

**3/09/0237/OP – Removal of condition 3 of planning permission 3/06/1886/FP for the erection of a research and development building (building 9); external alterations to building 3; construction of new footpath and associated landscape, and alterations to layout of car park at GlaxoSmithKline, Park Road, Ware for GlaxoSmithKline**

**Date of Receipt:** 18.02.09

**Type:** Removal of condition

**Parish:** WARE

**Ward:** WARE ST. MARY'S

**RECOMMENDATION**

That permission for the removal of the condition be **GRANTED**

**Summary of Reasons for Decision**

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies ENV1 and TR7 of the East Herts Local Plan Second Review April 2007. The balance of the considerations having regard to these policies and the previous approval ref. 3/06/1886/FP dated 20<sup>th</sup> December 2006 is that planning permission should be granted.

\_\_\_\_\_ (023709OP.MC)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract.
- 1.2 Members may recall that planning permission was granted in 2006 for a new research building and associated works at the site (building 9) together with other alterations to building 3 and the provision of a new footpath. Condition 3 of the permission (Ref: 3/06/1886/FP) required the following:-  
  
“The building hereby permitted shall not be occupied until replacement car parking spaces for 240 cars have been provided elsewhere within the surrounding GSK Ware site, in accordance with a detailed scheme which has been previously submitted to and approved in writing by the local planning authority.”
- 1.3 The new building has been under construction since 2007 and the site has since been operating with the reduced car parking capacity.
- 1.4 This application seeks permission to remove the need for compliance with condition 3 and the applicants have commented that this is because

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circumstances on site have changed considerably since 2006 and they believe there is no longer an operational need for the replacement 240 car parking spaces in the light of significant spare parking capacity being available elsewhere on the site and a reduction in staff at the site since the approval was obtained.

- 1.5 The applicants have undertaken parking counts on the site during May 2008, i.e. during the construction of Building 9, which confirmed that on average 176 car parking spaces are left unoccupied on the R&D site out of a total number of 1,092 spaces – i.e. 84% occupancy. This is even allowing for the spaces lost through the construction of the building and associated works. On the Manufacturing part of the site on average 60 spaces are unoccupied out of a total of 927 spaces i.e. 93% occupancy. The number of staff expected to occupy Building 9 upon its completion is 99 and therefore the applicants consider that there is adequate spare capacity within the existing parking areas on the site to accommodate those new staff without the need for further parking provision.
- 1.6 Furthermore, the applicants also submit that a significant reduction in staffing is planned at the site during the year. Rather than an increase of 512 employees, as envisaged in the submitted September 2006 Transport Assessment, there is now likely to be a reduction of approximately 1,000 staff by the end of 2009. This is likely to be a permanent rather than temporary reduction and will therefore affect the long term demand for parking provision on the site.
- 1.7 The following table summarises the above and sets out the total number of staff and visitor car parking across the GSK site pre and post Building 9:-

Projected 2006 figures – 3/06/1886/FP	
Proposed number of staff	3,527
Proposed car parking provision	2,428
Percentage provision	69%

Projected 2009 figures – 3/09/0237/FP	
Proposed number of staff	2,539
Proposed parking provision	2,223
Percentage provision	88%

- 1.8 This indicates, according to the applicant, that there would be greater availability of parking spaces for staff and visitors after the planned decrease in headcount on the site. They consider therefore that there is no necessity to provide additional parking on the site to meet any future demand.

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- 1.9 They do however argue that there would still be the flexibility to provide the 240 consented parking spaces in the future should the need arise.

#### **2.0 Site History**

- 2.1 There have been a considerable number of previous applications relating to the use of the GSK site. The following applications are relevant to the consideration of this proposal.

2.2 3/06/1886/FP – Proposed research & development building (building 9) external alterations to building B3, construction of new footpath & associated landscape; and alterations to layout of entrance road to Westfield car park – Approved December 2006

2.3 3/07/1791/FP – Construction of 240 replacement car parking spaces, relocation of bicycle shelter and part of existing fence, new lighting and gates – Approved November 2007

#### **3.0 Consultation Responses**

- 3.1 County Highways have confirmed that they have no objection in principle to the proposed development but they do suggest the introduction of a planning obligation to require the provision of the approved spaces in the event that staffing numbers increase again.

#### **4.0 Town Council Representations**

- 4.1 Ware Town Council have no objections to the application.

#### **5.0 Other Representations**

5.1 The application has been advertised by way of direct neighbour consultation, site notice and a notice in the Hertfordshire Mercury.

5.2 No responses have been received.

#### **6.0 Policy**

- 6.1 The Policies of the adopted East Herts Local Plan that are most relevant to the consideration of this application are as follows:

ENV1	Design and Environmental Quality
TR7	Car Parking – Standards

## **7.0 Considerations**

- 7.1 The determining issue in this case relates to whether the requirement to provide an additional 240 car parking spaces on the site remains necessary in planning terms in order to prevent on-street parking in the vicinity of the site.
- 7.2 The applicant argues that the site has been operating without any parking problems during the construction of building 9 (i.e. without the car parking spaces that were previously on the site of the new building). This is because there is sufficient car parking space generally within the site for the total number of staff employed on the site. In addition to this, they state that there remains spare parking capacity elsewhere on the site and this would be sufficient to provide for the new staff who will be coming into Building 9 (approximately 99). In addition to this, it is their intention to significantly reduce staffing levels at the site during 2009 and these combined reasons comprise their case for not providing the additional spaces.
- 7.3 Highways officers have confirmed that there is no objection to the loss of the replacement 240 spaces from the site. There have been no complaints received relating to increased on-street parking in the vicinity of the site since construction of Building 9 began and the spaces formerly on that part of the site were removed from use.
- 7.4 GSK have provided evidence within the application to confirm that the current provision of parking on site is in excess of that which is required for both current and future needs.
- 7.5 In addition to this, 35 of the 240 spaces lost would have been temporary losses only as a result of the need to provide construction parking and storage. The actual number of spaces lost permanently from the construction of building 9 would be 205.
- 7.6 The Council is committed to reducing dependency on the car. The parking provision on site appears more than adequate to meet current and expected demand, and the site is well served by public transport links. The Council's standards are the maximum expected provisions, and in general a lower figure would be expected. Officers therefore consider that it would be unreasonable to insist on the provision of additional car parking spaces where these are not shown to be necessary in planning terms.

## **8.0 Conclusion**

- 8.1 From the submissions made by the applicant, your officers are satisfied that there is no longer a need to provide the additional parking spaces originally proposed at this site.

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- 8.2 The planning condition would no longer therefore meet the tests of Circular 11/95 in that it would no longer be necessary to make the approved development acceptable.
- 8.3 There is adequate spare parking capacity on the site to provide for the new employees within Building 9, and the spaces lost through the construction of that building have, in any event, been satisfactorily replaced elsewhere on the site. In addition to this, staffing levels at the site will be reduced by almost a thousand workers by the end of the year which will further reduce the demand for parking on site.
- 8.4 Accordingly, your officers recommend that permission is granted for the removal of condition 3 of planning permission 3/06/1886/FP requiring the provision of replacement car parking spaces at GSK, Park Road, Ware.