

DEVELOPMENT MANAGEMENT COMMITTEE – 17 JULY 2019

Application Number	3/18/1213/FUL
Proposal	Demolition of existing commercial building and erection of replacement building for class B1, B2, and B8 uses and ancillary vehicle sales.
Location	Units C, D And E Raynham Road Bishops Stortford
Parish	Bishop's Stortford
Ward	Bishop's Stortford All Saints

Date of Registration of Application	20 June 2018
Target Determination Date	18 July 2019
Reason for Committee Report	Major application
Case Officer	June Pagdin

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application is for demolition of an existing industrial unit in Raynham Road Industrial Area and replacement with a new building to enable the established company Hilton Coachworks to meet its long-term business needs. The new building would be used together with the company's other buildings (Units A, B, and D) to respond to the its changing needs.
- 1.2 The proposal is to demolish Unit E and replace with a two/three storey building with workshops, office space and car storage with ancillary sales. The new floorspace would total approximately 6,100sqm. The building would accommodate a small display area to showcase classic car restoration on the first floor and a sales area

on the ground floor at the front of the building (approx. 600sqm in total). The rear part would be workshops at the ground and first floors for accident repair and vehicle restoration (approx. 3,000sqm) with storage of vehicles and parts (accessed by internal lift) on the second floor (approx. 1,600sqm).

- 1.3 The submitted Planning Statement explains that the company aims to combine its two separate operations onto this site, bringing bodyworks from Stansted. The company is well established in the local economy and the site currently employs over 80 staff.
- 1.4 The site is within a designated Employment Area and is allocated for industry comprising B Class uses.
- 1.5 The main issues for consideration are:
 - Principle of new employment floorspace in this location
 - Design and Layout
 - Neighbour Amenity
 - Highway and Parking
 - Flooding and Drainage
 - Contamination
- 1.6 Members will need to consider the overall planning balance and whether the proposal will result in a sustainable form of development having regard to the above considerations.

2.0 Site Description

- 2.1 The application site covers 0.4Ha and comprises Building E on Raynham Road Industrial Estate together with the forecourt and rear and side hardstanding's. The building is currently occupied by two different Companies: Fyfe and Wilson in the front part and Hilton Coachworks in the rear part. Hilton also occupies Units A, C and D on the adjacent land to the south east and a new smaller workshop unit to the northwest.

- 2.2 The existing building is single storey with a footprint of approximately 2,150sqm and a ridged roof approximately 6m high.
- 2.3 To the northwest and south east are further industrial units on Raynham Road, which lie to the northwest. To the rear are other industrial units in the industrial complex. To the front of the site northeast are the woods and playing fields of the Summercroft primary school and, beyond that, residential properties.

3.0 Planning History

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/02/0576/FP	Erection of new B1 Unit (Building on plots C, D and E)	Approved subject to conditions	September 2002
3/17/1110/FUL	Erection of workshop building for B2 and B8 (South West corner of site)	Approved subject to conditions	April 2017
M/16/0243/MPREAP	Replacement of Fyfe Wilson site		March 2017

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP), and Bishops Stortford (All Saints, Central, South and part of Thorley) Neighbourhood Plan (NP).

Main Issue	NPPF	LP policy	DP policy	NP policy
Employment Land	Paras 80-84		ED1	BP5
Design and Character of the area	Paras 124-132		DES4	HDP2
Neighbour Amenity - noise	Paras 180-182		EQ2	HDP1
Highway and Parking Provision	Paras 105-110		TRA3	TP1, TP3, TP7
Drainage and Flooding	Paras 163-165		WAT5	GIP7
Contamination	Paras 178-182		EQ1	

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority comment that the amended methodology for calculating trip generation and parking demand is acceptable and overcomes concerns over highway safety and conditions on the surrounding local highway network. Conditions are recommended requiring a Construction Traffic Management Plan, provision of parking/loading and turning areas on the site prior to use and a surface water drainage scheme.
- 5.2 Lead Local Flood Authority raise no objections and recommend conditions requiring implementation in accordance with submitted drainage assessments and mitigation strategy and the submission and approval of a detailed drainage scheme.
- 5.3 Thames Water comments that if the developer seeks a connection to discharge surface water into the public network, Thames Water must be re-consulted.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

6.1 Bishop's Stortford Town Council raise no objection.

7.0 Summary of Other Representations

7.1 No responses have been received.

8.0 Consideration of Issues

Employment Use

- 8.1 The application site is located within the Raynham Road Industrial Area in Bishops Stortford. Policy ED1 states that land in this area is allocated for industry in Use Classes B1, B2 and B8 and the principle of new employment floorspace is supported.
- 8.2 The Bishops Stortford Neighbourhood Plan (All Saints and Thorley) supports the creation of local employment opportunities while protecting amenities for residents.
- 8.3 The sales element would constitute the front part of the ground floor and the forecourt of the site totalling around 600sqm in area; approximately 10% of the floor area of the proposed building. The sales function would therefore be small in proportion and ancillary to the repair and restoration operations on the site. To ensure this element remains ancillary it is recommended that the area for retail use is limited by condition.
- 8.4 The proposal is considered to be acceptable in principle in accordance with the Development Plan, subject to limitation of the retail element.

Design and Character of the Area

- 8.5 Policy DES4 requires new developments to make the best possible use of the land and to respect or improve the character of the site and surrounding area. Due regard must be had to the scale, height, massing (volume and shape), orientation, siting, layout, density and building materials.
- 8.6 The buildings in Raynham Road are predominantly two storeys with flat or low pitched roofs: Chip and Pin to the north and CF Capital to the south are both two storey brick buildings. The buildings further along Raynham Road, Raynham Close and Myson Court are similarly two storeys in height. Brakes Brothers (now Gu) is located behind to the west of the application site and is a three-storey, metal clad office block/store and depot of substantial width.
- 8.7 The application site is in an industrial estate and contains and is surrounded by buildings of older styles where the form has been guided by function rather than by aesthetics. However, the front part of the proposed building has been designed to reflect the street-scene in Raynham Road; being two-storey (9.9m high) at the front and in alignment with the height and building line of the neighbouring building to the south. It is also similar in height to and set further back from the road than the development at Raynham Close. A single storey canopy over the entrance would project into the forecourt, which would otherwise be used for open car display. The three storey section would be set back 13m from the front of the building. The roof of the rear part will be just lower than the ridge height of the Gu building behind. It will be considerably narrower than the Gu building and have a less bulky appearance.
- 8.8 The proposed external wall materials are powder coated metal panels. The two storey front section would feature large glazed panels. The side and rear elevations would have rows of small windows, high-level at ground floor. The roof would contain roof lights. All windows would have aluminium powder coated frames. The colour and texture of frames, cladding and glazing have not been specified and these details can be sought through a condition

to ensure they are appropriate to the area. The details of the canopy have not been provided. These can also be required to be submitted for approval by a condition. No changes are proposed to the site boundary treatments.

- 8.9 The design of the proposed building is of good quality. As a result of the proposed scale, form and positioning, the building would not be unduly dominant in the street-scene and would result in an improvement to the appearance of the site. Subject to acceptable materials, the building would respect and complement the character of the area in accordance with Policy DES4.

Impact on residential amenity

- 8.10 The proposed development is some distance from the residential properties to the north and screened from view therefore there would be no visual impact on the occupiers of these properties. Policy EQ2 requires development to be designed and operated in a way that minimises the impact of noise on the surrounding environment, particularly noise sensitive uses. Operational noise would be unlikely to be substantially more than the existing situation being contained within the proposed building, which would be built to modern standards.

Highways and Parking

- 8.11 The three existing site accesses will continue to be used. The Highway Authority considers that the access to the site is satisfactory.
- 8.12 The Highway Authority note the forecast trip generation as set out within the submitted Transport Statement. The estimation of trip generation for a site with a variety of bespoke uses, in particular for the existing busy premises, is one which relies upon a number of assumptions and existing count data. The trip generation exercise as presented within the Transport Statement Addendum (following on from the Transport Statement) states an increase of 10 and 16 two way trips in the AM and PM peak hours respectively. In the

context of the light industrial uses on Raynham Road and the junction with the A1250 being satisfactory, the Highway Authority is content that the increases as set out by the applicant may be accommodated on the local highway network.

- 8.13 The proposed car parking provisions are based on the needs of the expanding business. The proposed building will provide covered storage space for vehicles and vacate much of the land around the buildings that is currently used for storage of vehicles. Storage capacity on the site would increase from 109 to 248 vehicles. The applicants expect to store 164 within the new building and approximately 80 on the open site. The remainder of the space would be freed up for staff car parking and two HGV's.
- 8.14 With regard to staff and visitor parking, the existing situation was surveyed. The peak time was recorded as late morning (11am-12 midday). Projected parking demand was based on this model. The maximum forecast car parking accumulation for staff and visitors throughout the day would be 41 spaces in the late morning. The proposal includes 35 spaces within the application site as well as use of the current level of on-street spaces.
- 8.15 The proposal does not apply the adopted car parking standards for the mix of uses which would amount to 79 spaces. However, the company has a particular business model involving some long term storage for vehicles and established patterns of travel to work by staff. These include the use of buses, by which the industrial area is well-served from Dunmow Road. The anticipated increase in parking demand is based on a small expansion in the number of staff and results in fewer spaces being required than B2/ B8 use. The parking provision proposed is a total of 35 spaces an increase 24 spaces. The Highway Authority welcome the rationalisation of the parking arrangements and on the basis of the surveyed information and a site visit they that the parking proposals are satisfactory.

- 8.16 Ten cycle parking spaces will be provided in a secure location within the application site. The proposals submitted are indicative and a condition is recommended requiring approval of details.
- 8.17 The proposal is considered to be compliant with Policies TR1 and TRA3 of the District Plan.

Flood Risk

- 8.18 The site is partially in Flood Zone 2. There is a risk from fluvial flooding from the designated main river on the far side of Raynham Road. However, the proposal is classified as a less vulnerable use which may be sited in Flood Zone 2. The LLFA requested a surface water drainage assessment and SUDS management scheme. A Flood Risk Assessment and SuDS Strategy prepared by Ardent Consulting Engineers were submitted. The LLFA supports the submitted scheme, which utilises a swale, permeable paving features, underground storage tanks and discharge into a private surface water sewer. The submitted scheme is considered acceptable subject to conditions on planning permission securing its implementation and submission, installation and maintenance of a detailed drainage scheme.

Contamination and Pollution

- 8.19 The site may have been contaminated in the past. However, the land is fully hard-surfaced and the proposed development would not change this situation or introduce a more vulnerable use.

9.0 Planning Balance and Conclusion

- 9.1 The proposal is for a mix of B1, B2 and B8 Class uses in a designated Industrial Area and complies with Policies ED1 and ED2. In addition, the proposal would provide improved employment accommodation and infrastructure to meet the long-term needs of a well-established local employer. The employment aspects of the proposal carry significant positive weight.

- 9.2 The car sales element is limited in scale. The amount of floor area used for sales office and display can be restricted to the ground floor foyer and forecourt by condition to ensure it is ancillary to the main uses.
- 9.3 The proposed design is modern and it is considered that it would improve the general street-scene of the Industrial Area, subject to the submission of materials and details of the canopy for approval. The improvement of the appearance of the site carries some positive weight.
- 9.4 Operational noise would be unlikely to be substantially more than the existing situation. Repair and restoration would take place internally and the building would be constructed to modern standards. The noise impact of the proposal is, therefore, considered to be neutral.
- 9.5 Access arrangements are considered satisfactory, subject to the approval of a Construction Traffic Management Plan to ensure the Highway is not obstructed during construction.
- 9.6 The Highway Authority is satisfied that the proposal provides an acceptable level of parking to meet the likely demand. Parking is lower than the adopted standard, however, parking provision will be increased on-site to meet expected demand based on surveyed information. In addition, cycle parking will be provided to promote sustainable staff travel.
- 9.7 Overall, the highway impact of the proposal is, therefore, considered to be neutral.
- 9.8 Adequate flood prevention and drainage measures can be secured through a condition.
- 9.9 Overall, taking into account the policies of the Development Plan and the NPPF and other material considerations, the proposal is considered to be acceptable subject to conditions.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions/ reasons set out below:

Conditions

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

- 2 The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this decision notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

- 3 Prior to any above ground building works being commenced samples of the external materials of construction for the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

- 4 Prior to any building works being commenced on the front canopy details of the plans, elevations and samples of the external materials of construction for the canopy to the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

- 5 In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 07.30hrs on Monday to Saturday, nor after 18.30hrs on weekdays and 13.00hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties from noise pollution in accordance with Policy EQ2 of the East Herts District Plan 2018.

- 6 Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall identify details of:

- Phasing of the development;
- Methods of accessing the site;
- Construction vehicle routing and numbers;
- Location and details of wheel washing facilities;
- Details of parking and storage areas clear of the highway;
- Environmental management details (including hours of working, the mitigation of noise and dust and any other matters covered under BS5228).

The development shall thereafter be implemented in accordance with the approved details.

Reason: Details are required to be approved prior to the commencement of development to minimise the impact of construction on the highway network, neighbouring occupiers and the environment in accordance Policies TRA1 and TRA2 of the East Herts District Plan 2018.

- 7 Prior to the first occupation or use of the development hereby approved, spaces shall be provided within the application site for the parking of cars as shown on the approved plan(s) and the spaces shall be retained for such use in connection with the development.

Reason: To comply with policy TRA3 of the East Herts District Plan 2018.

- 8 Prior to the first occupation of the development hereby approved details of the cycle parking facilities proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development should be implemented in accordance with the approved details.

Reason: To promote the use of sustainable transport modes, in accordance with Policy TRA1 of the East Herts District Plan 2018.

- 9 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment carried out by Ardent Consulting Engineers, report reference 172700-02, dated May 2018 and the additional information dated December 2018:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 10l/s during the 1 in 100 year plus 20% of climate change event;
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year including climate change event providing a total storage volume in permeable paved areas and underground tanks;
3. Discharge of surface water from the private drain into the private surface water sewer outside of the development site.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other

period as may be subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent the risk of flooding to the proposed development and future occupants further to Policies WAT1 and WAT5 of the East Herts District Plan 2018.

- 10 Prior to the building works being commenced a detailed surface water drainage scheme for the site, based on the approved drainage strategy and sustainable drainage principles, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include the following:
1. Updated detailed modelling of post-development drainage to include 10 l/s discharge limit for surface water;
 2. Updated, detailed drainage plan including the location of all SuDS features, pipe runs and discharge points. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan;
 3. Routes of exceedance identified on a map for rainfall events that exceed the 1 in 100 year plus climate change event;
 4. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs;
 5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding on and off the site further to Policies WAT1 and WAT5 of the East Herts District Plan 2018.

Informatives:

1. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded cement is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW shall be contacted and the asbestos removed by a licensed contractor.
2. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
3. Thames Water must be contacted if a connection to discharge surface water to the public network is sought.

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 and any relevant material considerations. The balance of the considerations is that permission should be granted.

KEY DATA**Non-Residential Development**

Use Type	Floorspace (sqm)
B2	3,121 proposed 1,111 (additional over existing)
B8	2,188
Workshop display	178
ancillary offices	192
sales (internal)	400
sales (forecourt)	400
	6,566 4,066 (additional over existing)

Non-residential Vehicle Parking Provision

Use type	Standard	Spaces required
B2	1 space per 50sqm	62 (22 additional)
B8	1 space per 75sqm	29
Ancillary offices etc B2/B8 average	1 space per 67sqm	14
Total required		105
Accessibility reduction	Zone 4 up to 25%	26
Resulting requirement		79 (39 additional)
Proposed provision		35 (24 additional)