

APPENDIX A

- (a) 3/11/0987/FP-Demolition of existing main car dealership and construction of new main car dealership and adjacent car park with raised storage area;
- (b) 3/11/0988/FP - Demolition of bodyshop and outbuilding and construction of 6 no. offices and 5 no. light industrial units with trade counters at 295-297, Stansted Road, Bishops Stortford, Herts, CM23 2BT for Gates Group Ltd.

Date of Receipt: 08.06.2011

Type: Full – Major

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - MEADS

RECOMMENDATION

- (a) That in respect of application 3/11/0987/FP planning permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102) (6463GPA/01, 6463GPA/02, 6463GPA/03, 6463GPA/04, 6463GPA/05, 6463GPA/06, 1150/1, 1150/3, 1150/4A)
3. Materials of construction (2E113)
4. Prior to the commencement of development details of foul water disposal and a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and thereafter retained at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect controlled waters and to reduce surface water run off and the risk of flooding in accordance with Policy ENV21 of the East Herts Local Plan Second review April 2007.

5. Contaminated land survey and remediation (2E332)
6. Levels (2E051)
7. Construction hours of working- plant & machinery (6N072)

a) 3/11/0987/FP and b) 3/11/0988/FP

8. The vehicle repair/ workshop shall not be open other than between the hours 0730 and 1930 Monday to Saturday, and not at anytime on Sundays or Bank Holidays.

Reason: In the interests of the amenities of adjoining residential properties in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

9. Hard surfacing (3V213)
10. Wheel washing facilities (3V251)

- (b) That, in respect of application 3/11/0988/FP subject to the applicant entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:-

- A financial contribution of £36,000 towards sustainable transport programs and £20,000 to provide the necessary highways infrastructure;
- £300 standard monitoring fee per clause.

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

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102) (1152/3B, 1150/4A, 1152/5B, 6463GPA/01, 6463GPA/19)
3. Materials of construction (2E113)
4. Prior to the commencement of development details of foul water disposal and a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and thereafter retained at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect controlled waters and to reduce surface water run off and the risk of flooding in accordance with Policy ENV21 of the East Herts Local Plan Second review April 2007.

5. Contaminated land survey and remediation (2E332)

a) 3/11/0987/FP and b) 3/11/0988/FP

6. Levels (2E051)
7. Construction hours of working- plant & machinery (6N072)
8. Hard surfacing (3V213)
9. Wheel washing facilities (3V251)
10. The buildings hereby permitted, shown as unit numbers 6-11 on drawing number 6463GPA/19, shall be used for B1a office purposes and for no other purposes including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

11. The buildings hereby permitted, shown as unit numbers 1-5 on drawing number 6463GPA/19 shall be used for Classes B1, B2 or B8 and for no other purpose.

Reason: To ensure the Local Planning Authority retains control over any future changes of use and that this would remain an appropriate for an Employment Site and would not result in a need for additional parking, in accordance with the aims of Policies EDE1 and TR7.

12. Green Travel Plans (3V272)
13. No external lighting shall be provided to units 10 and 11, shown on drawing number 6463GPA/19 without the prior written permission of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with policy ENV23 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision in both cases

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, EDE1, BIS9, ENV1, ENV2, ENV16, ENV19, ENV20, ENV21, ENV25, TR1, TR3, TR7, TR8, TR14, IMP1. The balance of the considerations having regard to those policies is that permission should be granted.

a) 3/11/0987/FP and b) 3/11/0988/FP

_____ (098711FP.NB)

1.0 Background

- 1.1 This Committee item comprises of two adjoining application sites which are shown on the attached OS extracts.
- 1.2 The sites are located to the west of Stansted Road and within the built up area of Bishop's Stortford.
- 1.3 The surrounding area is characterised by residential properties to the east and south of the site with industrial units to the north and north east within the Stort Valley Industrial Park, Birchanger Industrial Estate and Goodliffe Park. Adjacent to the site to the west is a railway track, with the River Stort beyond this.
- 1.4 The two sites currently form a single planning unit which is occupied by a car dealership. There are three buildings on the site which are used for the car showroom, a workshop and another ancillary building. The existing car show room and work shop buildings are two storeys in height.
- 1.5 Application (a) proposes the demolition of all of the existing buildings at the site and the erection of a new car dealership along with a raised storage area and a 2 storey car park. Application (b) proposes the demolition of body shop and outbuilding situated within the rear section of the site and the construction of 6 no. offices and 5 no. light industrial units with trade counters. The existing access is proposed to be used to serve both the car dealership and the new commercial units at the rear of the site.
- 1.6 The proposed new car dealership would be sited in the position of the existing car showroom to the front of the site. The showroom itself would be set back by approximately 50 metres from the highway, with a parking area adjacent to Stansted Road and a further raised parking area between this and the car showroom building. Due to rising land levels from west to east the height of the raised car parking area would vary, commencing at approximately 1.5 metres at the closest point to Stansted Road and rising to 2.8 metres as the land falls to the west.
- 1.7 The car showroom and the adjoining garages/workshops are designed with shallow sloping roofs that would be obscured by a parapet. The car show room would reach a height of 10 metres and the adjoining garages would decline to a height of 9 metres and 4.5 metres.

a) 3/11/0987/FP and b) 3/11/0988/FP

- 1.8 Opposite the proposed car dealership a car park with a raised storage area is proposed which would be adjacent to the eastern site boundary with the residential properties at Nos.283, 285, 287 and 289 Stansted Road. This car park would be 2 storeys reaching a height of approximately 4.8 metres. The car park would provide staff parking at ground floor and a car storage at the first floor.
- 1.9 The parking provision for the car dealership comprises of 28 staff parking spaces proposed within the 2 storey car park and 12 visitors spaces which are proposed to the front of the showroom.
- 1.10 Application (b) proposes the development of 11 new industrial units at the rear of the site to replace the existing outbuildings that are used in association with the car sales garage. Units 1-5, which would be sited adjacent to the northern and western site boundaries, are intended to be used for a B8 use. Units 6-11 which are located towards the southern part of the site, adjacent to the boundary of the site with the residential properties in Denny Court are proposed for a B1 office use.
- 1.11 Units 1-5 are of a standard warehouse building design, with high roller shutter doors and a minimal number of window openings. These buildings are designed with shallow hipped roofs reaching a ridge height of approximately 6.8 metres.
- 1.12 Units 6-10 are accommodated within 1 single block which is 2 storeys in height with windows at both ground and first floor. This building is designed with a hipped roof which reaches an eaves height of approximately 6 metres and a ridge height of approximately 9 metres. Unit 11 forms a single detached building that has a building design and height that matches that proposed for units 6-10.
- 1.13 A total of 59 standard car parking spaces, 4 disabled spaces and 30 cycle storage spaces are provided to serve the proposed 11 new industrial units.

2.0 Site History

- 2.1 In June 2010 an application for both of the sites was submitted, under Ipa reference 3/10/0906/FP, which proposed a new car showroom and the development of 60No. flats to the rear of the site. Officers recommended refusal of the application at this site for the following reasons:-

1. Loss of employment land (E021)

a) 3/11/0987/FP and b) 3/11/0988/FP

2. The proposed residential development by reason of its scale, height, massing and detailed appearance is of a poor standard of design, unsympathetic to the context of the site and detrimental to the character and appearance of the surrounding area. The proposal is therefore contrary to Policy ENV1 of the East Herts Local Plan Second Review April 2007.
 3. Inadequate affordable housing provision (H051)
 4. The application lacks sufficient information regarding flood risk to enable the Local Planning Authority to properly consider the planning merits of the application. The proposal would thereby be contrary to policy ENV19 of the East Herts Local Plan Second Review April 2007.
 5. The application lacks sufficient information regarding the presence of bats to enable the Local Planning Authority to properly consider the planning merits of the application. The proposal would thereby be contrary to policy ENV16 of the East Herts Local Plan Second Review April 2007.
- 2.2 The above application was withdrawn prior to consideration by the committee.
- 2.3 In 1991 planning permission was granted at the site for the change of use from B1 to 1) car showroom/open sales 2) parts and servicing counters 3) car rental 4) accident/body shop under lpa reference 3/91/0653/FP.
- 2.4 The site has been subject to other planning applications for extensions, alterations and advertisements, none of which are considered to be of any particular relevance to the consideration of the current application.

3.0 Consultation Responses

- 3.1 Herts Biological Records Centre has commented, in respect of both applications (a) and (b), that the bat report has shown no evidence of bats in the existing buildings at the site.
- 3.2 County Highways have commented that they do not wish to restrict the grant of permission for either application.

In respect of application (a) the existing junction arrangement onto Stansted Road remains and the changes to the internal access road to provide speed reduction measures and a separate pedestrian route to the rear of the site is an improvement over the existing arrangement. Traffic generation is unlikely to alter to any significant degree as a result of this application. In

a) 3/11/0987/FP and b) 3/11/0988/FP

terms of Section 106 contributions the East Herts SPD recommends that any increase in car parking provision should make an accessibility contribution towards sustainable transport at a rate of £500 per space and therefore a contribution of £11,000 is appropriate.

With regards to application (b) the applicant has submitted a revised transport statement that correctly identifies that additional traffic will be generated over and above that which already occurs from the existing development. I am aware that there are a number of local concerns regarding the level of traffic but I have no reason to question the findings of the transport statement and do not consider the level of traffic to give reason to object to the level of development being proposed. The site is within an established employment area, served by an adequate junction with Stansted Road, classified as a secondary distributor road within the County hierarchy, which is appropriate in terms of capacity and layout to accommodate the vehicular demands of the proposed development.

With regard to car parking provision within the site I note that the number of spaces proposed falls slightly below the maximum number of spaces contained in the East Herts SPD. Given that the site is located some way from the highway, served from a private road wide enough to accommodate occasional parking any impact on the public highway is extremely unlikely and therefore I cannot justify an objection on parking from a strategic viewpoint. However, it is acknowledged that the consideration of reduced parking has to include amenity considerations.

In terms of S106 contributions the Herts County Council's toolkit recommends that any development that increases peak hour traffic generation should make a second strand Sustainable Transport contribution based upon a figure of £1000 per two way trip. In this respect, from the transport statement a figure of £36,000 is appropriate to implement measures identified in the Bishop's Stortford transport plan. In addition £20,000 as a first strand contribution is required to provide improved public transport infrastructure. The first strand contribution would go towards improvements to bus stops closest to the site which with the Green Travel Plan may encourage workers to use public transport where possible.

- 3.3 The Council's Engineers, in respect of both applications (a) and (b), have recommended that the opportunity for naturalising the culverted portion of Birchanger Brook should be investigated and that details of Sustainable Drainage Systems should be discussed further.

a) 3/11/0987/FP and b) 3/11/0988/FP

3.4 Environmental Health have recommended conditions in respect of both applications (a) and (b) that relate to construction hours of working, loudspeakers, dust, asbestos, air quality, lighting, bonfires, piling works and contaminated land.

3.5 The Environment Agency have commented as follows;

They object to application (a) due to the failure to provide an adequate buffer zone to the water course and the failure to restore the ecological value of the river corridor. Their response follows an initial representation which raised no objection to the proposed development subject to conditions and the requirement for a financial contribution of £10,000 for enhancements to the Red, White and Blue public open space. Following concerns that have been raised by Officers in respect of whether this obligation would be directly related to the site and necessary to make it acceptable, the Environment Agency have confirmed that without the contribution they would object to the proposal for the reasons outlined above. The Environment Agency have confirmed that their objection is based solely on the failure of the development to take the opportunity to enhance biodiversity at the site, either by creating a 8 metre buffer zone to the watercourse or by providing a financial contribution for enhancement outside of the site and that they do not object on flood risk grounds.

They have no objection to application (b) subject to conditions that relate to land contamination, a surface water drainage scheme and a management scheme for the buffer zone to the Brook.

4.0 Town Council Representations

4.1 The Bishop's Stortford Town Council has no objections to both applications and in respect of application (a) have commented that the development would create jobs for local people and therefore they welcome it.

5.0 Other Representations

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 14 letters of representation have been received for application (a) and 14 letters of representation have been received for application (b), 1 of which is on behalf of 3 households, a petition signed by 41 local residents and a collective response to the applicants public consultation process on behalf of 17 residents have also been received. The representations can be summarised as follows:-

a) 3/11/0987/FP and b) 3/11/0988/FP

- Concerns in respect of whether the opening hours and delivery times for the industrial units would be restricted;
- The development would substantially increase the number of vehicles and heavy vehicles visiting the site which will exacerbate the existing problems that these vehicles cause to the surrounding residential area such as damage to the road and grass verges and queues of traffic as well as potentially increasing the number of accidents for road users and pedestrians ;
- Increased traffic could be hazard for the specialist minibus that picks up a wheelchair dependent child from the neighbouring dwelling house in Stansted Road;
- Inadequate parking provision;
- The development is too dense;
- The stacked car park is an eye sore, overbearing, would create an unattractive skyline and would result in overlooking into the gardens of the properties in Stansted Road. The posts that were erected at the site by the applicant show that the users of the car park would be able to look directly into the gardens and towards the rooms of the neighbouring dwellings;
- Illuminated sign should be switched off at night;
- Flags and balloons should not be used;
- Queries raised whether the units with trade counters would be used for retail purposes;
- No pre-design public consultation;
- Increased noise disturbance;
- The information within the statement of community involvement in respect of the public consultation exercise is inaccurate;
- The office and industrial units would not overcome the Council's previous concern in respect of scale, height, massing and detailed appearance of the buildings;
- The need for employment development is questioned due to industrial and office units nearby being vacant and a low unemployment rate.

5.3 A letter has been received from Mark Prisk, MP, which registers concern about the nature of the development and its impact upon local residents and also comments that a number of flaws in the public consultation and omissions in the documents submitted have been raised.

6.0 Policy

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

SD1 Making Development More Sustainable

a) 3/11/0987/FP and b) 3/11/0988/FP

SD2	Settlement Hierarchy
EDE1	Employment Areas
BIS9	Employment Areas
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV25	Noise Sensitive Development
TR1	Traffic Reduction in New Developments
TR3	Transport Assessments (if over 1000sqm)
TR7	Car Parking- Standards
TR8	Car Parking- Accessibility Contributions
TR14	Cycling- Facilities Provision (Residential)
IMP1	Implementation

6.2 In addition, the following National policy guidance is relevant:-

Planning Policy Guidance 1, Delivering Sustainable Development,
Planning Policy Statement 4: Planning for Sustainable Economic Growth

7.0 Considerations

7.1 The determining issues are whether the proposed development complies with the Policies of the Local Plan.

Principle of Development – Employment Site

7.2 The site is within the built-up area of Bishop's Stortford, wherein there is no objection in principle to development in accordance with Policy SD2 of the Local Plan.

7.3 The site, however, is located in the Stansted Road Employment Area which, in accordance with Policy EDE1, is reserved for industry comprising of Use Classes B1 (Business), B2 (General Industrial) and B8 Storage or Distribution).

7.4 The East Herts Employment Land and Policy Review, 2008 uses a traffic light system for employment sites within the district. The application site is identified as a 'green' site together with the neighbouring Goodliffe Park, Stort Valley Industrial Estate and Birchanger Industrial Estate. For sites identified as 'green' the review recommends that 'these are protected through a policy which ensures they are only released in exceptional circumstances. These estates represent the priority employment sites in the

a) 3/11/0987/FP and b) 3/11/0988/FP

District and are essential in meeting future employment needs.’ For Bishop’s Stortford as a whole the review states that ‘the strong demand and low vacancy rates in combination with the scarcity of supply mean that existing employment sites in the town need to be safeguarded.’

- 7.5 The Employment Land Review updates and strengthens the basis for Policy EDE1 and the need that it imposes to reserve designated employment sites such as this for B1, B2 and B8 uses.
- 7.6 The existing use of the site as a car dealership forms a mixed use with a particular emphasis upon B2 (General industry), due to the workshop, and a sui-generis use in the case of the car showroom. Officers have no objections to the proposed continued use of the site for a car dealership as although this use does not comprise solely of B1/B2/B8 uses which are expected by Policy EDE1 within Employment Areas, a significant amount of the use would be for B2 purposes and the nature of the business makes the existing site ideal for access, parking and storage purposes. Furthermore, having regard to the permission that was granted in 1991 for the existing mixed use of the site an objection to the redevelopment of the site for the same purposes would be unreasonable in this case.
- 7.7 The applicant proposes a mix of B1, B2 and B8 uses, which in principle accords with the aims of Policy EDE1 and is therefore acceptable. Units 6-11 are proposed as Class B1(a) offices and are of a design and form that is suitable to accommodate this kind of use as opposed to a more industrial or storage based use. Due to the close proximity of these units to the residential properties in Denny Court, Officers consider it to be necessary and reasonable to restrict the use of these units to B1a offices. However, for the remaining units the applicant’s intention appears to be to use these for B8 warehouse purposes with trade counters. Officers are concerned that some of the potential occupiers that are listed within the Design and Access Statement, such as Topps Tiles, would not constitute a B8 use and that an occupier of this kind could lead to a change of use from B1/B2/B8 to a mixed use with a significant retail presence which may not be appropriate for this out of town location that is within a designated Employment Site. A condition is therefore recommended to outline that the use of these units should remain within B1/B2/B8 use classes to ensure that the Local Planning Authority retains control over any future changes of use that would be outside of these classes.
- 7.8 The current application for the development of the rear of the site for new industrial and office units overcomes the concerns that Officers raised with the previous application for residential development, where a loss of employment land would have occurred. The current application takes the opportunity to make a more efficient use of the whole site for employment

a) 3/11/0987/FP and b) 3/11/0988/FP

purposes in order to seek to meet the demand for these uses that the 2008 Study identifies. Officers consider that by making a more efficient use of existing employment sites such as the application site this will reduce the future demand for the use of less sustainable sites outside of the built up area to accommodate the District's needs for industrial uses.

Amount, Scale, Density and Design

- 7.9 In relation to the proposed car dealership, this would replace the existing use at the site. The applicant intends for the new development to form a more logical and efficient building compared to the existing collection of buildings and proposes to employ the same number of staff once the development is complete, which is currently 51 people. The amount of development that is proposed for the car dealership is therefore considered by Officers to be acceptable. The majority of the new building for the car dealership would be of a similar height or less than the existing building at the site, except for the showroom itself which would exceed the height of the existing building by approximately 1 metre. Having regard to the height of the proposed buildings and their set back from Stansted Road, Officers consider the scale of the development that is proposed for the car dealership to be acceptable and furthermore consider that the overall amount, scale, density and design of these building would not have a harmful impact upon the character and appearance of the surrounding area.
- 7.10 In respect of the proposed new units to the rear of the site Officers consider that this proposal would make an efficient use of this currently under used land and the amount of development that is proposed would be compatible with the density and character of the neighbouring employment sites to the north.
- 7.11 Some of the third party representations that have been made have raised concerns in respect of whether the Officer's earlier reason for refusal (for the previous application) that dealt with the scale, height, massing and detailed appearance of the residential development has been overcome. The previous application proposed residential buildings which would have been up to 3 and 4 storeys in height. The existing proposal is for buildings that would be 2 storeys in height which immediately creates a development which would be of a reduced scale, height and mass to the previous proposal and would relate to the building heights within the neighbouring sites. The Officer's report in respect of the previous proposal for residential development commented that the proposed buildings did not appear to have been influenced by the design or character of neighbouring residential buildings. Officers would not expect the current proposal for industrial/office buildings to reflect the characteristics of residential properties. The proposed buildings are of a design that is typical for industrial and office

a) 3/11/0987/FP and b) 3/11/0988/FP

style buildings and together with the siting of the units to the rear of the site and set back from the highway and their height and scale; Officers consider that the development would not be harmful to the character and appearance of the surrounding area.

Neighbour Amenity

- 7.12 The concerns raised by neighbouring occupiers have been fully considered by Officers.
- 7.13 The proposed 2 storey car park would be sited within close proximity of the eastern boundary of the site with the rear gardens of Nos. 283, 285, 287 and 289 Stansted Road. The proposed car park is likely to give rise to some degree of noise disturbance to these neighbours and could result in some limited overlooking into their rear gardens when vehicles are parked in the spaces that are closest to the site's boundary with these neighbours. However, the upper level of the car park that would be likely to cause the most disturbance is proposed for the storage of cars and as such it is anticipated that the amount of activity and movement occurring within this part of the car park would be limited. Having regard to this intended use and the distance of approximately 33 metres that would be retained to the rear of these neighbouring dwelling houses, Officers do not consider that the impact that the car park would have in relation to noise disturbance as well as privacy, and outlook would be unacceptable in this instance.
- 7.14 In relation to the neighbours in Denny Court, having regard to the existing use of the site adjacent to these neighbours as a vehicular access and parking by the car dealership, Officers do not consider that the proposed new development at the rear of the site would have an unacceptable impact upon the amenities of these neighbours. The buildings that are proposed are 2 storeys in height and retain a minimum distance of 5 metres to the sites southern boundary with the neighbours in Denny Court. Officers consider that the use of Units 6-11 as offices as opposed to an industrial or warehouse use that would generate a higher level of noise and disturbance is appropriate for these units due to their close proximity to the residential properties in Denny Court. A condition is therefore recommended to require these units to be used only for Class B1a office use. Having regard to the existing use and circumstances of the site and the size, scale, height and siting of the proposed buildings and their intended use as offices, Officers do not consider that the impact that the development would have would result in an unacceptable disturbance or loss of amenity to the residents of Denny Court.

a) 3/11/0987/FP and b) 3/11/0988/FP

- 7.15 Some of the representations received from neighbouring occupiers have requested that the hours of operation for the proposed buildings are restricted. The original planning permission granted for the existing car sales garage only restricts the hours within which the workshop can be used, which is currently sited centrally within the site and within 45 metres of the residential properties to the south of the site in Denny Court. The proposed workshop is now proposed to be sited some 50 metres north of the neighbouring properties in Denny Court, however, would be sited within 16 metres of the rear gardens of the properties in Stansted Road. Due to the close proximity of the workshop with the neighbouring properties in Stansted Road Officers recommend that a similar condition is imposed on the planning permission to that at the existing car garage.
- 7.16 The concerns raised by neighbouring residents in respect of the potential increase to noise and disturbance from the site as a whole is duly noted. The conditions that are recommended to restrict the use of Units 6-11 would ensure that the level of noise and disturbance caused to the neighbouring residential properties to the south of the site would not be unacceptable. Officers acknowledge that the proposed redevelopment of both of the sites would result in an increased level of activity and vehicular movement at the combined site. However, having regard to the site's designation as an Employment Site, where a degree of noise and disturbance is expected, Officers consider that the proposed use of the buildings and their arrangements within the site would sufficiently minimise the potential for noise and disturbance to the neighbouring residential properties.
- 7.17 In relation to the impact of the proposal upon the amenities of neighbouring occupiers, Officers do not consider that the proposed development would result in an unacceptable impact upon the privacy, outlook, sunlight or result in an unacceptable level of noise and disturbance to warrant refusal of the application for these reasons.

Access and Parking

- 7.18 The proposal is to re-use the existing access for the proposed development to serve both the car dealership and the new units at the rear of the site. The concerns that have been raised in relation to the access, highway safety and traffic congestion are duly noted. However, County Highways have confirmed that they have no grounds to object to the use of the access for the development that is proposed.
- 7.19 A total of 28 staff parking spaces and 16 visitor/customer spaces are proposed to serve the car dealership, providing for both the showroom and the adjoining workshop. Appendix II of the Local Plan recommends a maximum car parking standard of 3 spaces per 4 employees and 1 space

a) 3/11/0987/FP and b) 3/11/0988/FP

per 10 cars displayed for car showrooms and for workshops 3 spaces per 4 employees is also recommended. The applicant has indicated that 51 staff would be employed at the site. The maximum parking standard for staff parking would therefore be 40 spaces and given that 42 display spaces are proposed an additional provision at a maximum of 10 spaces would be recommended. The total recommended maximum parking standard for the car dealership is therefore estimated at 52 spaces. The total number of 44 spaces that is proposed is considered to be an acceptable provision in this case.

- 7.20 With regards to parking provision for the new industrial units to the rear of the site, the maximum provisions recommended within Appendix II for the B1 office use is 1 space per 30m² and for B8 storage and distribution use the maximum standard is 1 space per 75m². The combined maximum requirement for the B1 and B8 units would equate to 65 parking spaces. The current proposal would provide 59 spaces with 4 additional disabled spaces. The proposed parking provision is marginally below the maximum standard and as such is considered to be acceptable.

Planning Obligations

- 7.21 Should the proposed development be deemed acceptable, Planning obligations would be required to mitigate against the effect of the development upon local services and infrastructure.
- 7.22 County Highways have recommended that financial contributions are required for both applications. For the proposed new car dealership a second strand accessibility contribution is recommended for the number of additional car parking spaces that are proposed. However, as the existing number of employees is intended to remain the same at the car dealership and the development would not result in a significant increase in floor space, the level of activity may not necessary increase as a result of the development. Having regard to these circumstances Officers consider that a contribution for this application does not appear to be necessary or reasonable and therefore recommend that Members do not require this as a planning obligation in this instance.
- 7.23 In respect of the new development at the rear of the site, due to the increase in various users at the site, Officers recommend that planning permission is granted subject to a requirement for financial contributions to be paid towards both first and second strand contributions.
- 7.24 A representation received from the Environment Agency requests a financial contribution of £10,000 which would be spent on improvements to the Red White and Blue public open space. The Environment Agency's

a) 3/11/0987/FP and b) 3/11/0988/FP

justification for the contribution is that the proposed development, which would involve development within 8 metres of a watercourse, would fail to take the opportunity to make biodiversity improvements at the site. However, the Environment Agency have not stated that the development within such close proximity of the watercourse would have an unacceptable impact upon flood risk or other issues that would suggest that the development within this siting is unacceptable in principle. As the works intended for the S106 contribution are not to the watercourse adjacent to the site in question Officers do not consider that this obligation would be directly related to the site, as required by the necessary tests for the Council to require an obligation. Officers therefore recommend that the £10,000 contribution that the Environment Agency has requested is not required as part of an approval of planning permission.

- 7.25 The applicant has been consulted on the required financial contributions and has confirmed that they are willing to enter into a Section 106 agreement to provide the sums that are outlined at the head of this report.

Other Matters

- 7.26 The concerns that Officers raised with the previous application in respect of the presence of bats, has now been overcome with the submission of a bat survey which has shown that no evidence of bats were found.

8.0 Conclusion

- 8.1 Having regard to the representations made by consultees and local residents, Officers consider that the details submitted for the proposed developments within both planning applications are acceptable and accord with the aims of the relevant policies of the Local Plan.
- 8.2 Having regard to the above considerations, it is recommended that planning permission is approved for application (a) subject to the conditions at the head of this report and that permission is approved for application (b) subject to a Section 106 agreement and the conditions at the head of this report.