

WELWYN HATFIELD COUNCIL
PLANNING CONTROL BOARD
14TH FEBURARY 2002
REPORT OF THE CHIEF PLANNING OFFICER

PCB 14.02.02
PART I
ITEM NO
FOR DECISION
CPO

S6/2000/639/FP
CONVERSION OF PART OF MULTI-STOREY CAR PARK
AND SERVICE ROAD TO FORM ADDITIONAL RETAIN SPACE
AND REVISED INTERNAL VEHICLE CIRCULATION AND
PARKING SPACES
THE GALLERIA, COMET WAY, HATFIELD

APPLICANT: THE GALLERIA LIMITED PARTNERSHIP

(Hatfield Central)

1.0 INTRODUCTION

- 1.1 The TK Maxx Store occupies Units 30-34 within the Galleria Shopping Centre, on ground floor level (level 1) in its south-western corner. The supporting letter submitted with this application indicates that the store is the most commercially successful at the Galleria and the most successful TK Maxx store in the country. To meet demand, TK Maxx have a general policy to expand the size of their stores, hence the current application.
- 1.2 The proposal as original submitted in April 2000 was for an extension of about 1100m² gross floor area (650m² net sales area), but this has since been revised in the light of technical considerations to 638m² gross (378m² net sales area) This extension would be achieved within the existing envelope of the Galleria building, by extending the TK Maxx store at levels 1 and 2 into the multi-storey car park, and re-organising the parking spaces and vehicle circulation accordingly. As originally submitted, the proposals included a new exit ramp from the multi-storey car park onto Cavendish Way, but this has been deleted in the revised proposals. Fourteen car parking spaces for staff at ground level would remain with access and exit to Cavendish Way, whilst all customer cars and service vehicles would enter and leave the multi-storey car park at its northern end via the existing access road arrangements.

2.0 RELEVANT POLICIES

Welwyn Hatfield District Plan – Alterations No 1 (1998)
Policy RS2 (Minor Retail Developments), Appendix A – Standard 4 Criteria
Welwyn Hatfield District Plan Review – Deposit Version (Jan 2001)
Policy TCR3 (Out of Centre Development)
PPG6 – Town Centres & Ministerial Statement (Feb 1999)
PPG13 – Transport (March 2001) and Retail Development (1996)

3.0 REPRESENTATIONS RECEIVED

- 3.1 The application has been publicised by site notice, and immediately neighbouring residents have been notified by letter. Letters have been received from three residents, concerned at loss of existing car parking spaces and potential for increased on-street parking. No comments have been received from Hatfield Town Council.

4.0 RESPONSES OF TECHNICAL CONSULTTEES

- 4.1 The Highways Agency (responsible for the A1001 (T) and for structures over the A1(M) tunnel) has no objections to the revised proposals, either on traffic impact or structural safety grounds.
- 4.2 The County Council as Highway Authority has no objections to the revised proposals, subject to the revocation of the outstanding retail consent on the site, or completion of a suitable unilateral undertaking to prevent its implementation.

5.0 DISCUSSION OF PROPOSALS

- 5.1 Current development plan policy, as set out in Policy RS2 of the adopted District Plan, states that proposals for new retail development of less than 1500m² gross should be sited in one of the existing town centres, or other existing retail areas such as neighbourhood or village centres. The Galleria is not within one of those centres, and therefore the proposal in strict terms is contrary to the policy. The approach of the Deposit Plan Review to the location of new retail development is set out in policies TCR1 to TCR3. Policy TCR3 in particular lists a series of tests which should be met for out of centre retail development to be considered acceptable. These include the identification of a need for the particular floorspace proposed and the adoption of a sequential approach in selecting the site, as advised by PPG6 and the February 1999 ministerial statement. There are objections outstanding to the wording of Policy TCR3 in the new plan and therefore limited weight can be accorded to it as yet, however there is no evidence from the submitted application that a 'need' in planning terms has been identified for the additional floorspace proposed in this application, nor that a sequential test has been applied. The proliferation for the scheme in the covering letter is based chiefly on the commercial success of TK Maxx
- 5.2 In pure development plan terms, therefore, there are factors weighing against the approval of the present scheme. There is, however, another material consideration of significant weight, in the form of an existing planning permission (ref: S6/0960/99/FP) for 665m² gross retail floorspace. This floorspace was proposed to be located under the cinema building, to the north of the main shopping building. In fact, part of the site on which the additional floorspace was to be located has now been taken up by Burger King under planning permission S6/2000/1585/FP, granted on 22nd January 2001. The Burger King building was completed during last year. There remains the possibility of 331m² of gross retail floorspace which could be erected in this location, and the applicant has indicated a willingness to forego the provision of this floorspace if the current TK Maxx proposal were to be permitted. In net retail floorspace terms, the proposal would be likely to exceed the permitted floorspace to be revoked by about 100 to

150m². At this level, I would take the view that, on balance, it would be difficult to justify a refusal of the proposal based on its likely retail impact on existing centres, or the failure to identify need or comply with the sequential test. This would be on the undertaking that in any permission granted, a condition would be imposed preventing the conversion of any ancillary floorspace into sales floorspace without the Council's approval.

- 5.3 Turning to the issue of the traffic generation likely to arise from the proposal, this has been considered in some detail by the County Council as local highway authority. Again, the existing outstanding planning permission S6/0960/99/FP is a factor, since this already carries with it a potential increase in traffic generation. Having compared likely trip rates for the two proposals, and taking into account the fact that the Burger King unit has now been developed, the County Council would have no objection to the current proposal on traffic impact grounds provided that the outstanding permission for development under the cinema building were revoked. This view has been relayed to the Highways Agency, which has responsibility for the trunk road A1001, and the Agency has withdrawn its original direction of refusal. It now has no comments on either traffic impact, or on issues relating to the structure of the A1(M) tunnel. The original plans, which proposed the introduction of a second exit from the multi-storey car park on to the Cavendish Way slip road, raised concerns over conflicting traffic movements, particularly in relation to the bus stops at the southern entrance to the centre. In the revised scheme, this second exit for general use is deleted, and only a ground level access/exit to 14 staff car parking spaces remains. This would be unlikely to have any significant adverse effect on highway safety in Cavendish Way or the adjoining bus stops.
- 5.4 There are also issues relating to car parking spaces and vehicle circulation within the Galleria site to be considered. The amended proposals would result in the loss of 36 car parking spaces within the multi-storey car park. It is proposed to replace these with 30 external parking spaces alongside the eastern service road into the site from Cavendish Way. This would result in a net loss of six spaces. This loss, complied with a national increase in demand for parking spaces arising from the proposed new retail floorspace gives a notional deficit of 22 spaces (employing a 1 space per 40m² gross floorspace standard).
- 5.5 In assessing the parking implications of the proposal I am mindful of the concerns and objections expressed by local residents regarding on-street parking in the neighbourhood of the Galleria. Evidence suggests, however, that the existing car parking spaces at the Galleria are never fully in use at present, although significant parking does take place up to and including roof level of the multi-storey car park at busiest times. The occurrence of on-street parking appears to be due largely to a perceived greater convenience to shoppers and reluctance to use the on-site parking facilities, particularly when this involves queuing within the site, which is likely at busiest times. Whilst this does raise questions concerning parking management, it would be unlikely on the evidence available that a significant increase in on-street parking (with consequent adverse effects on highway safety and residential amenity) could be attributed to the implementation of the present proposal (with the exception of temporary impacts arising during any construction period).
- 5.6 In reaching this conclusion, I have taken into account the fact that the additional floorspace is proposed as an extension to an existing store and is therefore less likely to generate wholly new vehicle trips to the site – in many cases people who

would have come to the Galleria in any event will simply include a visit to the extended TK Maxx store. I am also mindful of the fact that the County Council's current parking standards (SPG to Policy 25 of the Structure Plan), on which the assessment in 5.4 above is based, are expressed as maximum standards with the intention that lower provision be encouraged where access to a site is readily available by non-car modes. The Galleria is located on several bus routes, and a number of cycleways pass through or adjacent to the site. The maximum standard approach is also endorsed by PPG13 (March 2001) which also encourages local authorities to use discretion in setting levels of parking appropriate for developments of less than 100m² gross floorspace in order to reflect local circumstances.

- 5.7 A traffic statement dated November 2000, submitted in support of this application and the now built Burger King scheme includes details of internal traffic management measures to be implemented in order to improve existing vehicle circulation, limit queues, and avoid problems being caused by the closure of the existing exit for service vehicles onto Cavendish Way. Given the need to avoid additional problems of queuing and parking on the highway in the event that the present proposal were to be approved, it would appear reasonable to impose a condition on any permission, requiring suitable internal traffic management measures to be agreed and implemented, based on the information already set out in the traffic statement.
- 5.8 The proposed works to the multi-storey car park also raise a number of points covered by building regulations legislation. Although these are to be dealt with largely independently of the planning process, I have considered it important to clarify the implications for means of escape and emergency vehicle access in particular, since the incursion of retail floorspace into the car park area involves significant new thinking in terms of the design concept for the centre. Investigation of these points has taken place, and the County Council's Fire Safety Officer has confirmed that the proposals would allow for satisfactory means of escape and fire service access.
- 5.9 In terms of the visual impact of the proposals, this would be very limited, since the extension to the TK Maxx store would be entirely contained within the existing building envelope. Minor changes to the south and west elevations of the car park building would be in materials to match the existing. The building alterations would have no direct effect on any neighbouring residential property.

6.0 CONCLUSION

- 6.1 In the light of the above, I consider that the proposals are acceptable in principle as an exception to retail development plan policy in this particular instance, due to the fact that the proposed increase in floorspace can be significantly offset against an outstanding existing planning permission. There are no objections to these proposals from the relevant highway authorities on traffic impact grounds and the situation regarding parking provision is, in my view and that of the County Council as local highway authority, acceptable for the reasons given above. There are no other planning objections to the proposals.

7.0 RECOMMEN DATION

7.1 I recommend that planning permission is granted in respect of application S6/2000/639/FP subject to revocation of the existing planning permission through S6/1999/0960/FP a S.106 obligation (or receipt of a suitable unilateral undertaking not to implement that permission) and to the following conditions:

1. SCOI - TIME LIMIT - FULL PERMISSION
2. SC19 - MATERIALS – DETAILS TO BE SUBMITTED
3. SCO9 - LANDSCAPING SCHEME - FULL PERMISSION
4. Notwithstanding the details submitted with the application, full details of any proposed new parking spaces along the eastern service road, including plans at 1:250 scale or larger, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development, and the new spaces shall be provided in accordance with those plans prior to first use of the floorspace hereby permitted and retained thereafter.

REASON

To ensure satisfactory provision of new parking spaces in the interests of highway safety and visual amenity.

5. Prior to the commencement of development written details of a scheme for the management of service traffic visiting the site including measures designed to minimise queuing of cars and service vehicles shall be submitted to and approved in writing by the local planning authority

REASON

To ensure adequate access and egress arrangements for service vehicles and to limit the risk of parking and queuing on the highway in the interests of highway safety.

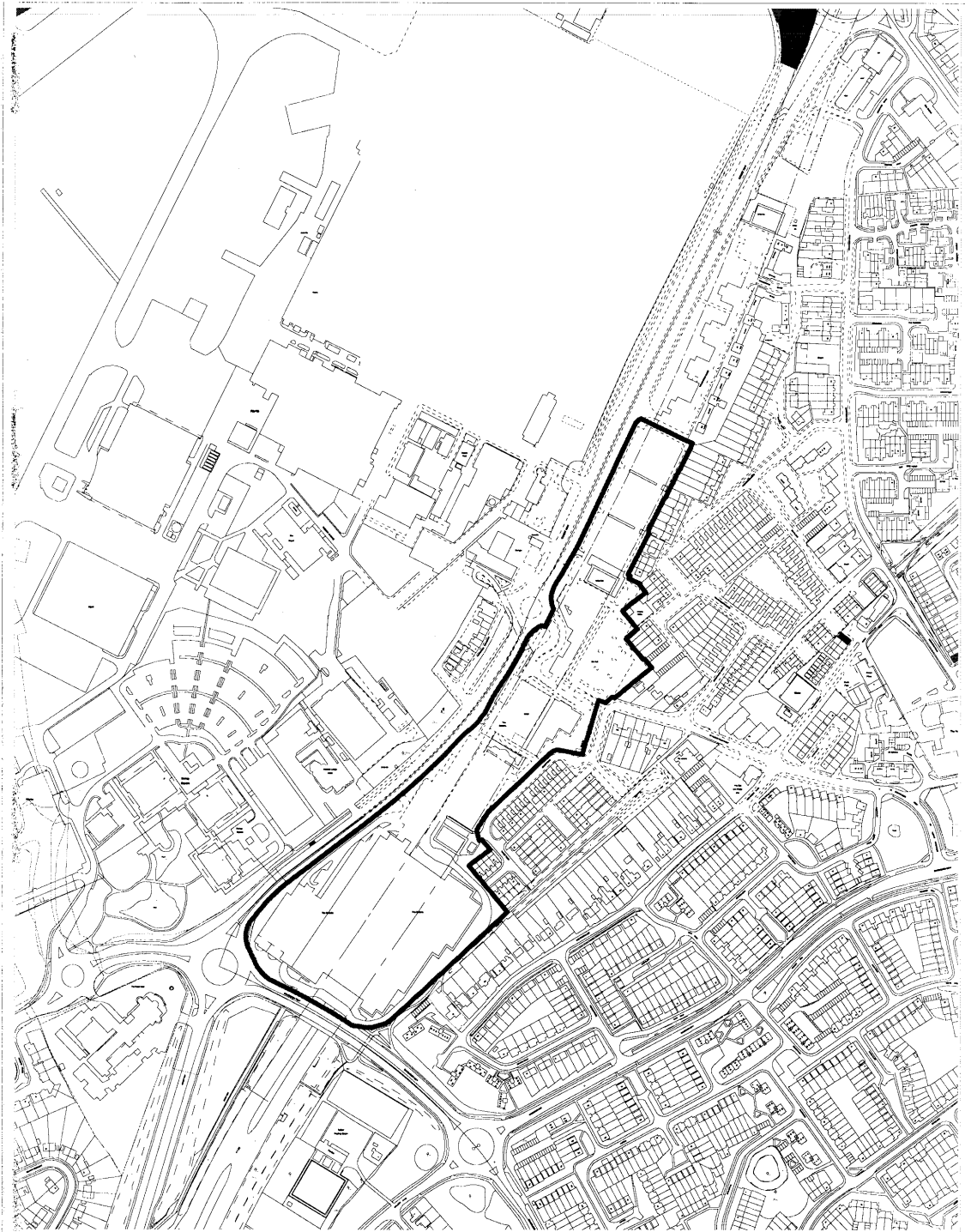
6. None of the ancillary office, storage or other floorspace hereby permitted shall be converted to retail sales floorspace without the prior written permission of the local planning authority.

REASON

To limit the amount of new retail floorspace since the proposal is only acceptable given its scale in relation to other retained permissions to be revoked.

BACKGROUND PAPERS

Planning applications S6/2000/639/FP, S6/1999/0960/FP, S6/2000/1586/FP.



**WELWYN
HATFIELD
COUNCIL**

THE GALLERIA, COMET WAY

SCALE: 1:5000

DRAWN BY: LIZA WREN

DATE 4th February 2002

Drawing No. 2000/0639

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