

2. An hour's condition for both shop opening hours and delivery and servicing hours.
3. A scheme of sound insulation for all roof mounted plant.
4. All lighting fixed on columns to be so shaded and angled so as not to impinge on neighbouring properties.

Director of Technical Services (Traffic Management): no objection subject to section 106 agreement.

Director of Technical Services (Highway Maintenance): no objection.

Directors comments:

PROPOSAL

This amended proposal involves the demolition of 222 to 238 Grange Road and Globe House (Catherine Street/Oliver Street), and the erection of a food store of 6,967 sq. m floor space between Catherine Street and Exmouth Street, Grange Road and Cloughton Road, which was previously approved under APP/2004/5751. In addition minor elevational changes to the store; the main change is the inclusion of a double-decked car park on the site of the existing Cloughton Road Car Parking. The car parking deck is accessible by shoppers to the proposed store and the general public visiting Birkenhead Town Centre.

The main entrance to the store would be on Grange Road on the corner with Catherine Street, with secondary entrances at Catherine Street through the two levels of the proposed parking areas. The service yard would have access from Exmouth Street. Below the store, and making use of the fall in levels between Grange Road and Cloughton Road, would be an undercroft car parking area, with surface access on the east side of the store near Cloughton Road, but becoming a basement car park towards Grange Road.

The proposed scheme acknowledges and enhances the Catherine Street link between Grange Road and Cloughton Road and Cloughton Road. A new square is created at the junction of Grange Road and Catherine Street. The store's main entrance is located at this junction and highlighted with a curved glazed entrance detail. Secondary entrances are located in the undercroft car park and the first level car park deck.

SITE AND SURROUNDINGS

The site is approximately 2.81 hectares and is located within Birkenhead Key Town Centre. It is situated on the corner of Exmouth Street and Cloughton Road.

The majority of the site is occupied by the Cloughton street pay and display car park. However, the development will also involve the demolition of the retail premises nos. 222 to 238 of the main shopping street of Grange Road.

PRINCIPLE OF DEVELOPMENT

This application is within the defined Birkenhead Town Centre Boundary as shown on the Proposals Map of the Adopted UDP. The associated policy (SH1) allows for A1 uses within the town centre (subject to criteria) and as such the development of a superstore is acceptable in principle, subject to these criteria being satisfied. PPS6 is more up to date than the UDP and in some respects supersedes the advice in the UDP.

POLICY CONTEXT

The applicant has submitted a retail statement in support of the application which notes that the current application is a revision of a previously approved scheme (APP/2004/5751) which was for 6,967 sq.m. gross floorspace with a likely net floorspace of 3,832 sq metres. The current proposal is for a foodstore of 8,800 sq metres with a total net floorspace likely to be in the order of 5,998 sq m. The indicative area devoted to the sale of convenience goods is likely to be in the order to 2,555 sq metres and the area devoted to the sale of comparison goods in the order of 1, 710 sq metres.

Having regard to the advice in PPS6 and the Council's support for the previous similar applications on this site, the statement reviews existing national, regional and local policies and the Wirral Retail Study produced for the Council by Roger Tym &

Partners in 2004 (which has been reported to Members).

Need

Although PPS6 makes clear that it is not necessary to demonstrate need for retail proposals within the primary shopping area (PPS6 Para 3.8 refers) the applicant has carried out some updating of the Roger Tym findings, based on more up to date published information on convenience expenditure growth rates and taking account of the additional floorspace proposed in the current application. This suggests that capacity for additional convenience goods floorspace in the study area will be significantly greater than anticipated in the Roger Tym study.

Roger Tym & Partners noted in their 2004 report that the position of Birkenhead's position in the wider retail hierarchy has declined over time compared with competing centres such as Liverpool, Chester and Warrington. The need to enhance the retail offer in Birkenhead as a key objective remains valid as does the recommendation that the Oliver Street car parks (which forms part of the application site) should be a key location for meeting the need for additional convenience retail floorspace in the Borough (section 7 refers). As such, I am satisfied that the case for supporting major new retail development in Birkenhead town centre remains compelling.

Scale

The development proposed is of an appropriate scale for Birkenhead given its size and role as the main shopping centre for the Borough.

Sequential Approach

PPS6 makes clear that in the circumstances of this application it is not necessary to satisfy the requirements of the sequential approach (PPS6 Para 3.13).

Retail Impact

PPS6 3.20 indicates that consideration of retail impact for town centre developments is only required when a significant proposal is not in accordance with the development plan strategy and which would significantly increase the attractiveness of that centre and could have an impact on other centres. In this case, the proposal is in line with the council's strategy in the UDP (reinforced by the Roger Tym Wirral Retail Strategy) to focus development in Birkenhead Town Centre. Nonetheless, having regards to the provisions of UDP policy SH1 (i) the applicant has considered the issue of retail impact. They conclude that the levels of trade diversion are of a similar order to those estimated to arise with the superstore development already approved on the site, with impacts concentrated on existing large superstores. While the current proposal is for a larger store than that permitted, the applicant indicates that the trading characteristics of Asda would result in a higher proportion of the net floorspace being used for comparison goods with the consequential reduction in convenience sales area. The applicant suggests that there is scope for the rest of the town centre to benefit from linked trips with a net benefit of up to £5.76m per annum.

The application proposal involves the loss of a number of properties on Catherine Street and Grange Road, the majority of which have been in some form of retail use. A number of operators have already closed or relocated and it is understood that it is the intention of the developer to relocate remaining stores elsewhere in the core shopping area.

Conclusion on retail issues

The application is in conformity with national planning policy as expressed in PPS6 and supports the objectives of the UDP and Wirral Retail Strategy prepared by Roger Tym & Partners for the Council in 2004. This development has to be looked at as an investment in the town centre for the long term. It is hoped that the introduction of such a development will bring long term benefits to Birkenhead town centre, by drawing in increased number of shoppers, many of whom currently carry out their convenience shopping at out of centre locations and also boosting investor confidence and the attraction of further retail operators to the shopping centre. The application can therefore be supported in retail policy terms.

ENVIRONMENTAL IMPACT APPRAISAL

As this development is an urban development project greater than 0.5HA, it falls

within the scope of Schedule 2 of the EIA Regulations and therefore the Local Planning Authority is required to screen the application to consider whether an Environmental Impact Assessment should be carried out. In this respect the guidance suggests that in addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use or the types of impact are of a markedly different nature or there is a high level of contamination.

It is for the LPA to come to a judgement on whether the proposal is likely to have significant effects. In this case, the main environmental impact is likely to be related to traffic and these should be addressed through the transport assessment. Measures for addressing highway issues are identified later in this report. The Director of Regeneration (Housing and Environmental Protection) has not raised any issues which might need to be addressed in an Environmental Statement. On balance therefore, an EIA is not necessary in this instance.

HEALTH ISSUES

There are no health implications relating to this application.

APPEARANCE AND AMENITY ISSUES

The proposal would replace older buildings of differing design with one large-scale new building of contemporary design. The buildings to be redeveloped fronting Grange Road are undistinguished. Globe House fronting Catherine Street, an early twentieth century building, has some character but little inspiration in design and its loss would not be a matter of concern. In terms of scale, the unit would be massively larger than the existing buildings in the street. On the other hand, in terms of function, the building would have only one principal floor at the level of Grange Road. This is handled architecturally by breaking up the frontage to Grange Road by 3 sandstone-clad towers, one on either side of the entrance and one free-standing; and, by creating an elevated single-storey frontage, broadly equivalent in height to a normal 2 storey development. Despite this, a large part of the frontage would be curtain glazing, but in practice different displays or uses behind this would serve to break this up further. Overall the Grange Road elevation would present a contemporary clean-cut and attractive façade with good quality materials. The Catherine Street frontage, including that part visible from the parking area, is to be treated in a similar fashion.

Part of the Exmouth Street frontage of the store would actually lie behind Yates Wine Lodge. The service yard would be enclosed by a high brick wall and surrounded by other hard landscaping. Because of its setback the store elevation behind the service yard would not be read as part of the immediate Charing Cross Street scene.

The double-decked car park proposed is on two levels, ground and first floor. The new structure replaces the existing open surface car park with a covered car park whilst providing car park spaces for the existing stores and the proposed food retailer.

The proposed car park structure at ground level is to follow the existing contours where possible, to achieve openness and for reasons of security. The design of the car park structure is to be open, light and airing at ground and first floor level.

Vehicular access is via Cloughton Road at a new traffic light controlled junction. Pedestrian access and egress is at stair/lift towers, to be monitored by CCTV.

In summary therefore the new building should take its place quite satisfactorily as part of the Grange Road street scene. The Catherine Street elevation should improve the view from the parking area and provide more of a sense of place and a marked way into the shopping centre. The building as seen from Exmouth Street and Cloughton Road should, together with the new contrasting Lauries Centre opposite, serve to give this immediate area a modern central area feel instead of the earlier undistinguished view of large surface car parks. The servicing area, an inevitable part of any superstore, should not be unduly obtrusive despite its frontage to a main road.

Landscape Design

When considering pedestrian flows through the site, these have been kept clear,

logical and simple. The pedestrianised Catherine Street has been extended to enhance the route to the new bus stops along Claughton Road, whilst a new taxi rank will be located mid-way along Catherine Street.

New bus stops on Claughton Street will generate a significant pedestrian flow along Catherine Street towards the existing shopping precinct on Grange Road.

Pedestrian routes from the car park to the shopping precinct will be maintained along Catherine and St John's Street.

Planting will be restricted to semi-mature trees within the pedestrian areas and shrubs, ground cover and climbing plants to the Exmouth Street service yard frontage.

Paving to pedestrian routes within the site will be designed to emphasize linear flow, pause points and entrances to buildings. The palette of materials will include natural stone, re-constituted stone and concrete in a variety of sizes and textures that will give the development identity.

Street furniture provided within the scheme will be of a robust high standard to emphasize the quality of the development, with seating, litter bins, bollards, signage and lighting enhancing the existing street environment and complying with current design standards.

HIGHWAY IMPLICATIONS

An executive summary is included within the assessment which suggests that there are no grounds why the food retail development and car park should not be supported.

This is a proposal for the demolition of a number of existing commercial properties and the construction of a foodstore with associated parking for 690 cars. The proposal site is primarily situated between Claughton Road to the north, Oliver Street and Grange Road to the south, St John Street to the east and Exmouth Street to the west.

Outline planning permission exists on this site for a foodstore and associated car parking and this latest full application exceeds the outline permission by approximately 20,000 sq ft (1850 sq m) and 165 car parking spaces.

The TA deals with:

- The existing traffic and highway arrangements
- Trip generation, distribution and assignment
- Impact on the local highway network
- Highway safety
- Car park use
- Public transport

An Executive Summary is included with the TA which suggests that, subject to certain mitigation measures, there are no grounds why the proposal should not be supported.

The TA has been considered by the Traffic Management Division who commissioned Mott MacDonald to assist in analysing the data and consider the findings. Comments on the proposal are as follows;

The development is situated directly within the town centre being one of the busiest areas within the borough in terms of traffic flows and car parking. The TA recognises this fact and that queuing already occurs at a number of locations at peak times.

To accommodate the development it is proposed to make changes to Claughton Road, Exmouth Street and Oliver Street. The proposed changes are:

Exmouth Street

This would form the main servicing point for the proposed development and a number of existing premises, via a new junction. The inclusion of a central reserve, relocation of the bus stop and an additional night-time taxi rank are also proposed.

Oliver Street

This will remain as the main route for servicing to the rear of the Grange Road businesses, which are within the area located within the current pedestrianised zone. St John Street would be widened and made two-way to facilitate access to Oliver Street, which is also proposed to accommodate a seven space taxi rank and four space feeder rank. A facility to enable vehicles to turn is incorporated at the western end of Oliver Street. Appropriate traffic calming measures are proposed for both Oliver Street and St John Street.

Cloughton Road

This would remain on its present alignment, but widened on the southern side between Exmouth Street and St John Street to facilitate improvements including bus lanes and bus stops. It accommodates the relocated bus stops from Exmouth Street.

Catherine Street is proposed to be closed, primarily becoming a pedestrian area. The Coventry Street junction would become traffic signal controlled and improved to form the access into the remodelled car parking areas. Signals to assist pedestrians when crossing both Catherine Street and Cloughton Road would be incorporated within the new junction.

The two space taxi rank on Cloughton Road outside Miltons is proposed to be extended to five spaces and the existing Pelican crossing between St John Street and Hemingford Street would be upgraded to a Puffin facility.

Significant alterations are proposed for the Cloughton Road / Exmouth Street junction to accommodate the additional traffic expected to be generated by the proposal. Primarily this consists of carriageway widening and additional lanes to accommodate the additional traffic. Phases to assist pedestrians would be incorporated within all four legs of the amended junction.

Car Parking

Currently there are 440 off-street and a small number of on-street car parking spaces within the development area which are managed by pay and display.

Following the development, it is proposed that there will be 690 spaces shared between the remaining surface level car parks, the new upper deck car park and a parking area directly below the development itself.

Public Transport

The proposals have been shared and developed with Merseytravel who have aspirations to improve public transport in the area. The proposals include for the relocation of stops from Exmouth Street. Merseytravel consider that the scheme including bus lanes is acceptable.

Currently there are a number of hackney carriage stands / feeder ranks in the area. The proposal includes for 22 stands / feeder ranks as detailed above. Consultation has been carried out with Taxi Association representatives, who broadly support the proposals for the stands / feeder ranks.

Observations / findings

The development includes for a total of 690 off street car parking spaces, which is an increase of 250 spaces on what exists at present. The store itself represents a significant increase in retail floorspace when compared with the existing buildings.

As expected, the increase in car park size taken in conjunction with the larger retail floorspace would generate a greater number of traffic movements than currently occurs on the local highway network, although it is recognised that a proportion of trips to the store would be pass-by traffic (essentially vehicles already on the network that would divert into the store) and linked trips (vehicles already in the area visiting existing shops that would visit the new store at the same time).

In order to accommodate the store, car park and expected additional traffic movements, the developers consultants have suggested various alterations to the local highway, such as the widening of Cloughton Road and amendments to the junction with Exmouth Street, as outlined above. These alterations may be secured through a section 106 agreement, which would include for the design, supply, installation, validation and commissioning of traffic signal equipment at three locations.

The site is within the existing town centre with enhanced public transport facilities and pedestrian accessibility, giving the option to potential customers to choose more sustainable transport modes when visiting the store.

To further minimise the impact of the proposed development on the highway network, a sum of money is required to allow the introduction of a network management system such as variable message signing, which can be used to route traffic around the network when required. This could be secured through a section 106 agreement for an appropriate sum of money.

Given that the highway alterations are only necessary in order to enable the proposed development to take place, it is considered appropriate that the on going maintenance implications of the alterations are met by the developer. This can be secured through a section 106 agreement for a commuted sum of money to cover the maintenance implications of the amended highway and other measures for an appropriate period of time.

Given the sensitivity of this area in terms of traffic volumes, it is considered appropriate to request a condition that, should the proposed opening date of the store slip beyond 2009, a new Transport Assessment must be submitted prior to opening.

The current car parks support the general shopping centre and I consider the proposed car parks should continue to be managed for the benefit of the town centre. This is an issue that would be considered further as part of any land sale and car park management agreements.

Highway Conclusions

The development site is within the town centre in an area which experiences high vehicle and pedestrian movements with associated queuing at peak times.

Whilst my consultants and I do not agree with all of the aspects and conclusions of the TA submitted in support of the application, the proposals do include for replacement car parking and improved public transport and pedestrian links. In my opinion, the proposals as indicated on drawing SCP/04303/PHW01 Rev D have achieved a balanced scheme during normal trading periods. It should be noted that this development may impact on the ability of the town centre to accommodate seasonal parking demands, i.e. Christmas and bank holidays.

The proposals will require the closure and improvement of certain public highways as well as alterations to and the introduction of various traffic regulation orders in tandem with the highway amendments under the section 106.

Safety Audits were carried out on the proposals both by consultants acting on behalf of the applicant and by our own in-house resources and the issues highlighted taken into account in the proposals.

Subject to appropriate conditions and section 106 agreement to cover the necessary highway works, network management systems and maintenance costs there are no highway objections to this proposal.

ENVIRONMENTAL/SUSTAINABILITY APPRAISAL.

The site is brownfield land and is located within the heart of Birkenhead Town Centre. The proposed development is therefore located in a highly sustainable location with easy access to public transport links. The development is considered to comply with the sequential approach to sustainable development and land use as set out in PPS6: Town Centres.

Recommendation: Approve subject to a Section 106 Legal Agreement

Condition(s):

- 1 Full permission statutory commencement time limit. (C03A)
- 2 Materials and sample panel to be submitted and approved prior to commencement (C59D)
- 3 Cycle parking scheme to be submitted and completed prior to occupation (C61L)
- 4 Scheme of land drainage and surface water drainage to be submitted and approved prior to commencement. (C61N)
- 5 Car parking scheme to be agreed and implemented with development. (C13A)
- 6 Floodlighting details to be submitted and agreed before use. (C63A)
- 7 Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein and shall not be varied other than through agreement with the local planning authority.
For the avoidance of doubt, such a plan shall include:
 - Access to the site by staff and visitors;
 - Information on existing transport services to the site and staff and visitor travel patterns;
 - Travel Plan principles including measures to promote and facilitate more sustainable transport;
 - Realistic targets for modal shift or split;
 - Identification of a Travel Plan co-ordinator and the establishment of a travel plan steering group;
 - Measures and resource allocation to promote the Travel Plan; and
 - Mechanisms for monitoring and reviewing the Travel Plan, including the submission of an annual review and action plan to the local planning authority.
- 8 The gross retail floorspace of the building hereby permitted and as shown on the approved plans shall not exceed 5,998 square metres.
- 9 There shall be no sub-division or creation of additional floorspace within the buildings hereby permitted and as shown on the approved plans.
- 10 No customer shall be admitted to the premises after 22:00 or before 08:00 hours Monday to Saturday and after 17:00 or before 10:00 hours on Sundays and Bank Holidays.
- 11 Servicing of the store shall only take place between 7am and 10pm Monday to Saturday and between 7am to 6pm on a Sunday.
- 12 Detailed landscaping scheme to be agreed prior to commencement (C71A)
- 13 Replacement of diseased planting for a period of 5 years from completion. (C71G)
- 14 Landscaping works to be carried out in accordance with the approved details as set out in Condition 12. (C71J)
- 15 Development according to plans received on 6th August 2007. (C24C)
- 16 Prior to the commencement of development a suitable scheme of fume extraction for all in store cooking processes shall be submitted to and approved in writing by the Local Planning Authority. Upon receipt of written approval all details must be implemented in full prior to the opening of the development hereby approved and retained as such thereafter.
- 17 Prior to the commencement of development a suitable scheme of sound insulation for roof mounted plant machinery shall be submitted to and approved in writing by the Local Planning Authority. Upon receipt of written approval all details must be implemented in full prior to the opening of the development hereby approved and retained as such thereafter.
- 18 The servicing area, including space for manoeuvring, loading and unloading of servicing vehicles, shall be formed and hardsurfaced concurrently with the development to which it relates, in accordance with the details to be submitted to and agreed in writing by the Local Planning Authority before the development commences.
- 19 That should the opening of the food store be delayed beyond 2010, an addendum to the submitted Transport Assessment must be submitted prior to opening that addresses possible changes to the highway network performance based on a scope to be agreed with the local planning authority. Upon receipt of written consent from the Local Planning Authority all development must be carried out in full accordance with the documentation hereby approved.
- 20 Development according to plans received on 21st August 2007. (C24C)

Reason for conditions

- 1 Standard (CR03)
- 2 To ensure that the development preserves or enhances the character and appearance of the conservation area. This condition is imposed having regard to policies CH2 (Development

- 3 affecting Conservation Areas) and ?????? of the Wirral Unitary Development Plan.
4 To promote more sustainable forms of transport. Policy TR12 of the UDP (CR69)
5 To ensure satisfactory land drainage and to prevent flooding. (CR70)
6 Highway safety (CR13)
7 To ensure that adequate and appropriate lighting is provided, having regard to Policy SH1 of the Wirral Unitary Development Plan.
8 In accordance with PPG13 paragraph 89
9 "The Government considers that travel plans should be submitted alongside planning applications which are likely to have significant transport implications, including those for:
10 All major developments comprising jobs, shopping, leisure and services (using the same thresholds as set out in annex D).
11 Having regard to Policy SH1 of the adopted Wirral UDP and advice contained within PPS6, it is considered important to ensure that no additional development is carried out without the permission of the Local Planning Authority.
12 Having regard to Policy SH1 of the adopted Wirral UDP and advice contained within PPS6, it is considered important to ensure that no additional development is carried out without the permission of the Local Planning Authority.
13 To ensure that the store is not used at a time, which would be likely to cause nuisance or disturbance to nearby residents, having regard to Policy SH2 of the Wirral Unitary Development Plan.
14 In the interests of residential amenity.
15 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
16 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
17 In the interests of the visual amenities of the area. Policy GR5 of the UDP (CR79)
18 For the avoidance of doubt. (CR33)
19 In the interests of amenity. Policy SH1 of the Wirral UDP.
20 In the interests of amenity. Policy SH1 of the Wirral UDP.
21 To provide adequate servicing. (CR20)
22 To identify the impact of possible material changes to the highway network performance should the construction period be delayed and to identify any further appropriate mitigation measures.
23 For the avoidance of doubt. (CR33)

Last Comments By: 21 June 2007

56 Day Expires On: 13 August 2007