensuring an efficient delivery with the least impact on adjacent occupiers.

1.3 The main height of the building is approximately 5.5m above finished floor level, which is achieved with efficient use of structural elements to ensure a clear span over the retail space and minimum building heights. At the front of the store facing Stratford Road is a tower feature which has an overall height of approximately 8.2m. The building is approximately 59m long and 31.35m wide including side loading bay on the southern elevation. The ground floor area of the store would be 1,380sq.m.

1.4 The proposed store entrance would have a large overhanging canopy that would provide focus as to the entrance location whilst providing a dry area for trolley storage and cycle parking along with a large glazed area that would provide an active frontage to the adjacent public areas whilst adding interest and natural daylight into...
the main retail space. The entrance and exit doors would be located in the North West corner adjacent to the existing shopping parade.

1.5 Proposed opening hours are 0800-2100 hours Monday to Saturday and 1000-1600 hours on Sundays.

1.6 The store would generate 10 full time and 7 part time positions.

1.7 The application is supported by a design and access statement, bat emergence survey, Phase 1 ecological survey, noise impact report, retail impact assessment, statement of community involvement, transport assessment and an arboricultural survey and method statement.

1.8 Pre-application discussions were undertaken and favourable advice for the site’s redevelopment for a retail food store was provided.

1.9 Site area 0.47ha.

Front Elevation

Proposed Site Plan

2. Site & Surroundings

2.1 The site was formerly a car showroom with associated garage / workshop buildings and hard standing areas, but due to the previous occupier ceasing trading from this location, the site now lies derelict with boarded up buildings. The site is ‘L’ shaped and the majority of existing buildings on site are located within the length of the site rather than the frontage width, which was used for car display and customer car parking.

2.2 Apart from an area to the rear of the existing buildings, the majority of the site (80%) is located within the local centre boundary of the Highfield Road, Hall Green Neighbourhood Centre and sits adjacent to the adopted Primary Shopping Area (PSA).

2.3 The site fronts on to the Stratford Road (A34) on the corner where it meets Wycombe Road approximately 1km, south east of Hall Green railway station. Vehicular access is off the Stratford Road, left turn into the site also in a south easterly direction. Adjacent to the site in a northerly direction are a row of small businesses including a Post Office and a butchers and approximately 100m further a Waitrose supermarket. The site is bounded in other directions by residential properties. A mosque is located at 1 Wycombe Road.

2.4 The site is readily accessible by all modes of transport, and within easy access of the main road networks. A number of bus stops are situated close to the site entrance on Stratford Road forming part of a local public transport network to the area.

2.5 The site is covered by a Tree Preservation Order pertaining to the rear, undeveloped portion of the application site.

Site Location

Street view
3. Planning History


3.3. 9 May 2000. Application reference 1999/04128/PA. Planning permission granted on appeal for the change of use for the display and sale of motor cars and alteration of means of access to highway.

3.4. 1 June 2001. Application reference 2000/04386/PA. Planning permission granted for the use of premises for the sale of motor cars, the display for sale of a maximum of 30 motor cars and ancillary staff and customer parking areas, construction of display and circulation areas and alteration of means of access to highway.


3.6. 21 February 2013. Application reference 2012/08330/PA. Withdrawn application by the applicant due to need for further bat surveys for the erection of new retail food store with associated car parking and landscaping.

4. Consultation/PP Responses

4.1. Local residents, Ward Councillors, MP and Resident Associations notified. Site and press notice posted. 83 letters of support and 218 letters of objection have been received these include objections from all three Ward Councillors – Councillors, Smith, Bowles and Burden and Roger Godsiff MP (albeit that all are in support of the site’s redevelopment in principle). Also received are 2 petitions in support of 8 and 28 signatures respectively and three petitions in objection of 130, 110 and 112 signatures respectively. An online petition in objection has also been running, outside the Local Planning Authority’s (LPA) public participation exercise, that has been copied to the LPA and contains 35 signatures many of which have already been counted in the objections received. Councillor Burden has met with the applicant and whilst a number of concerns have been addressed, he considers the issue of traffic and parking remains.

4.2. The letters of objection are based on the following grounds:
   - Increased noise and traffic
   - Noise impact from refrigeration units
   - Litter
   - Aldi would ruin family-run businesses & independent retailers
   - No need for another supermarket, Loss of jobs from neighbouring shops
   - Other community facilities are needed in the area instead of this proposal
   - Loss of trees and wildlife
   - Tree planting at the front of the site should be secured
   - Would become a hazard to pedestrians as there is a school nearby
   - Very close to properties increasing risk of vandalism and burglaries
   - Parking insufficient and will increase parking in surrounding roads
   - Site access is close to existing bus stop – dangerous location.
   - Site should be used for housing, has any interest been shown?
- Design is poor.
- Proposal is too large for the site – should be 75% of what is proposed
- Opening hours should be no more than Waitrose.

4.3. The letters of support are based on the following grounds:
- Will be an asset to the area
- Would see the redevelopment of a site that is currently an eyesore
- Will create jobs
- Will reduce parking problems in the area
- Could pave the way for traffic calming
- Provide a better and wider choice, quality and value, aid competition locally
- Will be good for people travelling by bus
- Will be good for the local community, Will support the local centre
- Will increase footfall to Hall Green, thereby helping independent retailers.

4.4. Transportation- no objection subject to safeguarding conditions relating to parking and delivery management, cycle parking, S278 agreement and travel plan.

4.5. Regulatory Services – no objection subject to safeguarding conditions relating to contaminated land, acoustic fencing, plant and the submitted noise assessment.

4.6. Environment Agency – no objection subject to conditions relating to land contamination and controlled waters.

5. **Policy Context**


6. **Planning Considerations**

   **Retail Issues**

6.1 The UDP advises at paragraph 7.23 that proposals for additional retail development/redevelopment in existing centres will normally be encouraged provided the scale of the new development is appropriate to the size and function of the centre; is well integrated; has no significant adverse effect on the continued vitality/viability of an existing shopping centre as a whole; and maintains a range of shops to meet the needs of local communities. The retail policies of the UDP are in accordance with the retail policies of the NPPF.

6.2 Following the publication of the NPPF, the City Council adopted its Shopping and Local Centres SPD. This centre is identified as the Highfield Road, Hall Green Neighbourhood Centre. Such a Centre is stated as including “a range of small shops of a local nature serving a small catchment. Typically local centres might include amongst other shops a small supermarket, a newsagent, a post office and a pharmacy. Other facilities could include a hot food takeaway and launderette." The SPD identifies the centre boundary and a primary shopping area. Based on the SPD, the application site sits primarily 80% within the centre boundary and adjacent to the primary shopping area. Most importantly, the site frontage and store entrance are completely within the local centre’s boundary.
6.3 Paragraph 24 of the NPPF states that “Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.”

6.4 Paragraph 26 goes on to state “when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, Local Planning Authorities should require an impact assessment if the development is over a proportionate, locally set floor space threshold (if there is no locally set threshold, the default threshold is 2,500sq.m)”. As the development proposed falls below this threshold, an impact assessment is not required however one has been submitted by the applicant for completeness.

6.5 The Draft Birmingham Development Plan (December 2010) in Policy SP19 (Convenience Retail Provision) states that the City Council “will support in principle convenience retail proposals within centres included in the network of centres subject to proposals being at an appropriate scale for the individual centre”.

6.6 Planning permission is sought for a 1,380sq.m food store predominantly within and part-adjacent to the neighbourhood centre boundary and therefore the principle of development is acceptable and in accordance with the policies of the adopted and draft Development Plan and the NPPF. The applicant has submitted an impact assessment on the basis that the site sits outside but within 300m of the primary shopping centre and could therefore be considered as edge of centre. Whilst this approach is advocated by the former PPS4 Practice Guidance (not revoked by the NPPF), in this instance, the LPA considers the site to be ‘in centre’ rather than ‘edge of or adjacent to’.

6.7 The applicant’s Retail Assessment has identified a Primary Catchment Area (PCA) for the proposed store which is informed by a consideration of existing food store provision (including existing Aldi stores) and shopping patterns within the area. The size of the proposed store, nature of existing provision and the characteristics of the local area indicate that the proposed store is likely to draw the vast majority of its trade from the resident population within the catchment (centred on Highfield Road, Hall Green centre). Aldi is already represented in the surrounding area by stores at Acocks Green District Centre (to the north-east) and Shirley (in the Solihull authority area - to the south). There are four designated neighbourhood centres located within the PCA: Highfield Road, Hall Green (application site); The Parade, Hall Green; Olton Boulevard (Fox Hollies); and Robin Hood. Collectively these provide the main focus of food shopping provision in the PCA. Other out of centre stores make up the remainder of PCA provision.

6.8 The applicant’s assessment of the centres within the PCA concluded that Hall Green is served by a number of neighbourhood centres each with its own modest convenience representation. Highfield Road centre is currently anchored by a modestly-sized Waitrose food store, albeit the centre is under-represented in convenience and comparison retail terms (i.e. below the national average). Vacancy rates at the centre are also above the national average. There is no deep discount representation at the centre coupled with a lack of choice and competition generally.
The applicant’s assessment considers the accessibility and environmental quality of the centre to be high. The assessment also considers that the Parade centre to the north of PCA is, proportionally, under represented in convenience terms. However convenience representation at Robin Hood centre is above the national average. Olton Boulevard is anchored by a deep discount Lidl store. A sequential site search within the PCA centres found that there were no available, suitable or viable sequential sites. The Impact Assessment concludes that the proposal will not significantly adversely impact on any existing, committed or planned public and private investment within any centre neither within the PCA nor on the vitality and viability of the Highfield Road, Hall Green centre and all other centres in the PCA.

6.9 The applicant’s assessment was undertaken on the basis that the site could be considered as edge of centre and on that basis required a sequential test and impact assessment to be undertaken. The conclusions of the assessment consider that the proposal (if considered edge of centre) would still be in accordance with the Development Plan and the NPPF and therefore acceptable in principle and I agree with this assessment. It is worthy of note that the need test has long since been removed from retail planning policy and whilst many of the objections received relate to the issue of need, this is no longer a consideration.

Design

6.10 Due to the size and shape of the application site, the options for proposed store location are limited and allowing for car parking and servicing issues, is confined to the centre and rear parts of the site, at the rear of residential gardens in Wycombe Road. Part of this rear portion of the site is currently occupied by former car repair garaging for the former car showroom, while the area furthest to the rear is undeveloped.

6.11 The proposals would see the store being located in this central and rear portion of the L-shaped site with the car parking being located to the front of the store. Whilst in design terms it would usually be preferable to follow the building line, I note many of the existing buildings are set back, and the store proposes a setback also. This is the only realistic option for the site, to avoid parking at the rear cut-off from the public realm. Following pre-application discussions and during the previously withdrawn application, slight amendments have been undertaken to move the building forward as much as possible and to reduce the incursion into the rear area by altering the proposed building footprint. This reduction has also increased the distance separation slightly to the rear garden boundaries of properties in Wycombe Road.

6.12 Although set back from the adjacent parade, I consider the store’s integration with the centre would be acceptable. The glazed front elevation and canopy of the store would front the car park and Stratford Road and the entrance doors would be located on the front elevation, closest to the adjacent building. Designing out crime is a key element of the proposal and natural surveillance is incorporated into the proposed development. The checkouts and glazed frontage would provide overlooking of the car park and entrance. I note the objections raised on grounds of increased risk of vandalism and burglaries. However, I consider that the redevelopment of the site and the increased site security that would be achieved by its redevelopment would reduce this risk and increase security for the residential properties that are located adjacent considering the premises are currently vacant.

6.13 I consider that the design and materials of the proposed store are crisp and modern and would complement the local centre which is primarily comprised of traditional buildings. The building in its modern design will form an end stop to the local centre
at the corner position. The entrance doors have been located adjacent to the existing buildings with a direct footpath link at this point to ensure that the store is viewed and accessed as being part of the centre without a walk across the proposed frontage car parking. The glazed elevation is welcoming and allows customers and passers by to view the activity within the building whilst providing an element of overlooking to the street and car park thereby increasing security and public safety.

Trees and Ecology

6.14 An ecological assessment has been completed in support of the application – extended Phase 1 habitat survey and daytime bat assessment carried out in October 2012, nocturnal bat activity surveys undertaken in May-June 2013. The surveys were completed by suitably experienced/qualified ecologists and followed good practice guidance.

6.15 The majority of the site comprises buildings and hard standing, to the rear of which is an area of recently (prior to October 2012) cleared land with trees (mostly sycamore, with some mature oak and ash) around the northern, eastern and southern boundaries. Many of the trees are ivy-covered. The remaining vegetation in this cleared area, particularly the trees, provides suitable nesting habitat for a range of bird species typically encountered in suburban neighbourhoods. The treed boundaries, together with neighbouring gardens, provide suitable habitat for foraging bats; these boundary trees should be retained wherever possible. The site provides very limited habitat opportunities for other protected/notable species such as common reptiles, common amphibians and terrestrial mammals.

6.16 The exterior of the buildings and the site’s trees were inspected and assessed for their potential to support roosting bats. A few potential access points were noted – gaps between soffit boards and external walls, gaps behind boarded up windows and above steel shutters and a hole in the external wall to the rear of one of the buildings. This latter access point was considered to have the greatest potential as the remaining features are on elevations fronting the busy, lit Stratford Road, which would make them less favourable for bats. The ivy-covered trees to the rear of the buildings were also considered to provide suitable roosting habitat, but no obvious cracks or crevices were noted.

6.17 As the buildings were not inspected internally, nocturnal bat surveys were also completed to determine whether bats were using the buildings for roosting, and to gain an understanding of bat activity across the site. Two dusk emergence surveys and one dawn re-entry survey were carried out. No bats were recorded emerging from/returning to the buildings or any trees during these surveys. However there is likely to be a common pipistrelle bat roost very close to the site as individual bats were recorded to the rear of the buildings around the time pipistrelles typically emerge from their roosts.

6.18 Although re-development of the site would result in the loss of vegetation which provides suitable habitat for nesting birds, foraging bats and other urban wildlife, on the basis of the various survey results there would appear to be no significant ecological constraints to development. The eastern part of the site (particularly if cleared vegetation becomes re-established) and the treed boundaries do contribute to the habitat resources in the local area. However, the relatively limited extent of suitable habitat on-site and the presence of alternative habitat in adjacent gardens mean that habitat losses associated with re-development are unlikely to have a significantly adverse impact on local wildlife.
6.19 To minimise adverse impacts, the reports recommend a number of good practice mitigation measures:

- Mature trees should be retained. Any works to trees (felling, canopy trimming, limb removal, ivy stripping etc) should take place between November and March in order to avoid the bird nesting season and to avoid the period when bats are most likely to use trees for roosting. Those trees to be removed or requiring tree works should be inspected by a licensed bat worker before works commence, and should be “soft felled” if no evidence of bats is found. NB If evidence of bats is found, additional safeguarding measures will be required.
- Any subsequent vegetation clearance should take place outside of the bird breeding season (i.e. avoid the period late Feb/early March-end August.
- Open trenches, machinery and other construction-phase hazards should be securely fenced off or covered at night to minimise the potential for badgers and other wildlife to be harmed.
- Habitat enhancement measures for bats (“bat-friendly” planting, bat boxes/bricks/tubes) should be incorporated in the scheme design.
- Low level lighting should be incorporated, as recommended in good practice guidance, to minimise adverse impacts on bats
- An additional bat survey should be completed if works do not start by June 2014.

6.20 The City’s Ecologist has reviewed the submitted information and has raised no objections to the proposed development subject to a number of safeguarding conditions. On this basis, I consider there would be limited impact on ecological issues and that the proposed development would be acceptable.

6.21 A tree survey has also been submitted in support of the application which notes that the site is covered by TPO 906. 24 trees were assessed on site comprising 15 Sycamore, 1 Hawthorn, 5 Oak, 1 Ash, 1 Cedar and 1 Willow. The proposal would require the removal of 2 Sycamores, 1 Oak and 1 Hawthorn. Two of these trees would require removal as they are assessed as Category R trees and two are Category C trees that are already in decline.

6.22 While the positioning of the rear of the store into the narrowing area brings it near to the boundary trees, the effects on root protection areas are limited by the existing retaining wall beyond the rear gardens of Wycombe Road. On the North side of the proposed store the trees are more compact and pruning to allow clearance to the building will not unduly affect the screening effect or the continued wellbeing of the group. The work will, however, be close to these trees and protective fencing will be important. My arboricultural officer’s view regarding the area tree protection order given to the trees at the rear of the existing garage is that the order is justified up to the point where a decision is made over the use of the site. If this proposal or a use similar to the current one is acceptable then these trees will have greatly reduced public amenity and the TPO would then be redundant.

6.23 My Arboricultural Officer has reviewed the assessment and proposals and has raised no objections to the proposal subject to safeguarding conditions relating to the retained trees. The replacement of the four trees required to be removed with new trees on the frontage would be a welcome gain in public amenity.

Noise and Amenity

6.24 Paragraph 123 of the NPPF identifies that decisions should aim to;

- “avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
• mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; and
• identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”

Policy SP54 of the draft Birmingham Development Plan identifies that noise sensitive developments should not be exposed to high levels of ambient noise from future development and should “maximise the distance between noise sources and noise sensitive uses and carefully consider the implications arising from the existing nighttime use of the locality.”

6.25 The submitted noise assessment has been carried out in accordance with BS4142:1997 and BS8233:1999. Two noise receptor positions were used during the course of the assessment that represented the rear dwelling noise climate for adjacent residential properties and a neutral location producing a background noise climate check. These locations were chosen to be representative for the residential dwellings yet be unobtrusive to minimise the risk of interference. Background noise levels have been measured to be approximately 50dBA in the daytime/evening and the lowest night time noise background to be 40dBA. The nearest residential property has been measured at 38dBA.

6.26 The assessment concludes that the noise impact from the main noise source (plant and machinery) would be substantially below noise criteria levels including the World Health Organisation Guidelines; would not require specific noise mitigation and when assessed against the criteria in BS4142, the development would fall within the ‘complaints unlikely’ category.

6.27 I note the objections raised in relation to noise from extra traffic and refrigeration units however, Regulatory Services have raised no objection to the proposed development and I concur with this view.

Contaminated Land

6.28 Paragraph 121 of the NPPF states that planning decisions should ensure that “the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation.”

6.29 A contaminated land assessment has been undertaken and has identified that there is a low to moderate risk of harm to construction workers from direct contact with ground contaminants however this risk can be reduced by the implementation of appropriate mitigation measures on site. Low to moderate risk to construction workers is also likely with respect to asbestos, which is suspected to be present within the existing buildings. The risk to the development end use is considered low across the site. The risk to ground water from localised chemical and oil sources at the site is considered to be potentially low to moderate dependant on the concentration and mobility of contaminants.

6.30 Regulatory Services (Contaminated Land) and the Environment Agency have reviewed the submitted assessments and have raised no objections subject to a number of safeguarding conditions relating to contamination and verification reports. On this basis, I consider the proposal acceptable in relation to contaminated land and controlled waters.
Transportation/Highway

6.31 Paragraph 32 of the NPPF identifies that decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."

This is supported by Policy SP36 of the draft Birmingham Development Plan relating to Accessibility Standards for New Development.

6.31 The constraints of the site and the building positioning on site has defined the access and egress point to the site, which has been sited to provide a safe vehicular movement point with appropriate vision splays. Lorry turning provision would be incorporated into the car park design allowing the delivery vehicle to enter and exit the site in a forward direction. Vehicular entry would be from the Stratford Road, with the entrance being repositioned to be more centralised to the site than the current access point. Egress from the site would be left turn only onto the Stratford Road. The existing access off Wycombe Road is not proposed to be used as an access point and would be removed as part of the required Section 278 Agreement and does not form part of this application.

6.32 The store would be positioned to the rear of the site with a proposed dedicated pedestrian pathway from the Stratford Road footpath through the site to the store entrance, linking in with adjacent shops and a post office. For those who walk with buggies; people who use mobility scooters or just require a flat surface; transitions between tarmac paths and paved areas would be flush and any gradient shallow. An existing pedestrian crossing point across the Stratford Road lies approximately 100m to the north. There are also a number of non-controlled crossing points along the Stratford Road.

6.33 Parking would be provided in front of the store on site enabling observation from the store itself and natural surveillance of public movement in and throughout the site from the public highway. Disabled Parking would be provided in front of the Store with level (1:60) gradients to the Store entrance in compliance with regulations.

6.34 The loading bay would be located to the south side of the store, away from the store entrance. The access into the site would allow the delivery vehicle to enter the site without causing a blockage to the road use, and manoeuvring within the site for easy off loading and egress. The reverse manoeuvre would allow the delivery driver to have a clear view of the trailer and any obstructions. Presently Aldi have only one 16.5m HGV delivery per day and one local Milk supplier delivery. There are no external cages involved in deliveries as everything is carried out within the store.

6.35 The supporting transport assessment identifies the following car based activities to the proposed store:

- 12 car arrivals and 7 car departures during the weekday morning peak hour equating to 1 vehicle arriving to and departing from the site every 5-10 minutes.
• 46 car arrivals and 53 car departures during the weekday evening peak hour equating to 1 vehicle arriving to and departing from the site every 1-2 minutes.
• 77 car arrivals and 81 car departures during the weekend peak hour equating to 1 vehicle arriving to and departing from the site every 45 seconds.

6.36 The assessment considers that a large proportion of these trips would comprise of passing trade, would be undertaken as part of another journey and transferred trips from competing food stores either within the centre or as a new trip to this part of Stratford Road. However, on this basis, the assessment concludes that the proposed food store would have a marginal increase on traffic flows on local roads.

6.37 Transportation has reviewed the assessment and development proposals and have raised no objections to the proposal as the on site parking provision of 60 spaces is within the maximum (car) requirement and exceeds the minimum (cycle) requirement as required within the Car Parking SPD guidelines. Provision for a 16.5m articulated vehicle (swept path analysis) is demonstrated as being accommodated on-site and therefore deliveries can be accommodated within the site without causing disruption to the free flow of traffic on the adjoining highway. Transportation concurs with the transport assessment that concludes that the trips generated by the proposed store can be adequately and comfortably accommodated within the local network. The access point has also been subject to a Stage 1 safety audit as part of the submission and this has concluded that the access would present no critical highway safety issue.

Other Issues

6.45 I note that a number of objections have related to seeking a different use on the site to that proposed by this application. Whilst alternative uses would be considered if they were submitted as formal applications, to date no alternative uses have been proposed and this application has to be determined on its own merits. As the proposed redevelopment for a food store is acceptable in principle due to its location within the centre, potential alternative uses which may or may not come forward is not a valid reason for refusing planning permission.

7 Conclusion

7.1 The application seeks planning permission for a modestly-sized food store of 1,380sq.m within the local centre of Highfield Road, Hall Green Neighbourhood Centre. The use sits comfortably within the site and is acceptable in principle. 4 trees would be lost through the development of the site with a further 20 trees retained on site albeit specialist construction methods will be required to allow the store to sit within the root protection area of the trees. New trees would be provided to the site frontage. Car parking provision and highway safety is considered acceptable. No undue noise or ecological impacts would occur from the proposed development, and site layout and elevational design would be acceptable.

8 Recommendation

8.1 That planning permission is granted subject to the conditions listed below.

1 Requires the scheme to be in accordance with the listed approved plans
2 Requires the agreed mobility access to be maintained
3 Requires the prior submission of a contamination remediation scheme
4 Requires the prior submission of a contaminated land verification report
5 Limits the hours of use between the hours of 0800-2100 Monday to Saturday and 1000-1600 on Sundays.
6 Limits delivery time of goods to or from the site outside the hours of 0700-2200 Mondays to Saturdays and 0900-1700 on Sundays.
7 Limits the noise levels for Plant and Machinery
8 Requires the prior submission of hard and/or soft landscape details
9 Requires the prior submission of boundary treatment details
10 Requires the prior submission of sample materials
11 Prevents outside storage
12 Requires the prior submission of details of bird/bat boxes
13 Development shall be in accordance with Ecological and Bat Surveys
14 Protects retained trees from removal
15 Requires the implementation of tree protection
16 Requires the prior installation of means of access
17 Requires the prior approval of an amended car park layout
18 Requires the prior submission of a parking management strategy
19 Requires the prior submission of a commercial travel plan
20 Requires the provision of cycle parking prior to occupation
21 Requires the delivery and service area prior to occupation
22 Requires the prior submission of a goods delivery strategy
23 Requires the prior submission and completion of works for the S278/TRO Agreement
24 Requires the prior submission of a construction method statement/management plan
25 Shop Front Design
26 Limits the approval to 3 years (Full)

Reason for Approval
Birmingham City Council grants Planning Permission subject to the condition(s) listed below (if appropriate). The reason for granting permission is because the development is in accordance with:

Policies 7.13 - 7.16, 7.21 - 7.26 and 7.32 - 7.33 of the Birmingham Unitary Development Plan 2005; Places for All (2001), which has been adopted as Supplementary Planning Guidance; and the National Planning Policy Framework.

Case Officer: Pam Brennan
Figure 1 – Site frontage and existing buildings on site

Figure 2 – Existing Showroom Building and Car Park