

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	N6/2008/1863/FP
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NOTATION:

The site lies within an employment area in Welwyn Garden City as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE: 13 – 15 Broadwater Road is currently a four storey detached building that is used by a tyre and exhaust centre for industrial use (class B2). The existing building provides 1,575 sq m of gross floor space and provides 23 on site parking spaces. The property is located to the east of the town centre and on the eastern side of the highway on a prominent corner position on the junction between Broadwater Road and Hyde Way. To the West and South of the area there are a number of 3 – 4 storey industrial buildings and to the north of the site there is a two and a half storey office block located on the corner plot.

DESCRIPTION OF PROPOSAL: The application seeks consent for the erection of a four storey self storage centre (class B8) following the demolition of the existing building. The proposed building would feature a central tower, would mimic the art – deco nature of the existing property and would have a footprint of 5249sq metres over its four floors and the individual storage units will vary between 4sqm and 30 sq metres. It has been stated that the building is to be constructed almost entirely of steel and a parking provision of 13 spaces will be provided on site.

PLANNING HISTORY:

N6/2007/0293/FP Change of use from tyre and exhaust centre to B8 use (self storage) – Approved

N6/1998/1123/FP - Construction of new third floor office accommodation, formation of new fire escape and alteration to elevations - Approved

N6/1998/699/FP - Alterations to external elevations - Approved

N6/1993/0158/FP - Alterations to elevations and additional car parking facilities required in connection with building to be used for exhaust/tyre repair centre, with MOT testing facility - Approved

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy
PPS1: Delivering Sustainable Development

East of England Plan 2008:
SS1 – Achieving sustainable development
T14 – Parking

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Guidance / Statements:

PPS1: Sustainable Development

PPG13: Transport

PPS23: Planning and Pollution Control

Hertfordshire Waste Local Plan 1999:

Waste Policy 3 – Waste minimisation and new development

Waste Policy 7 – Reuse of waste arising from new developments

Waste Policy 8 – use of recycled materials in new developments

Waste Policy 11 – Waste separation storage and recycling facilities at major new development sites

East of England Plan:

SS1 – Achieving sustainable development

T14 – Parking

Welwyn Hatfield District Plan 2005:

SD1 Sustainable Development

GBSP2 - Towns and specified settlements

EMP1 – Employment Areas

EMP2 – Acceptable uses in Employment Areas

M5 – Pedestrian facilities

M6 – Cycle routes and facilities

M14 - Parking standards for new developments

R2 – Contaminated Land

R3 – Energy efficiency

R5 – Waste Management

R29 – Archaeology

D1 - Quality of design

D2 - Character and context

D7 – Safety by design

Welwyn Hatfield District Plan, Supplementary Design Guidance, February 2005

Welwyn Hatfield District Plan, Supplementary Planning Guidance, Parking Standards, January 2004

CONSULTATIONS:

Hertfordshire County Council Highways – “the proposal is for the demolition of the existing building and the construction of a B8 building to be used for self storage. The gfa of the proposed building is 5815sqm. If the building was for a B8 general use, parking requirements in accordance with the WHBC standards would be for between 19 and 38 spaces. I note that it is proposed to provide 13 spaces. The LPA are the parking authority and will ultimately determine the appropriate level of parking. Existing parking restrictions on the street should ultimately determine the appropriate level of parking. Existing parking restrictions on parking should prevent parking on the highway. Although the proposed floor area is greater than existing the use as self storage is likely to lead to a reduction in peak hour trips to the site as evidence from TRICs shows that such facilities are generally low traffic generators”. Accordingly it was stated that they did not wish to restrict the grant of permission subject to the inclusion of a condition relating to the completion of road surfacing on site.

Environmental Health Officer – did not wish to restrict the grant of permission subject to the inclusion of the standards contaminated land condition in the event of approval being granted

Hertfordshire County Council Minerals and Waste Officer – In accordance with waste policies 3, 7, 8,11 of the Hertfordshire County Council Waste Local Plan 1999 it will be necessary to ensure sufficient waste management procedures are in place.

TOWN/PARISH COUNCIL COMMENTS: None

REPRESENTATIONS

The application was advertised by means of neighbour notification and a site notice and no representations were received.

DISCUSSION: The main issues are:

- 1. The principle of development on the site and whether the site is suitable for B8 use**
- 2. Whether the proposed building would have an impact on the character and appearance of the property and surrounding area and the impact of the development on the amenity of neighbouring properties**
- 3. The impact of the proposed development on highway safety and whether the site would provide a sufficient parking allocation**
- 4. Other Material Planning Considerations**

1. The site lies in an employment area as designated by the local plan. Policy EMP2 of the Welwyn Hatfield District Plan 2005 states that the application site is in the Employment Zone EA1, as set out in Policy EMP1, to the east of the town centre. At present the application site is a tyre and exhaust centre (B2) and it is proposed to change its use to (B8) self-storage. Policy EMP2 identifies criteria for suitable sites in the employment area which are subject to certain criteria. Within the employment zone uses are limited to class B, unless the buildings are no longer required to meet future employment requirements and business and community needs. Therefore the change of use to (B8) self-storage would be acceptable in principle, subject to the following criteria:

- The proposal would not, due to the scale of employment generated, have an unacceptable impact on the demand for housing in the travel to work area;
- The proposal would not harm the amenities of any nearby residential properties;
- The development would provide adequate parking, servicing and access;
- Any retail element of the development would clearly be ancillary to the main business use.
- The development should be well located in relation to the primary road network.

The application site is in the centre of the Employment Zone EA1 and as such there are no residential dwellings within close proximity of the site. It is currently in use under B2 usage and the change to use for (B8) self-storage would result in 5 full time members of staff on the site. Fewer people would work on the site and thus the impact of the development on the demand for housing in the travel to work area would be less than the current use.

A previous application for the use of the site under B8 use was previously granted [N6/2007/0293/FP] and the principle of the use of the site as a self storage centre has been previously accepted. Whilst the current application differs from the previous application in the manner in which it would involve the demolition of the existing building and the erection of a new building with parking facilities it is considered that under policy EMP2 the principle of development would be acceptable subject to the other relevant development plan policies.

2. The existing building is not statutory listed and is not identified as a building of local architectural importance, however it is considered that due to its prominent corner location and art – deco design the existing building does positively contribute to the appearance of the street scene. The properties surrounding the application site are largely characterised by a mixture of property styles and sizes with different employment uses. There are a number more recent buildings fronting Broadwater Road, some of which seek to reflect the industrial character of the area by the inclusion of wide windows which have a emphasize the horizontal nature of the buildings.

Similar to the existing building, the proposed building would be 4 storeys tall and would measure approximately 0.8 metres taller than the existing building. The building would also feature a central tower and would have a greater footprint on site than the existing building. In terms of the design of the proposed building it is considered that there are parallels between the design of the current building and the design of the proposed building. The proposed building has an art – deco style central tower with white cladding and features a number of centralised rectangular windows and well spaced, centralised fenestration. The proposed building also follows a similar building line to that presently on site but will be positioned slightly forward of the existing building. In terms of the increase in the scale and mass of the building, it is considered that whilst there is an increase in scale the proposed design of the building, particularly the northern and western elevations which would feature symmetrical fenestration detailing, would ensure that the proposed building would be able to positively contribute to the character of the area. It is therefore considered that the prominence of the building from the frontage of the street scene is reduced by the stepping in of the building from the building line and that the proposed design of the building would respect the existing design of the building on site and would not be harmful to the character and appearance of properties in the surrounding area.

In terms of the impact of the proposal on the amenity of neighbouring properties it is considered that the proposed building would be established on a corner plot and would be set back from the frontage of the street scene and well away from neighbouring properties. It is also considered that the surrounding properties are all used for industrial use and the use of the site for B8 storage would have no more of an impact on the amenity of neighbouring properties than the current B2 general industrial usage.

3. Vehicular and pedestrian access is currently taken from Hyde Way and Broadwater Road which provides access to an area of car parking which serves the current building. It is proposed that vehicles will enter the site from the existing access off Hyde Way which is proposed to be upgraded and formalised and then vehicles will use a one way traffic flow system of entering and exiting the site. A consultation was arranged with Hertfordshire County Council Highways and the consultation response stated that the proposal would not have an unreasonable impact on the safety and operation of adjoining highways given the existing position of the access road and subject to conditions relating to the completion of road surfacing on the site.

The application proposes to change the use of the site from B2 to B8 usage and the proposed building would employ 5 full time employees. The application site is located in zone 2 of Welwyn Hatfield District Plan supplementary design guidance for parking standards 2004 which recommends a maximum parking allocation for a B8 use of this scale of 70 parking spaces. The applicant has proposed 13 parking spaces. This includes 1 parking space to be allocated for disabled customers, 3 spaces for larger transit vehicles, 2 for staff and 7 parking spaces for customers (which includes 2 internal loading bays for customer pick ups). The applicant has also estimated that there will be a maximum of 4 vehicles on site at any one time and an average of 13 vehicles on site per day.

The current site does not demonstrate an over active traffic movement or level of congestion which is evident from the site specific survey data that has been provided and the applicant has demonstrated through the use of a similar storage facility in London that for sites that are used for B8 storage there is a much lower traffic flow and a lower need for parking than is estimated in the Welwyn Hatfield District Plan supplementary design guidance for parking 2004. The case example of an existing storage centre in Maida Vale, London estimated through parallels between the existing and proposed facilities that the application site would have a maximum of 8 vehicles on site at any one time.

Given the fact that application site is located in zone 2 it is considered that a reduction in the maximum standards of parking allocation can be considered acceptable. The extent of this reduction depends on the justification put forward by the applicant's parking surveys. It is therefore considered that the proposal would provide a sufficient parking allocation for the site.

4. Given the current industrial use of the premises and the proximity of the site to premises which are used for industrial purposes it is considered that there may be the potential for contamination on site. The applicant has submitted a contaminated land survey and a consultation was arranged with the council contaminated land officer. The report revealed that there was no contamination on site and the response form the contaminated land officer stated that they did not wish to restrict the grant of permission subject to the inclusion of the contaminated land condition in the event of approval.

The application has included a sustainability checklist which notes that the proposal would be insulated to meet current building regulations standards. The proposal has considered the appropriate use of water consumption through low flush toilets and aerated taps. The application has also stated that energy efficiency will be maximised with the use of energy efficient lighting and hot water will be heated instantaneously to prevent heated water remaining unused.

In terms of waste Management it has been stated that refuse storage facilities are provided on site and all refuse will be recycled, where possible. It has also been stated that adequate facilities for the temporary storage of waste for recycling is provided on site by a dedicated refuse store. However, as detailed information with regard to waste management issues have not been provided it is considered that in the event of approval a detailed site waste management plan should be submitted to the Local Planning Authority prior to the commencement of development in order to comply with policies R5 of the Welwyn Hatfield District Plan 2005 and Hertfordshire Waste Local Policy 1999 waste policy 3, waste policy 7, waste policy 8 and waste policy 11.

CONCLUSION:

The proposal is considered to be a suitable site for the proposal, would sufficiently maintain the character and appearance of the property and surrounding area, would provide a sufficient parking allocation and would not be detrimental to the safe and efficient flow of the highway. It is also considered that the proposed development would not impact on the amenity of neighbouring dwellings and would be sufficiently energy efficient.

RECOMMENDATION: APPROVAL WITH CONDITIONS:

CONDITIONS:

1. C.2.1 – Time limit for commencement of development - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 of the Town and Country Planning Act (As amended)

2. C.13.1 – The development/works shall not be started and completed other than in accordance with the approved plans and details: BRS.1679_02-1 & 8771/E/010 & 8771/E/011 & 8771/E/013 & 8771/P/010F & 8771/P/011A & 8771/P/012A & 8771/P/013 & 877/P/013B & 8771/P/014B & 1A received and dated 29 September 2008 unless otherwise agreed in writing by the Local Planning Authority:

REASON: To ensure that the development is carried out in accordance with the approved drawings and any changes must be agreed in advance in writing by the Local Planning Authority.

3. C.5.1 - Samples of materials to be submitted and agreed - No development shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

4. The building(s) hereby approved shall not be occupied until the roads and footpaths associated with the building(s) have been constructed and surfaced in accordance with details which have been submitted to and agreed in writing by the Local Planning Authority and to the specification of the highway authority.

REASON: In order to ensure that adequate vehicular and pedestrian access is provided in the interests of highway safety in accordance with Planning Policy Guidance Note 13: Transport

5. Contaminated land survey – Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 (as set out below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 (as set out below) has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by suitably qualified persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 of this condition, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3 of this condition.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

REASON (common to all): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite in accordance with policies

6. Prior to the commencement of development a detailed site waste management plan shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure sufficient waste management on the site in accordance with policies R5 of the Welwyn Hatfield District Plan 2005 and waste policies 3, 7, 8 and 11 of the Hertfordshire County Council Waste Local Policy 1999.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The proposal has been considered against PPS1, PPG13, PPS23, Hertfordshire Waste Local Policy 1999 waste policy 3, waste policy 7, waste policy 8 and waste policy 11, East of England Plan policies SS1 and T14 and development plan policies SD1, GBSP2, EMP1, EMP2, M5, M6, M14, R2, R3, R5, R29, D1, D2 and D7 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

INFORMATIVES:

1. All works to be undertaken on the adjoining highway to the vehicle crossover in Hyde Way shall be constructed to the satisfaction of the Highway Authority in accordance with Hertfordshire County Council Publication "Roads in Hertfordshire – A guide for new developments". Before proceeding with the proposed development, the applicant should contact the Mid West Hertfordshire Area Office (01727816025) to obtain their permission and requirements.
2. The applicant is advised that no development (including demolition) should commence until wheel-cleaning apparatus to prevent the deposit of debris, mud etc on the highway has been agreed with the Highway Authority. Hertfordshire County Council Transport Planning and Policy can be contacted on 01727816025.

Signature of author..... Date.....