

## DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 26 April 2017

<b>Application Number</b>	3/15/0561/FUL
<b>Proposal</b>	Part demolition of night club building (sui generis use) to facilitate the redevelopment with commercial/retail use on the ground floor and 10 residential units on three upper floors.
<b>Location</b>	20 Amwell End, Ware
<b>Applicant</b>	Amwell End Ltd, c/o Lanes New Homes 2 Market Street, Ware SG14 1BD
<b>Parish</b>	Ware
<b>Ward</b>	Ware - Chadwell

<b>Date of Registration of Application</b>	21 April 2015
<b>Target Determination Date</b>	28 April 2016
<b>Reason for Committee Report</b>	Major planning application
<b>Case Officer</b>	Susie Defoe

### **RECOMMENDATION**

That planning permission be **GRANTED** subject to the completion of a legal agreement and the conditions set out at the end of the previous report dated 14 September 2016 (attached as ERP A).

#### **1.0 Summary**

- 1.1 A decision on this application was deferred at the Committee meeting of 14<sup>th</sup> September 2016 to enable Officers to discuss with the applicant the potential for the provision of on-site parking as part of the development proposals.
- 1.2 Following the committee, Officers held discussions with the applicant on possible amendments of the application which progressed but then were delayed by uncertainty about the applicant's rights of access on the north side of the site.
- 1.3 One plan indicated the provision of 5 on-site parking bays within the rear ground floor of the building, in compliance with the approved parking standards of the Local Plan, but this was still dependent on co-operation with the new owners of the shopping parade to the north of 4 to 18 Amwell End. However, no agreement has been reached on these rights of access.

- 1.4 Recently, the Council has been sent correspondence from solicitors, on behalf of the adjoining landowners, to the effect that no express rights over their land exist. This is the access way that has historically served the site and this would seem to rule out any early agreement on this option.
- 1.5 The applicant has also considered a second access directly from Amwell End although this would run alongside the existing and result in a situation that would not be approved by the Highway Authority and would also compromise the quality and appearance of the street scene and the final development. The applicant considers, therefore, that the current proposals are the only viable way forward to secure a satisfactory rejuvenation of this part of Amwell End.
- 1.6 The applicant has also commented that parking issues raised at the earlier Committee meeting are not pertinent to the circumstances of the application site. Servicing of the shops along Amwell End is already from the street and parking along Amwell End is already controlled, so the new flats would not be able to use those spaces. A plan of the parking restrictions throughout Amwell End has been submitted by the applicant for reference. A letter from the applicant's property advisers also explains that the majority of buyers would make use of the nearby train station and town centre services.
- 1.7 The applicant also states that the provision of parking spaces within the site, if that could be achieved, would result in a significant reduction in the size of the unit and this would not attract a tenant that would improve the current retail/commercial offer in Amwell End.
- 1.8 In respect of the current plans then, it is considered that the proposals would preserve and enhance the character and appearance of the Ware Conservation Area (the existing building is vacant and in poor repair). There will be no significant harm to the amenity of neighbours and the impact in terms of additional flood risk would be negligible although it is accepted that the proposals would introduce new residential uses into the area and, as a result, an emergency evacuation plan would be required should there be a flood event. Some limited harm is attributed to this in the balance of considerations.
- 1.9 The development is proposed with no parking for residents, staff or customers. However, as set out previously, the site is in a sustainable location with good access to alternative modes of public transport, and also access to town centre car parking facilities. In addition, the lack of staff or customer parking for the commercial unit is not uncommon in town centre locations and, similarly, many first floor flats above shops do

not have access to dedicated car parking provision. Given the combination of these factors, only limited harmful weight is assigned to the lack of parking provision within the site.

## **2.0 Conclusion**

- 2.1 On the balance of considerations, Officers are satisfied that the proposal represents a sustainable form of development and that the benefits that would result to the vitality of the shopping area, and the character and appearance of the area, would outweigh any harmful impacts.
- 2.2 Given the restrictions on options for access to the site and on-site car parking provision, and the benefits of granting permission, the original plans are referred back to the committee with the same recommendation of approval. No change is recommended to the planning conditions or legal obligations that are set out in the previous report attached as ERP A.