

UTT/15/1844/FUL (SAFFRON WALDEN)

(MAJOR)

PROPOSAL: Application to vary condition C 3 1 ('the development hereby permitted shall be implemented in all respects strictly in accordance with the submitted plans... ') attached to UTT/0693/07/FUL (Construction of 4 No. commercial units (B1, B2, B8 uses) and extension to existing building) - Amending the elevational treatment to improve the internal environment of the building and the external street scene.

LOCATION: Dencora Park, Shire Hill, Saffron Walden.

APPLICANT: Mr S Wingham c/o GCA Limited.

AGENT: Barker Associates LLP.

EXPIRY DATE: 14 September 2015.

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Within Development Limits / Safeguarded Employment Land (SW6).

2. DESCRIPTION OF SITE

2.1 The site is situated at the top end of Shire Hill Industrial Estate and comprises a rectangular parcel of overgrown undeveloped land comprising 0.88 ha that lies between an existing factory premises and a row of more modern single storey commercial units (Dencora Park) with associated large concrete hardstanding apron built on the site of the former Dairy Pipeline factory premises. The site has a natural fall from south to north. A couple of residential properties exist near to the north-west corner of the site (Prospect Place).

3. PROPOSAL

- 3.1 This proposal relates to elevational treatment changes to 4 No. commercial/industrial units previously approved for this undeveloped site for B1, B2 and B8 uses under UTT/0693/07/FUL opposite the existing single storey commercial units.
- 3.2 The larger commercial/industrial units proposed for the site annotated as "Large Unit 1" on the submitted plans relates to Units A and B within one building as so described and previously approved for UTT/0693/07/FUL, whilst the smaller commercial/industrial units annotated as "Small Unit 2" relates to Units C and D within a second building as so described and previously approved. The current variation of condition application is required to be reported to committee in view of its Major status reflected by the Major status of application UTT/0693/07/FUL.
- 3.3 The submitted plans show that both new buildings for the units would be externally clad with a Goosewing grey coloured horizontal Trapezoid metallic roof with silver louvre metal wall panels on a blue brick plinth with centrally positioned service doors and large window openings situated to each side at both ground and first floor level. Both the

front and rear elevations for “Large Unit 1” would be handed in terms of elevational treatment as a first option design format, although an alternative rear elevation is shown for “Large Unit 1” which includes additional service doors at each end of the building without windows dependent on client specification and intended end user. Neither the siting, orientation or height of the buildings are changed by the submission of this application, although “Small Unit 2” is slightly reduced in its footprint from 538sqm as originally approved to 530sqm as now proposed.

4. APPLICANT'S CASE

- 4.1 A letter accompanies the application which refers to a lawful use application submitted to the Council in 2014 when it was successfully evidenced that planning permission UTT/0693/07/FUL was still extant for the approved development by reason of ground preparation works carried out in connection with that development. The applicant's agent has verbally stated that it is the applicant's wish to increase the usability of the approved units and to enhance their appearance by modifying the elevational treatment of them.

5. RELEVANT SITE HISTORY

- 5.1 Planning permission granted in 2007 for the construction of 4 No. commercial/industrial units for B1, B2 and B8 uses and extension to an existing commercial unit forming part of the single storey range of commercial buildings at the Former Dairy Pipelines premises situated opposite when the officer report to committee for that Major application assessed that the proposed development was compliant with local employment policy and acceptable in principle at this industrial location (UTT/0693/07/FUL).
- 5.2 The new commercial/industrial units were shown for that application to be comprised of two separate buildings of two units each with building footprints of 644sqm (322sqm x 2) for Units A and B (“Large Unit 1”) and 538sqm (269sqm x 2) for Units C and D (“Small Unit 2”) respectively with a height to the eaves of 6m and a height to the ridge of 7.5m for both buildings. The buildings were shown on the proposed site layout plan to face each other across a new concrete service apron leading off the existing service yard onto the site's southern boundary. It was stated in the application that the walls would be externally clad with profiled metal sheeting above a 900mm brick base and that the roofs of the buildings would be externally clad in light grey trapezoidal profiled metal cladding. Condition 3.1 imposed on the grant of approval for UTT/0693/07/FUL states that “The development hereby permitted shall be implemented in all respects strictly in accordance with the submitted plans contained within the application unless agreed in writing by the local planning authority – Reason: To ensure that the scheme is implemented in its approved form with no significant changes which might affect amenity or other planning considerations”.
- 5.3 Certificate of Lawfulness for an Existing Use or Development granted on 28 May 2014 which certified that planning permission UTT/0693/07/FUL remained extant pursuant to Section 56 of the Town and Country Planning Act 1990 (as amended) by reason of the carrying out of groundworks in association with that approved development where all pre-commencement planning conditions pertaining to that permission had been discharged (UTT/14/1049/CLE). As such, planning permission UTT/0693/07/FUL remains live (extant) for the purposes of the variation of planning condition application now submitted for consideration under application UTT/15/1844/FUL.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN 2 – Design

7. TOWN COUNCIL COMMENTS

7.1 No comments.

8. CONSULTATIONS

Essex County Council Highways

8.1 The Highway Authority has no comments to make on this proposal from a highway and transportation perspective as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

UDC Economic Development Officer

8.2 I note the proposed change in the external appearance of these approved commercial/ industrial units at Shire Hill and the commercial reasons why it is understood that the applicant wishes to apply for this design change. The Commercial Workspace Study (Final Report) dated June 2015 commissioned on behalf of Uttlesford District Council has identified a shortfall of suitable light industrial floorspace within the environs of Saffron Walden and more particularly within the town itself where this shortfall has been exacerbated by the various grants of change of user planning permission on the east side of the town. The more flexible elevational treatment for the buildings as now proposed will only serve to assist in my opinion in making Shire Hill a more commercially attractive and viable business option for potential users and investors where the Council is keen to promote Shire Hill as part of its district wide economic strategy moving forward.

9. REPRESENTATIONS

9.1 None received. Notification period expired 6 July 2015.

10. APPRAISAL

The issue to consider in the determination of the application is:

A Design (NPPF and ULP Policy GEN2).

A Design (NPPF and ULP Policy GEN2)

10.1 The principle of the construction of four new commercial/industrial units in two separate buildings for B1, B2 and B8 use at this industrial location at Shire Hill, together with associated access and parking arrangements was considered acceptable in planning policy terms under application UTT/0693/07/FUL. As such, these matters do not fall to

be re-considered for the current application submission which only seeks a design change in the elevational treatment of the approved buildings as a variation of Condition 3.1 of that grant of permission.

- 10.2 ULP Policy GEN2 of the adopted local plan seeks to achieve a good standard of design for new developments, including the use of appropriate external materials, whilst also seeking to protect residential amenity. The National Planning Policy Framework document (NPPF), which has a presumption in favour of sustainable development, states at paragraph 56 that the Government attaches great importance to the design of the built environment, adding that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making better places for people”, whilst paragraph 58 states that “Planning Policies and decisions should aim to ensure that developments...will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development...and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit...”
- 10.3 The commercial/industrial units approved for this industrial location under application UTT/0693/07/FUL were considered acceptable in terms of their design and external appearance for their intended B1, B2 and B8 purposes, although they were shown to have a standardised industrial shed type appearance. The amended elevational treatment of the two buildings as now proposed would it is argued represent a design enhancement through the introduction of the large window openings whilst at the same time providing the end user more flexibility for the internal working environment of the buildings as previously described, although similarities would remain to a large extent in respect of the specification of the external materials for the buildings. Either of the rear elevational treatment options for “Large Unit 1” would be acceptable, whilst the slight reduction in floorspace proposed for “Small Unit 2” would also be acceptable where this floorspace reduction would not compromise the approved uses.
- 10.4 No design objections are therefore raised to the elevational treatment changes submitted under this variation of condition application under ULP Policy GEN2. It is noted that horizontal steel beams have been shown to be included between ground and first floor level within the large window openings for both buildings where it is understood that these would be required to accommodate any future internal mezzanine floors for the buildings when and if required for future users where this provision was not shown to be included for UTT/0693/07/FUL. Such provision would be subject to the availability of permitted development rights for such internal alterations when and if these internal works took place.
- 10.5 The residential amenity of the occupants of the nearest residential properties located at Prospect Place to the north-west of the site was considered for this development under UTT/0693/07/FUL when the officer report for that approved application assessed that the buildings would not be close enough to have a materially adverse impact upon daylighting of those properties where it was noted that there is no right in planning law to protect an existing view. It should be noted that amenity conditions were imposed under application UTT/0693/07/FUL to protect nearby residents against noise from the approved development, including restrictions on outdoor working and storage.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The elevational treatment changes to the commercial/industrial buildings as proposed by this variation of condition application are considered acceptable under ULP Policy

GEN2 and the provisions of the NPPF.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

2. The Class B8 use hereby permitted shall be restricted to separate Class B8 use in single or combined units comprising not more than two of the units A, B, C or D shown on submitted drawing 1989 P12 D, with no self-storage use.

REASON: In the interest of maintaining a balance of storage and other business uses on the site in order to maximise employment opportunities and to limit the levels of traffic likely to be associated with the use of the site.

3. Notwithstanding the terms of this permission for uses within Classes B1, B2 or B8, the first use implemented in any sub-unit of the premises shall become the authorised use of that sub-unit and any subsequent change of use of such a sub-unit between Use Classes as defined in the Use Classes Order shall require a further grant of planning permission.

REASON: To enable the Local Planning Authority to consider subsequent changes of use in terms of their impact upon amenity and in light of planning policy current at that time in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. The units at the western end of the building closest to the boundary with Prospect Place shall only be used for purposes within Class B1 of the Town and Country Planning (Use Classes Order) 1987 (as amended). Notwithstanding the terms of this permission, these units shall not be used for purposes within Classes B2 and B8 of that, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

REASON: In the interests of protecting residential amenity to avoid uses which could give rise to unacceptable nuisance to adjacent occupiers in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. The powered two wheeler/bicycle parking facilities as shown on the approved plans are to be provided prior to the first occupation of the development and shall be retained at all times.

REASON: To ensure appropriate powered two wheeler and bicycle parking is provided in accordance with ULP Policies GEN1, GEN2 and GEN8 of the Uttlesford Local Plan (adopted 2005).

6. No processes shall be carried out or power tools, equipment, machinery or plant of any kind shall be used at any time anywhere on the site except within the buildings hereby permitted.

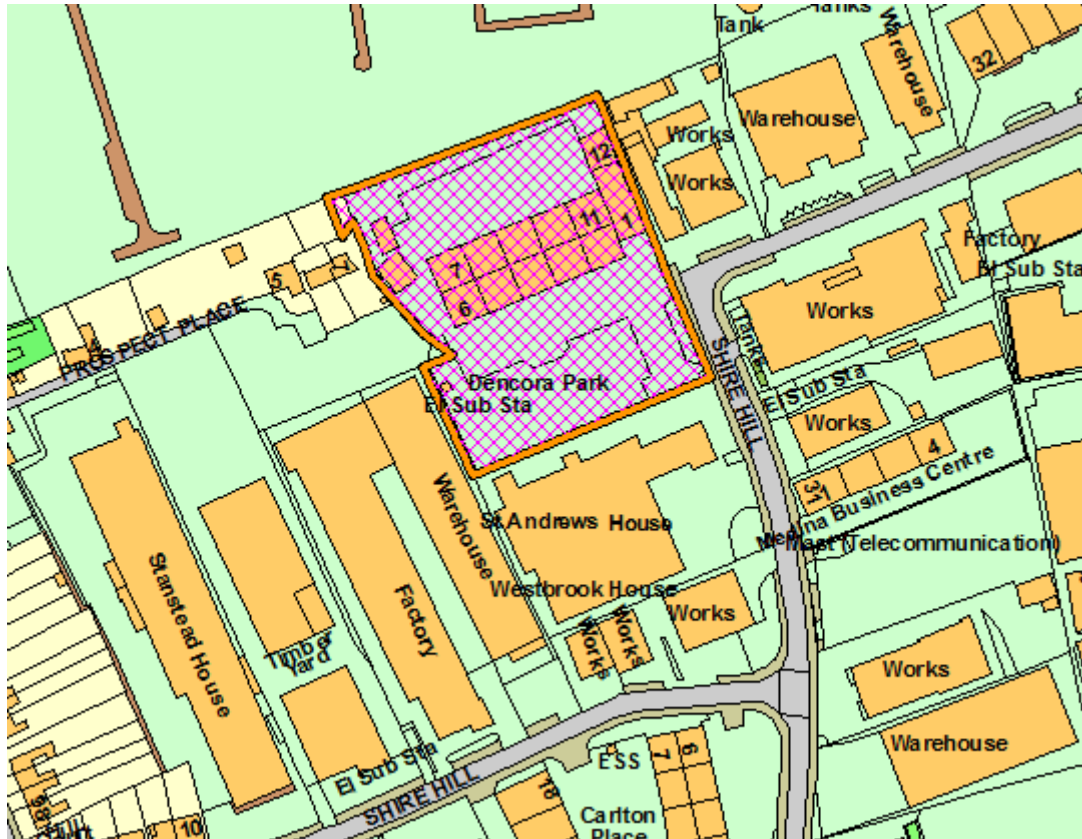
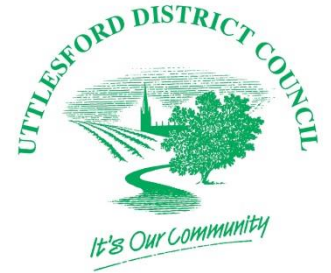
REASON: To prevent harm to the amenities of the area in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

7. There shall be no outdoor storage of any materials, goods, equipment, plant or machinery of any description on any part of the site without the prior written consent of the local planning authority.

REASON: To prevent harm to the amenities of the area in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/15/1844/FUL

Address: Dencora Park Shire Hill Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 1 September 2015

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