

# Report to Planning Committee

# 15 September 2021

Application Reference	DC/21/65896		
Application Received	14 July 2021		
Application Description	Proposed Variation of Condition 1 (to amend the internal ground floor layout, external alterations, car parking layout and to exclude part demolition to front elevation and single storey front/rear extensions from the proposal) and removal of Condition 12 (the archaeological desktop study as no excavations would be required) to planning permission DC/20/64748 (Proposed change of use from Pakistani Community Centre to Supermarket (use class E) including part demolition to front elevation, single storey front and rear extensions and external alternations including shop front, roller shutters and car park).		
Application Address	Pakistani Community Centre 1 - 7 Corbett Street Smethwick B66 3PU		
Applicant	Mr M Safeer And T Iqbal		
Ward	Soho & Victoria		
Contact Officer	Mr Andrew Dean		
	andrew_dean@sandwell.gov.uk		



















#### 1 Recommendations

- 1.1 That planning permission is granted subject to conditions relating to the following:
  - (i) The use shall be restricted to that in the description of development and for no other purpose within the Class E Use Class:
  - (ii) External Materials;
  - (iii) Car parking to implemented, retained and not used for storage of goods;
  - (iv) Review of parking restrictions and provision of a loading bay on Corbett Street;
  - (v) Hours of opening and deliveries to the premises shall be restricted to 08.00 to 20.00 on any day;
  - (vi) Specification of roller shutters to be submitted and approved.
  - (vii) External plant noise condition;
  - (viii) Front boundary treatment to be submitted and approved; and
  - (ix) Removal of the temporary building.

#### 2 Reasons for Recommendations

2.1 The principal of the change of use to a supermarket has been established by the granting of planning application DC/20/64748. The proposed variation of condition 1 to amend the proposed ground floor layout and proposed car parking layout is considered to be acceptable and the Head of Highways does not consider that the proposal would result in a severe impact on highway safety. As the amended scheme has removed the proposed front and rear extensions from the proposal, the requirement for an archaeological desktop study would no longer be required (Condition 12 of DC/20/64748). Therefore, this can be removed from this recommendation.



















#### 3 How does this deliver objectives of the Corporate Plan?



A strong and inclusive economy – provides opportunity for new jobs.

#### 4 Context

- 4.1 This application is being reported to your Planning Committee because the following councillors declared an interest in the original application (DC/20/64748) Councillor M Rouf Trustee of the Community Association and Councillor Zahoor Trustee of the organisation that owns the property
- 4.2 To assist members with site context, a link to Google Maps is provided below:

#### 1-7 Corbett Street, Smethwick

# 5 Key Considerations

- 5.1 The site is unallocated within the Development Plan.
- 5.2 The material planning considerations which are relevant to this application are:-

Government policy (NPPF)

Planning history (including appeal decisions)

Design, appearance and materials

Access, highway safety, parking and servicing

Traffic generation

Noise and disturbance from the scheme.





















#### 6. The Application Site

- 6.1 The application relates to a currently vacant community centre situated on the western side of Corbett Street, Smethwick. The character of the area is mixed use in nature with Windmills Shopping Centre, Victoria Park, High Street shops and residential properties all within proximity of the site. The property is adjacent to Cape Hill town centre but does not fall within the town centre boundary. Corbett Street itself consists of predominantly terraced residential properties with on street car parking. Windmills Shopping Centre car park is located on the opposite side of Corbett Street.
- 6.2 The application site consists of a single and two storey building with consent to be used as community centre. A car parking area is located to the side of the building which currently has a temporary building located at the rear.

# 7. Planning History

- 7.1 The site has an established use dating back to 1986 when approval for the community centre was granted on the site. No conditions relating to the hours of use were imposed on this approval. The site has recently been granted planning approval by the planning committee for the change of use of the building from a community Centre to supermarket (use class E) including part demolition to front elevation, single storey front and rear extensions and external alternations including shop front, roller shutters and car park.
- 7.2 Relevant planning applications are as follows:

7.3

DC/21124	Erection of community	Grant Permission
	centre and associated	subject to Conditions.
	external works.	18.12.1986.
DC/26794	Proposed detached	Grant Permission
	building with new kitchen	subject to Conditions.



















	on the ground floor and	04.04.1991.
	living accommodation	
	above.	
DC/00/37343	Single storey extension to	Grant Permission
	provide community	subject to Conditions.
	facilities centre.	31.01.2001.
DC/20/64748	Proposed change of use	Grant Permission
	from Pakistani Community	subject to Conditions.
	Centre to Supermarket	14.05.2021
	(use class E) including	
	part demolition to front	
	elevation, single storey	
	front and rear extensions	
	and external alternations	
	including shop front, roller	
	shutters and car park.	

# 8. Application Details

- 8.1 The applicant is seeking to vary condition 1 of DC/20/64748 to amend the previously approved plans by removing from the scheme the part demolition to front elevation, removing the proposed single storey front/rear extensions and amending the proposed internal ground floor layout of the building and proposed car parking layout. As a result of this amendment, the sales floor area of the supermarket has been reduced from the originally approved 259m2 to 225m2. Some minor external alterations are also proposed which includes the removal of a rear door canopy to allow for additional car parking. No changes are proposed to the previously approved first floor which would still be used for storage and staff facilities.
- 8.2 The applicant is also seeking to remove condition 12 of DC/20/64748 which was the requirement for an archaeological desktop study to be submitted and approved by the local planning authority. This is because no excavations would be required as the originally proposed front and rear extensions have been removed from the scheme.



















#### 9. Publicity

9.1 The application has been publicised by neighbour notification letter. At the time of writing this report, one objection has been received. Any further objections to the application will be reported verbally to the planning committee.

# 9.2 Objections

Objections have been received on the following grounds:

- i) Highways issues concerning a lack of off-street car parking and congestion on Corbett Street.
- ii) Another supermarket is not required as Asda is located a few yards away as well as other shops.

#### 9.3 Responses to objections

I respond to the objector's comments in turn:

- (i) The Head of Highways has raised no objections to the application subject to the conditions contained within DC/20/64748 relating to highways safety being included within the recommendation. Based on the sales floor area of 225m2, the building has a slight over provision of car parking spaces.
- (ii) The principal of the change of use of the building to a supermarket has been established through the granting of planning application DC/20/64748. This application is seeking amendments to the previously approved plans.

# 10. Consultee responses

# 10.1 Highways

The Head of highways has raised no objections to the application subject to the conditions contained within the recommendation.



















Based on a 225m² floor area for sales, they only require 16 spaces so there is a slight over provision.

The first floor is shown as storage of shop produce and staff facilities this should not result in additional trip rates or parking accumulation as the use is linked to the shop.

Previously agreed conditions should be applied to any new approval.

#### 11. National Planning Policy

11.1 National Planning Policy Framework promotes sustainable development but states that local circumstances should be taken into account to reflect the character, needs and opportunities for each area.

# 12. Local Planning Policy

12.1 The following polices of the council's Development Plan are relevant:

CEN4: Regeneration of Town Centres.

CEN7: Controlling Out-of-Centre Development.

ENV3: Design Quality.

ENV8: Air Quality.

SAD EOS9: Urban Design Principles.

SAD DM8: Design and Installation of Shop Front Roller Shutters

- 12.2 As only minor external changes are proposed to the exterior of the building, the proposal raises no significant concerns in respect of design and is compliant with ENV3 and SAD EOS9.
- 12.3 A condition to ensure that 10% of car parking spaces would have an electric vehicle charging point meets the mitigation measures set out within the Black Country Air Quality SPD and accords with policy ENV8.



















- 12.4 The principal of the use has established through the previously approved application. The proposal is therefore compliant with policy CEN4 and CEN7 of the Black Country Core Strategy.
- 12.5 A condition to ensure the proposed shop front roller shutters are designed in compliance with policy SAD DM8 has been included within the recommendation.

#### 13. Material Considerations

13.1 National and local planning policy considerations have been referred to above in sections 11 and 12. With regards to the other material considerations, these are highlighted below:

#### 13.2 Planning history

The change of use of the building from a community centre to a supermarket has been established by the granting of planning application DC/20/64748.

#### 13.3 Design, appearance and materials

The external alterations to the property are minor in nature and raise no concerns with regards to residential amenity or external appearance. A condition for the proposed external materials to match the existing property has been included within the recommendation. A further condition relating to the specification of the proposed roller shutters to be submitted and approved by the local planning authority has also been included.

# 13.4 Access, highway safety, parking, servicing and Traffic generation

The Head of Highways has reviewed the proposal and raised no objections subject to the conditions contained within the recommendation.



















#### 13.5 Noise and disturbance from the scheme

The previously approved application raised no concerns with regards to noise and disturbance. A fixed plant noise condition has been included within the recommendation.

# 14 Alternative Options

14.1 Refusal of the application is an option if there are material planning reasons for doing so. In my opinion the proposed amendments to the previously approved scheme are acceptable and raises no concerns from a residential amenity or highways safety perspective.

# 15 Implications

Resources:	When a planning application is refused the applicant
	has a right of appeal to the Planning Inspectorate, and
	they can make a claim for costs against the Council.
Legal and	This application is submitted under the Town and
Governance:	Country Planning Act 1990.
Risk:	None.
<b>Equality:</b>	There are no equality issues arising from this proposal
	and therefore an equality impact assessment has not
	been carried out.
Health and	None.
Wellbeing:	
Social Value	None.

# 16. Appendices

Site Plan

Context Plan

1074 - 01 REV D

1074 - 04 REV G

1074 - 05 REV D















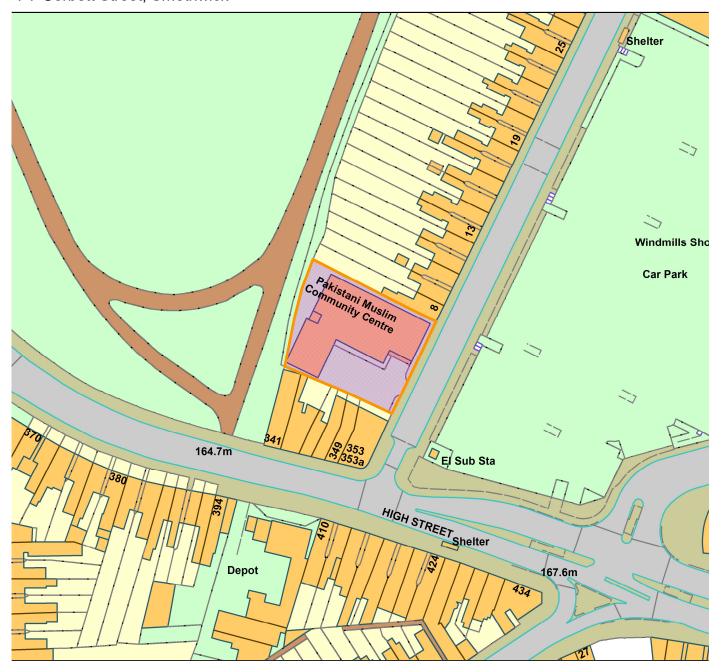


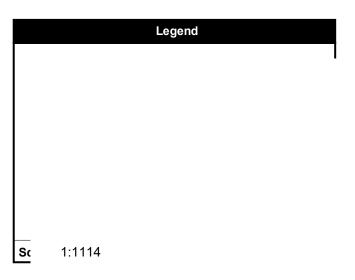






# DC/21/65896 1-7 Corbett Street, Smethwick

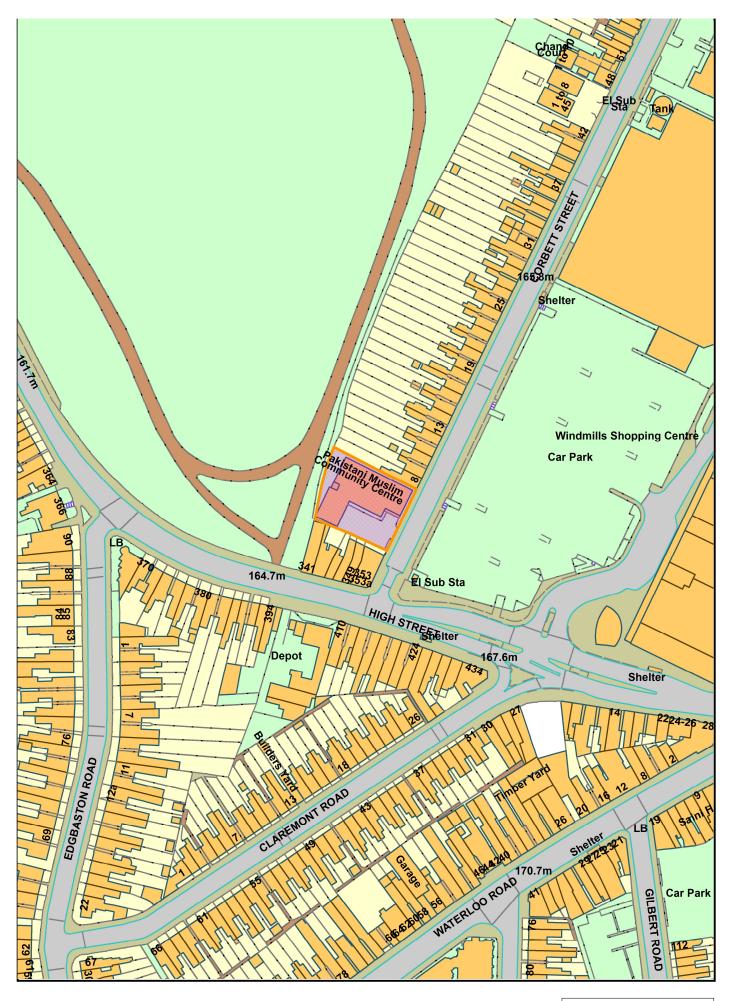




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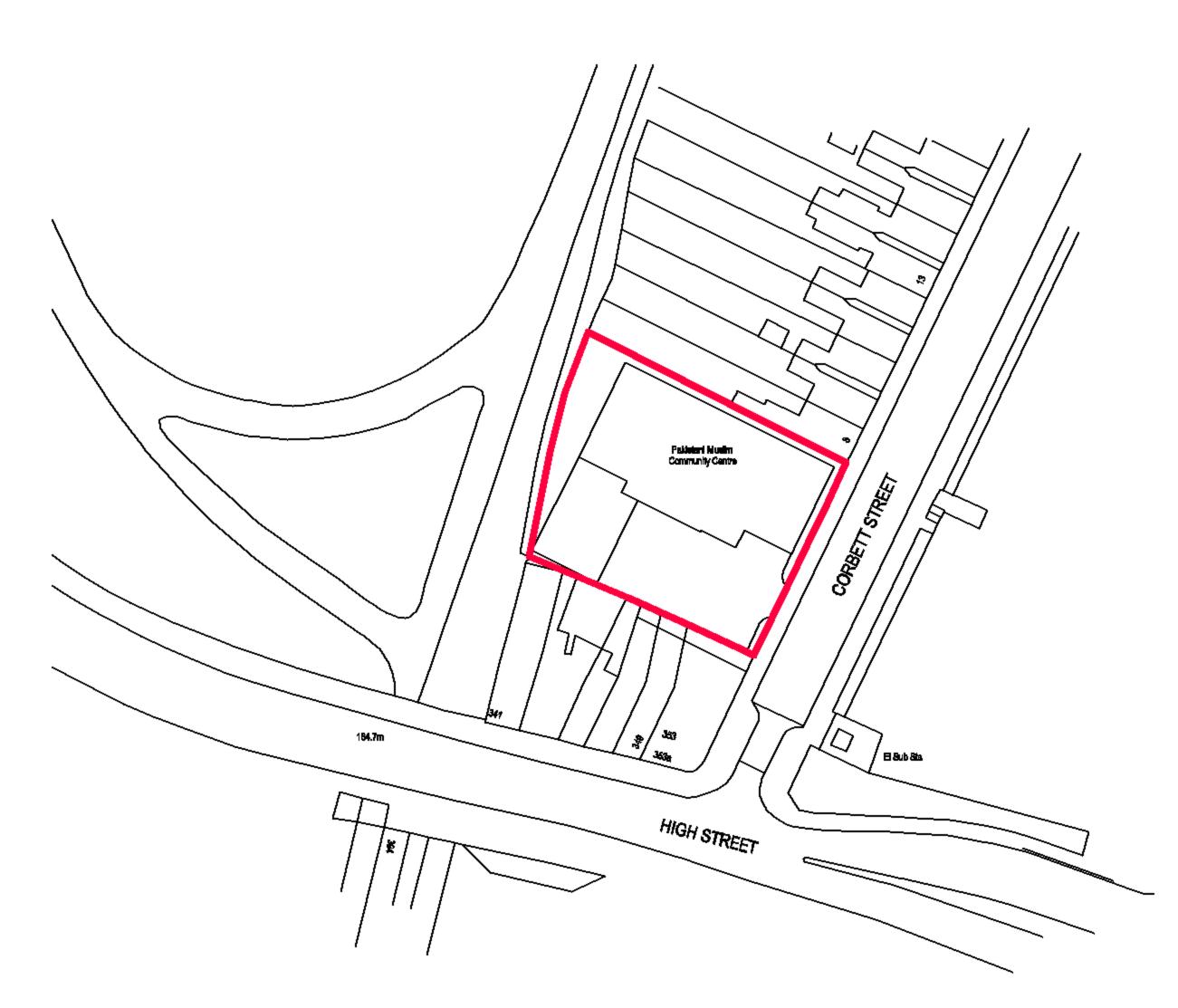
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Department	Not Set
Comments	Not Set
Date	25 August 2021
OS Licence No	



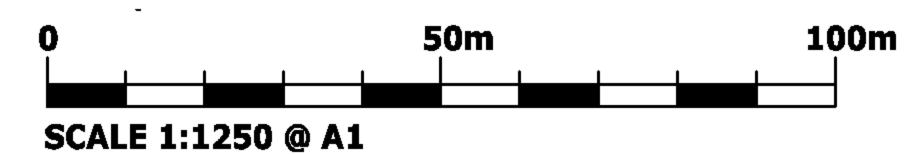








# SITE LOCATION PLAN AS EXISTING 1:1250



- REAR DOOR CANOPY REMOVED TO ALLOW FOR ADDITIONAL PARKING SPACES

- PORTAKABINS TO BE REMOVED FROM SITE

D 10 06 21 Design revised
C 05 02 21 Title altered
B 03 11 20 Alterations following planning comments
A 08 10 20 Scale bar added
Rev Date Comments



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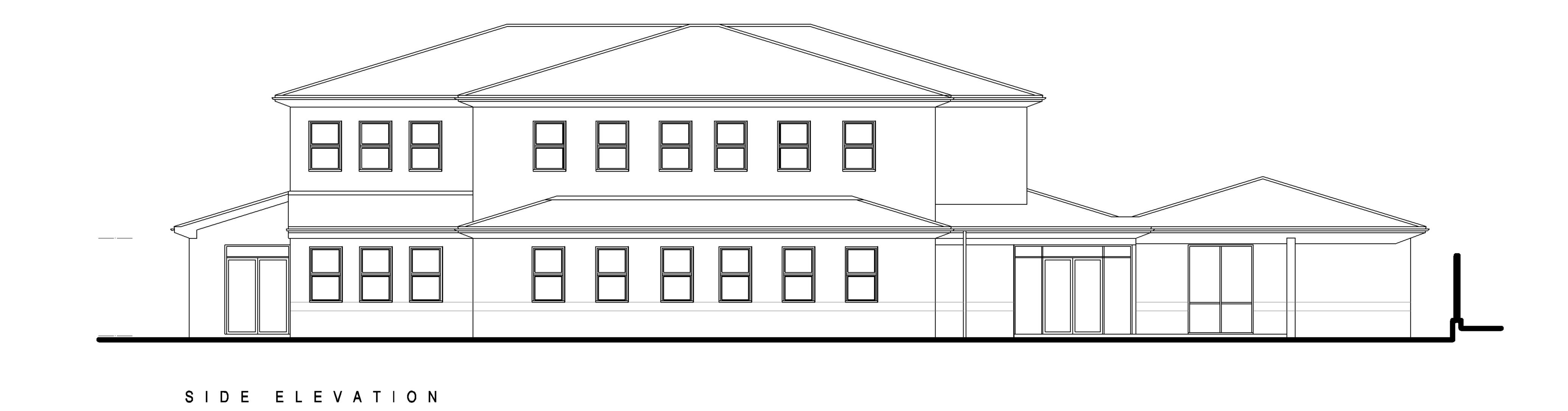
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Dwg Title

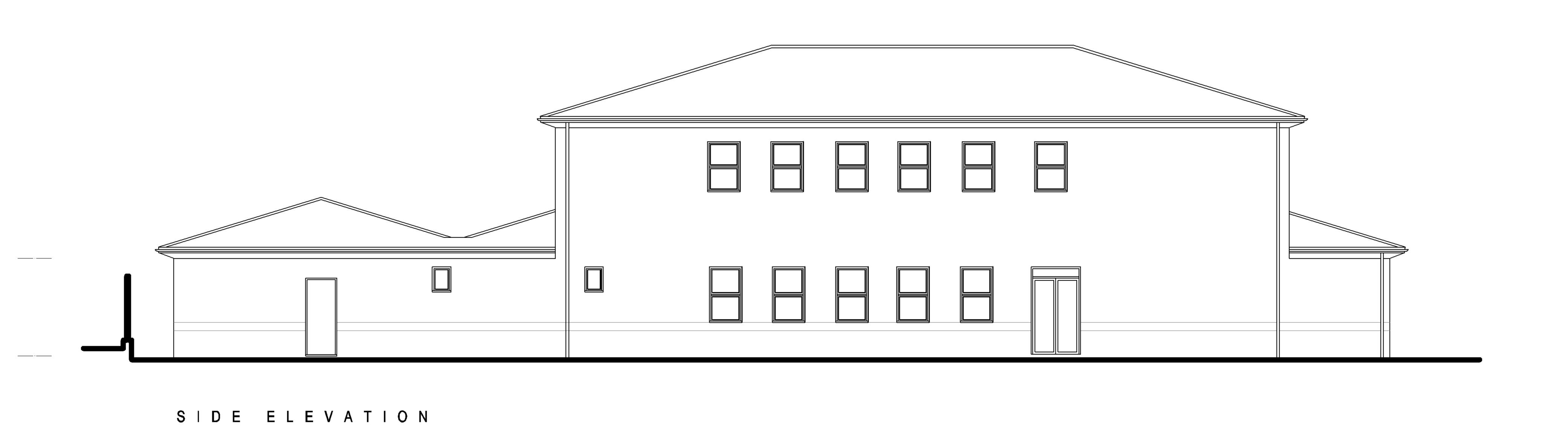
SITE LOCATION AND BLOCK PLAN

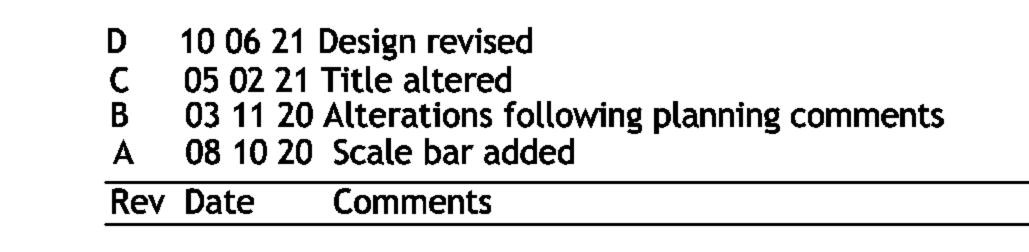
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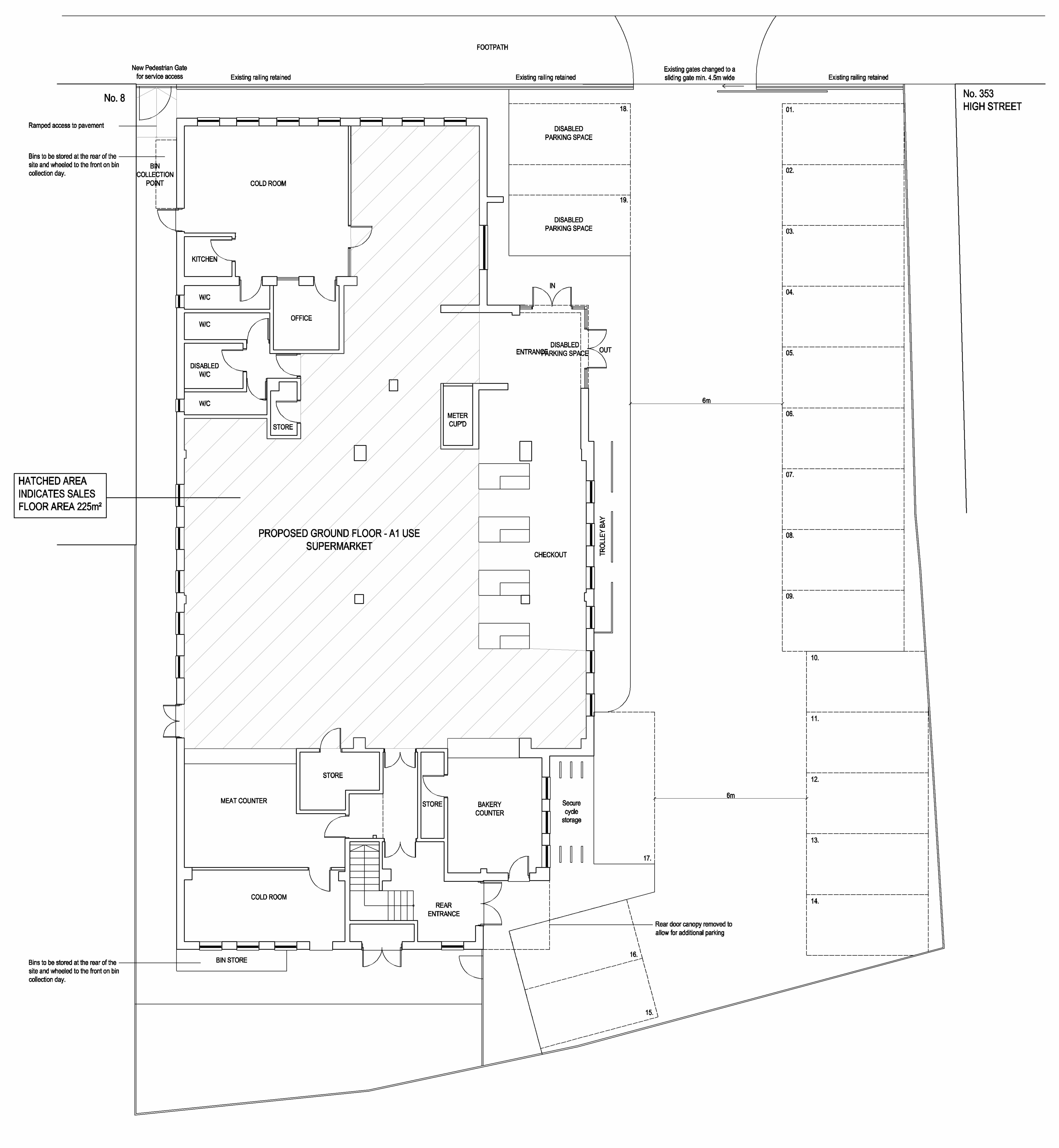
Job

PROPOSED GROUND FLOOR CHANGE OF USE FROM D1 TO A1 AT 1-7 CORBETT STREET, SMETHWICK.

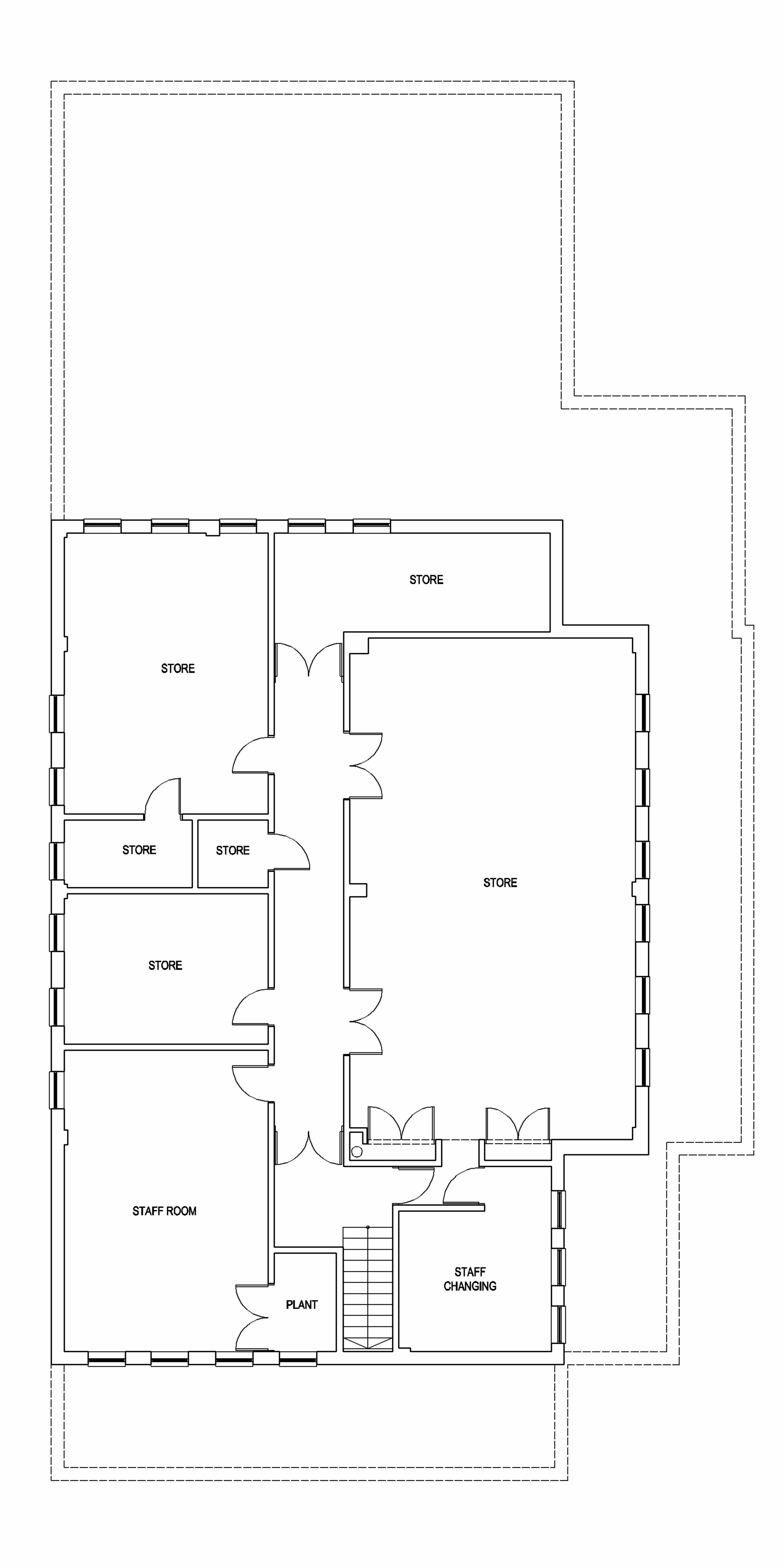
Dwg Title
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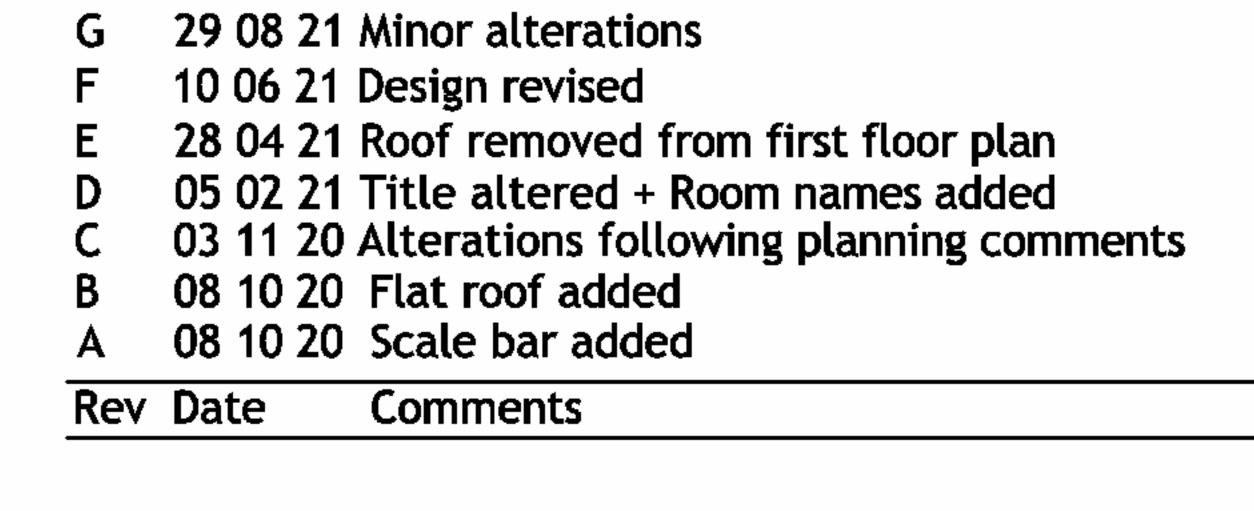
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1:100 @A1	SEPT 20	1074 <b>_0</b> 5



GROUND FLOOR PLAN



FIRST FLOOR PLAN





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Job

PROPOSED GROUND FLOOR CHANGE OF USE FROM D1 TO A1 AT 1-7 CORBETT STREET, SMETHWICK.

Dwg Title
PLANS AS PROPOSED

0 5m 10m SCALE 1:100 @ A1

 Scale
 Date
 Dwg no.

 1:100 @A1
 SEPT 20
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