

3/15/1498/VAR – Variation of condition 2 (approved plans) of permission ref: 3/13/1866/FP – Revision to details of vehicle access for Building U3 for GlaxoSmithKline Services Ltd, Priory Street, Ware, SG12 0DJ

Date of Receipt: 17.07.2015

Type: Full – Major

Parish: WARE

Ward: WARE – ST MARY’S

RECOMMENDATION:

That planning permission be **GRANTED** subject to the following conditions:

1. Time limit (1T121)
2. Approved plans (2E101) (Drawing refs: 5545/A1/001, 5545/A1/002, 5545/A1/003 Rev A, 5545/A1/004 Rev A, 5545/A1/005 Rev A, 5545/A0/006, 5545/A1/007 Rev A, 5545/A0/010 Rev H, 5545/A0/011 Rev K, 5545/A0/012 Rev F, 5545/A0/013 Rev G, 5545/A0/014 Rev B, 5545/A1/015 Rev G, 5545/A0/100 Rev D, 5545/A0/101 Rev A, 5545/A0/200 Rev E, 5545/A0/201 Rev D, 5545/A0/202 Rev D and 5545/A0/203 Rev A)
3. Tree and hedge retention and protection (4P055)
4. Prior to first occupation of the approved building, full details of soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include (a) Planting plans (b) Written specifications (including cultivation and other operations associated with plant and grass establishment) (c) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (d) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

5. Landscape works implementation (4P135)
6. Prior to its first use, the temporary access arrangement, including visibility splays, onto Harris’s Lane shall be completed in accordance with the approved plan no. 5545/A0/010 Rev H.

Reason: To ensure that the access is of an appropriate standard to protect highway safety in the area.

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7. Wheel washing facilities shall be established within the site in accordance with details previously agreed with the Local Planning Authority under condition 7 of planning permission ref: 3/13/1866/FP.

Reason: To prevent the tracking out of materials onto the highway in the interests of highway safety.

8. Occupation of the building hereby permitted shall not take place until the emergency access onto Harris's Lane has been closed and the kerb and footway reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

9. The access from the application site onto Harris's Lane shall only be used for vehicles servicing the proposed development on an exit only basis as shown on plan ref: 5545/A0/010 Rev H, with no more than 3 vehicles exiting onto Harris's Lane in any day, and only between the following times: 07:30-08:30, 12:00-14:00 and 20:00-21:30. This access shall cease to be used for this purpose after 31st July 2017, and shall only be used thereafter for emergency vehicles.

Reason: In the interests of highway safety and to prevent disturbance to local residents.

Directives:

1. Other legislation (01OL1)
2. Groundwater protection zone (28GP1, Musley Lane Pumping Station)
3. The applicant is advised that in order to comply with the conditions on this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the associated off-site highway improvements. The applicant is advised to contact Highways, County Hall, Pegs Lane, Hertford, SG13 8DN (Telephone: 0300 123 4047) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of construction of the vehicle access.
4. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority,

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Hertfordshire County Council. If necessary, further details can be obtained from the Eastern Herts Highways Area Team, County Hall, Hertford, SG13 8DN (Telephone: 0300 123 4047).

5. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. In connection with all site demolition, site preparation and construction works, no noisy working shall be carried out on the premises outside the following hours: 0730 to 1830 Monday to Friday, 0730 to 1300 on Saturdays and at no time on Sundays or bank holidays.
6. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means should be used at all times. The applicant is advised to consider "The control of dust and emissions from construction and demolition Best Practise Guidance" produced in partnership by the Greater London Authority and London Councils.
7. Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.
8. If the site is known to be contaminated you should be aware that the responsibility for safe development and secure occupancy of the site lies with the developer. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract. It is an area of cleared land in the north-west corner of the GSK site, adjacent to the boundaries with Park Road to the north and Harris Lane to the west. Building U2 lies to the immediate south, and the proposed building would form an extension to its north elevation. The whole GSK site is a designated Employment Area within the Local Plan and is reserved for general industrial, research and development and employment development.
- 1.2 Some Members may recall that similar proposals were considered by the committee in January (ref: 3/13/1866/FP) and June (ref: 3/14/0639/FO) of 2014. Those applications sought permission for a three-storey building (Building U3) of approximately 15 metres in height, extending from the north elevation of Building U2, with the later permission seeking permission for amendments to the approved elevations and other details of the development. Copies of the relevant committee reports are attached as **Essential Reference Papers 'A' and 'B'**.
- 1.3 The current permission seeks to vary the previously approved plans to allow for a change in the approved vehicle access to the site. The vehicle access onto Harris's Lane, which was previously approved for the purposes of construction and emergency vehicle access only, is now proposed to be used for vehicles leaving the site from Building U3. This is proposed only for a two year period whilst development proposals for Building U4 – proposed to the north are finalised.
- 1.4 There are no changes proposed to the building itself or any other part of the development.

2.0 Site History

- 2.1 The GlaxoSmithKline site has been the subject of a considerable number of applications. The following applications relate specifically to this site:
- 3/93/1131/FP – External canopy to the south elevation of building U – Approved October 1993.
 - 3/95/0127/FP – Two-storey and lift/staircase enclosure to building U – Approved March 1995.
 - 3/13/0883/PD – Demolition of building U – Prior approval not required June 2013.
 - 3/13/1886/FP – Erection of Respiratory Manufacturing Facility with

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associated works – Approved January 2014.

- 3/14/0639/FO – Amendments to approved plans for 3/13/1886/FP – Approved June 2014.

3.0 Consultation Responses

- 3.1 The County Council's Highways section have advised that the proposed access use would be acceptable in principle, subject to a revision to the hours of access to avoid conflict with school traffic.
- 3.2 The County Council's Historic Environment Advisor has no comment to make on the application.

4.0 Town Council Representations

- 4.1 Ware Town Council comments that they have no objection to the proposed development.

5.0 Other Representations

- 5.1 The application has been advertised by way of site notice and neighbour notification.
- 5.2 No letters of representation have been received in response to the consultation.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV20	Groundwater Protection
ENV24	Noise Generating Development
SD1	Sustainable Development
IMP1	Planning Conditions and Obligations
EDE1	Employment Areas
WA8	Employment Areas
TR7	Car Parking – Standards

- 6.2 The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations in the determination of the application.

7.0 Considerations

- 7.1 As mentioned above, planning permission was granted in January 2014 for the erection of a three-storey building of approximately 15 metres height as an extension to the U2 building to the south. The considerations relating to the principle of the development, design and appearance of the building, neighbour amenity, highway safety and other matters are contained within the Officer report for the previous application which is attached as **Essential Reference Paper 'A'** to this report. As there have not been any significant changes in circumstances or policy since the previous application was determined, all of the considerations in respect of the proposed development remain the same and as such are adequately addressed within the attached report.
- 7.2 The determining issue in relation to this application is therefore the acceptability of the proposed variation to the approved vehicle access arrangement.

Variations

- 7.3 Approval was originally granted for the development of this part of the GSK site on the basis that traffic leaving building U3 would depart eastwards through the site and onto Buryfield Way.
- 7.4 However, GSK have since developed plans for an additional building to the north of Building U3. This proposed development would limit turning space for larger vehicles leaving the site, and therefore permission is sought for these vehicles to exit directly onto Harris's Lane rather than reversing away from Building U3 and turning on the site's internal roads.
- 7.5 The level of traffic generated is projected to amount to no more than 3 vehicles moving off the site per day, 7 days a week. The Highway Authority has reviewed the proposed development, and confirmed that, in principle, this would be acceptable, although they have suggested an amendment to the proposed hours of use of the access to avoid conflict with school traffic. Officers consider the amendment to be acceptable, and condition 9 is worded accordingly.
- 7.6 Officers note that traffic exiting onto Harris's Lane would have the option of heading north onto Park Road or south onto Priory Street, depending on traffic conditions. The addition of 3 further HGV movements throughout the day would have a limited impact on local

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traffic conditions, and Officers do not consider that this would warrant the refusal of planning permission.

- 7.7 The application seeks temporary consent for the proposed change in access, until the end of July 2017. This would allow an assessment of the impact of the proposed change, which would be of use in the event of a subsequent application to retain this access arrangement on a permanent basis. The applicants have indicated that, in the event that the site to the north of Building U3 is development, an application for permanent use of the access for traffic serving the 2 buildings may be submitted. This would need to be considered at that time. At the time of preparing this report, an application for the area of the site in question is under consideration (ref: 3/15/1859/FUL) is under consideration but no decision has been made.

8.0 Conclusion

- 8.1 The proposed amendments to the use of the vehicle access are considered to be acceptable and there are no significant changes in circumstances or policy that would justify a different decision being made in respect of the principle of the development made on the recent planning permission granted under reference 3/13/1866/FP, as subsequently amended by 3/14/0639/FO.
- 8.2 Officers therefore recommend that planning permission be granted for the proposed development, subject to the conditions recommended at the head of this report.