

Supplementary Committee Agenda



**Epping Forest
District Council**

Area Planning Sub-Committee South Wednesday, 3rd September, 2014

Place: Roding Valley High School, Brook Road, Loughton, Essex
IG10 3JA

Time: 7.30 pm

Democratic Services: Mark Jenkins (Directorate of Governance)
Tel: 01992 564607 Email:
democraticservices@eppingforestdc.gov.uk

7. DEVELOPMENT CONTROL (Pages 3 - 16)

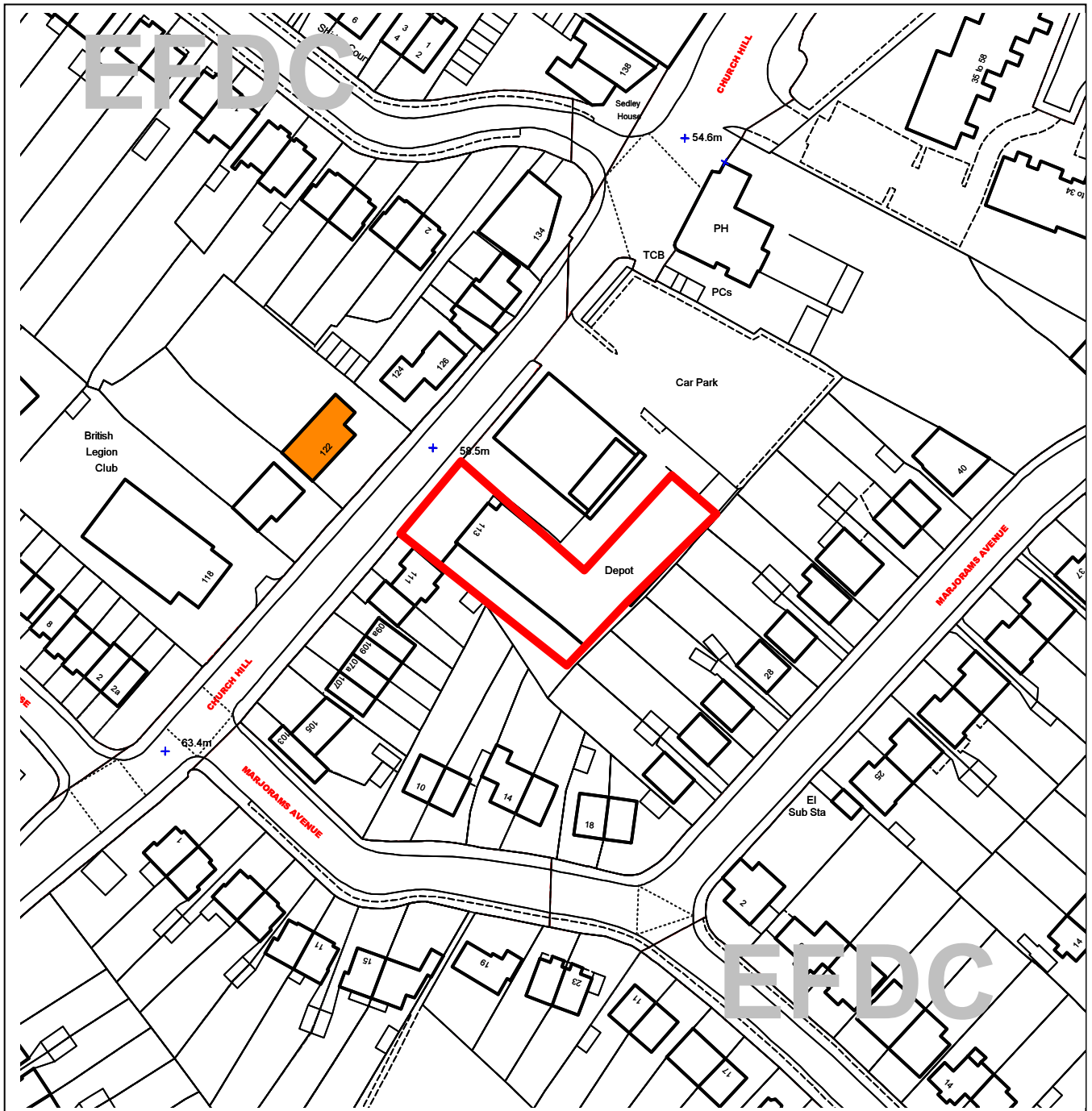
(Director of Governance) To consider the attached planning application regarding EPF/1845/14 113 Church Hill, Loughton IG10 1QR.

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Epping Forest District Council

AGENDA ITEM NUMBER 9



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Application Number:	EPF/1845/14
Site Name:	113 Church Hill, Loughton IG10 1QR
Scale of Plot:	1/1250

Report Item No: 9

APPLICATION No:	EPF/1845/14
SITE ADDRESS:	113 Church Hill Loughton Essex IG10 1QR
PARISH:	Loughton
WARD:	Loughton St Johns
APPLICANT:	The Co-Operative Food Group Ltd
DESCRIPTION OF PROPOSAL:	Part demolition and part retention of existing building to provide a convenience foodstore (A1 use) (344 sq m gross), the provision of 12 car parking spaces and a dedicated delivery bay. The installation of an ATM within the shopfront.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/AniteIM.websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=566610

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 No construction works above ground level shall take place until documentary and photographic details of the types and colours of the external finishes have been submitted to and approved by the Local Planning Authority, in writing. The development shall be implemented in accordance with such approved details.
- 3 The development hereby permitted will be completed strictly in accordance with the approved drawings nos:
2175/01
2175/2 F
2175/03 C
2175/4 C
2175/05 B
2175/6 A
2175/7
2175/8
2175/09
2175 10 A
2175/14
2175/15
- 4 No development shall take place, including any ground works or demolition, until a Highway Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for the following all

clear of the highway:

- safe access into the site
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and underbody washing facilities

- 5 Prior to first occupation of the development the width of the existing access at its junction with the highway shall not be less than 6 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 6 Prior to first occupation of the proposed development a Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include, but not limited to: delivery times, the size of delivery vehicles and the procedure for safe deliveries within the site. All deliveries for the site will then be undertaken in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.
- 7 Prior to first occupation of the proposed development details shall be submitted to and approved in writing by the Local Planning Authority for the upgrading of the two existing bus stops outside of Homebase, to Essex County Council specification, for the implementation of integral Real Time Passenger Information within each shelter.

The approved details shall be implemented prior to first occupation.
- 8 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.
- 9 All construction/demolition works and ancillary operations, including vehicle movement on site which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. The parking of vehicles of site operatives and visitors
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Measures to control the emission of dust and dirt during construction, including wheel washing.
 6. A scheme for recycling/disposing of waste resulting from demolition and construction works.

- 11 The retail use hereby permitted shall not be open to customers outside the hours of 0700 to 2300.
- 12 The parking area shown on the approved plan shall be provided prior to the first opening of the approved supermarket and shall be retained free of obstruction for the parking of customers and deliveries.
- 13 Prior to the first occupation of the retail use hereby approved, a Car Parking Management Plan shall be submitted to the Local Planning Authority for approval in writing. This shall include a restriction on the time permitted for customers to park at the store. The car park shall operate in accordance with the approved details thereafter.
- 14 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) and implementation programme (linked to the development schedule) have been submitted to an approved in writing by the Local Planning Authority. These works shall be carried out as approved. The hard landscaping details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other minor artefacts and structures, including signs and lighting and functional services above and below ground. The details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers /densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 15 Prior to the first use of the building, the developer shall submit details of refuse storage and collection on site for approval in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in accordance with the approved particulars unless otherwise approved in writing by the Local Planning Authority.
- 16 A flood risk assessment and management and maintenance plan shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using WinDes or other similar best practice tools. The approved measures shall be carried out prior to the substantial completion of the development and shall be adequately maintained in accordance with the management and maintenance plan.
- 17 No bonfires shall be permitted on site throughout the demolition and construction phase of the development.
- 18 The rating level of noise (as defined by BS4142:1997) emitted from the air conditioning and refrigeration plant shall not exceed 5dB(A) above the prevailing background noise level. The measurement position and assessment shall be made according to BS4142:1997.

19 No deliveries shall be taken at or despatched from the site outside the hours of
07.00-20.00 hours Monday - Saturday
08.00-20.00 hours Sunday/ Bank or other Public Holidays

20 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site.

Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the Local Planning Authority contacted and a scheme to investigate the risks and / or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the Local Planning Authority prior to the recommencement of development works.

Following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.

This application is before this Committee since it is for a type of development that cannot be determined by Officers if more than two objections material to the planning merits of the proposal to be approved are received (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(f.)) and since the recommendation is for approval contrary to an objection from a local council which is material to the planning merits of the proposal (Pursuant to The Constitution, Part Three: Planning Services – Delegation of Council functions, Schedule 1, Appendix A.(g))

This application is being provided as a late supplement to the Area South Committee agenda at the request of the Chairman. The application is for a development similar in nature to that being considered under EPF/1412/14 at the Former Public Car Park, Church Hill. Given these are both current applications, it is sensible that Members be able to consider the merits of both schemes at the same meeting and bringing this application forward as a late item prevents any further delay in the assessment of application EPF/1412/14. Despite provision of this application as a late item, the public consultation period has fully lapsed prior to thorough Officer level assessment of the scheme.

Description of Site:

The application site is the former dairy premises owned by Co-op at 113 Church Hill. The site is currently vacant. The site is an 'L' shaped plot extending to the rear of the Esso petrol station and abutting the former public car park adjacent to the Plume of Feathers public house.

The site is occupied predominantly by a large single storey building serving as the former dairy and historically used for the garaging of milk floats and bottle washing as a form of depot.

The site has an existing access onto Church Hill, formerly used by a range of vehicles including those making deliveries. There is a hard surface to the front that can accommodate approximately six cars.

The site is 46.5m deep and has residential properties to the south in an uphill direction and to the east at the rear of the site in Marjorams Avenue. The north of the site is occupied by the Esso garage and former public car park.

Description of Proposal:

This application seeks planning permission for the demolition of the existing building and replacement instead with a smaller, single storey structure on the south western side of the site, using the existing access and providing parking and servicing to the rear. Limited parking would be provided to the front.

The proposed building would be used as an A1 supermarket with a floor space of 344sqm, 12 parking spaces, a delivery area and an ATM to the shop front.

Relevant History:

EF\2014\ENQ\00451: Paid pre application advice submitted on 10th June 2014 regarding provision of 360m² retail unit.

Current application for development on nearby site at the former public car park, Church Hill (to the north/east of the petrol filling station) is as follows;

EPF/1412/14: The redevelopment of a disused car park to provide 350sqm of A1 retail space with six C3 residential apartments above with car parking and associated landscaping. Pending consideration. This application is item 2 on this committee agenda.

Policies Applied:

Adopted Local Plan and Alterations

CP1 Achieving Sustainable Development Objectives
CP2 Protecting the Quality of the Rural and Built Environment
CP3 New Development
CP6 Achieving Sustainable Urban Development Patterns
CP7 Urban Form and Quality
TC1 Town Centre Hierarchy
TC2 Sequential Approach
DBE1 Design of New Buildings
DBE2 Affect on Neighbouring Properties
DBE3 Design in Urban Areas
DBE6 Car parking in new development
DBE9 Loss of Amenity
DBE12 Shopfronts
LL11 Landscaping Schemes
ST1 Location of Development
ST2 Accessibility of development
ST4 Road Safety
ST6 vehicle parking

Also relevant are the policies and planning principles contained within the National Planning Policy Framework ('The Framework').

Summary of Representations:

Notification of this application was sent to Loughton Town Council and to 128 neighbouring properties. In addition, four site notices have been displayed adjacent to and around the site.

The application has attracted the following responses:

LOUGHTON TOWN COUNCIL: The Committee NOTED the contents of twenty seven letters of objection. Two members of the public with an interest in this application addressed the meeting.

The Committee OBJECTED to this application for a convenience store on this site.

The three main issues were as follows:

- i. Highway safety concerns resulting from the increased volume of traffic in Church Hill and the impact of additional delivery vehicles and customers entering and exiting onto this busy A121. This would result in further congestion and delays for existing road users including the local bus services and create difficulties for pedestrians. Air pollution would also increase in this area from the resulting vehicle fumes.
- ii. Parking – already a problem in surrounding residential streets. The Committee considered that the twelve spaces to be provided were insufficient for customers and that staff parking would inevitably increase problems in nearby streets.
- iii. There would be a negative impact on the smaller local independent retailers and business in Church Hill, Goldings Hill and Lower Road, particularly the well-used sub post office which currently housed an ATM.

If the District Council was minded to grant this application, two conditions were sought:

- a. Delivery times should be staggered to minimise the occurrence of blockages on Church Hill; and
- b. Additional planting to be provided at the rear of the site to minimise the impact on neighbouring residential properties.

35 letters of objection have been received from the following:

103-105 Church Hill; 7, 15, 28, 39, 41, 45, 52 Marjorams Avenue; 27, Hilltop Carroll Hill; 6 Harwater Drive; 1, 10 St Johns Road; 26 Baldwins Hill; 8, 33, 56 Sedley Rise; 4 Shirley Court, Sedley Rise, 3 The Little Goldings, Clays Lane, 2 Goldings Rise, 32 Millsmead Way, 5, 38 Maple Gate, 12 Roundmead, 38 Broadstrood, 5 Church Close, the LRA Plans Group, a neighbour from an undisclosed address in Stanmore Way and again from an undisclosed property in Roundmead Close and in England's Lane and 9 letters from residents without any provision of address.

The grounds for objection are summarised below:

Retail Need – there is no retail need for an additional supermarket in a town already served by two Sainsbury's, a Morrison's and a Marks and Spencer in addition to independent traders. The resultant loss of trade to the local Premier convenience store (and Post Office Counter) which could cause its closure resulting in negative impacts to the sense of community in the area and negative impacts to the quality of life of residents. Closure of local shops would also result in job losses. The loss of local traders is contrary to the one shop local initiative and the findings of the Portas Review. Furthermore this proposal should be considered alongside the recent application for the Sainsbury's store at the former car park Church Hill. More housing is needed, not shops. Also concern the sequential test has not been satisfied.

Highways – the development would give rise to a significant increase in traffic and congestion from users of the store and delivery vehicles. It is unlikely anyone would walk to the store and the proximity of the site to the nearby mini-roundabouts and pedestrian crossing would increase risk at an existing dangerous junction. Also concerns regarding pedestrian safety for those using the footpaths around the site. Staff and visitors to the site would increase parking strain on site and in the surrounding area. There are proposed waiting restrictions in Sedley Rise, Millwood Road and Harwater Drive, this will only increase the parking pressure further and encourage visitors to park on the kerb. Concern also that perhaps St Johns Road should be considered for waiting restrictions. These issues would be exacerbated all the more were Sainsburys and Co-op to be both approved. Also concern that restricted delivery hours may mean goods vehicles wait on the road or in surrounding streets to meet the restrictions in place.

Noise – The proposed supermarket would trade 7 days a week, giving rise to noise and disturbance from its operation and from customers and deliveries. The premises would also provide alcohol sales, which would likely give rise to anti-social behaviour problems and there is no licence in place for the premises.

Waste – The supermarket would result in a lot of waste which is likely to result in vermin problems.

Conditions – the LRA Plans Group have objected, but if the Council were minded to approve the scheme they have asked for conditions for wheel washing during construction and limited working hours during construction.

Issues and Considerations:

The main issues to be considered are the principle of the development of the site for retail purposes, the sequential test, impacts to nearby shops and facilities, design and street scene, impacts to neighbouring amenities, highway and parking impacts, noise and waste issues.

The site is in an urban area and is previously developed with a building footprint occupying most of the site, albeit the structure is single storey. There is no in principle objection to the redevelopment of the site in an urban area. The existing building has no architectural merit that deems it worthy of retention.

Use of the site for retail purposes

The Local Plan and saved policies set out in Policy TC1 that the parade of shops in Goldings Hill form part of a designated Local Centre (which also includes the Homebase store). Policy TC1 seeks to protect the vitality and viability of all designated centres. In contrast, whilst relevant, policy TC3 of the Local Plan, seeks to protect only the larger centres (i.e. Principal, Smaller and District Centres). Loughton High Road is designated as a Principal Centre and The Broadway as a Smaller Centre.

The amount of retail space proposed is such that there is no requirement in policy or validation procedure for the Applicant to undertake or provide a Retail Impact Assessment to assess harm to other shopping facilities. Therefore this application is lawfully submitted without one. However, notwithstanding the validation requirements for the application, Members may still consider retail impacts in a local context as part of their assessment in accordance with policies TC1 and TC3 above.

The Council has limited information available in respect of footfall in the Church Hill and Goldings Hill area. With no retail impact assessment required the Council has limited information on which to assess the harm to viability and vitality in the Goldings Hill area. Whilst it is true there are a number of alternative supermarkets in the area, the NPPF requires Local Authorities to positively promote growth and expansion of facilities as oppose to seeking to negatively restrict change. For this reason it is not for the planning system to stifle growth without foundation. It is clear however

that two premises selling the same goods will compete for customers. What is unclear is whether the current market in the area is sufficient to sustain more than one premises providing the same goods.

The Goldings Hill parade does include a post office which will always secure a higher level of footfall for this service, however the range of goods provided from a chain store such as a supermarket does frequently attract a high volume of customers also. This can be perceived as encouraging footfall in the wider area, but in this location, with Rectory Lane between the application site and Goldings Hill, it is unclear whether this would be a benefit to footfall in Goldings Hill, were a supermarket to go ahead.

Turning from footfall analysis to spending analysis, the evolution of changing consumer habits are well documented and many shopping areas are diversifying towards a more service based function as opposed to sale of goods. The Council's Town Centres Study (2010) adopted as part of the Council's Local Plan evidence base, has provided a review of spending in the District in direct relation to supermarkets. This is noted to be four years old, but was completed after the start of the recession, so is considered to be a reasonable basis for comparison, particularly as it is being used in the formation of the new Local Plan. Table 5.11 of the Town Centres Study and surrounding text (chapter 5) sets out the spending in the District in supermarkets in millions and as a percentage. This report also looks at the District in settlements and identifies how much spending is within the settlement area, and how much custom is lost or leaked elsewhere, with a particular focus on supermarkets outside the District benefiting from custom from our residents. In summary this study identified that in 2010 79.4% of spending in supermarkets from residents in the Loughton area was spent in the District. This was the highest retention of supermarket spending in the District and this was before the provision of the permission for the Winston Churchill redevelopment in the Broadway. It could therefore be argued that in the District the Loughton area has the least need for a supermarket compared to the remainder of the District.

Mindful of the above, it is clear from the Town Centre Study that when considering supermarket spending, the customer base is different to that of local shops, however there will be to some degree, an overlap. Notwithstanding this, there remains leakage of spending from the District in this area of 20.6% and the proposed retail premises would assist in meeting this leakage of spending.

Competition with neighbouring stores in Goldings Hill could potentially be mitigated by restricting the offer of goods at the store, should Members consider this a requirement, a legal agreement could be sought restricting the sale of goods to exclude certain offerings. This would need to be directly linked to ranges of goods and the retention of a facility that was desirable for retention, such as the post office or newsagents. Such an arrangement currently exists with the Co-op store in North Weald and fresh fruit and vegetables to ensure the retention of the neighbouring green grocer. Officers consider such an agreement is not required as the Market usually determines the need for goods, but Members may disagree.

Members should consider when determining this application, that at present the proposals are for an A1 supermarket. Whilst the application is made by Co-op at present there would be no restriction preventing use by another operator.

Finally, in terms of market demand and concern for local facilities, a number of objections requested a 'joined up thinking' approach to the determination of this application and that of the neighbouring site for Sainsbury's. This is one of the reasons for this item being brought forward as a late item to be considered alongside application EPF/1412/14. Members are now able to consider the merits of both schemes and have a meaningful and informed discussion regarding the individual merits of both sites and developments.

Sequential test

The application seeks to provide a retail supermarket of 344sqm outside any designated Town Centre. Accordingly a sequential test is required to eliminate vacant sites within the existing centres which could accommodate the proposed development. If such Town Centre sites exist, they should be given preference over the application site. The purpose of the sequential test being to steer development towards urban centres.

The dominant town centres in the area are The Broadway (approximately 600m from the site) and the Loughton High Road (approximately 560m from the site). However, the adopted Local Plan identifies all Principal, Smaller, District and Local Centres and makes an area based designation around them. When interpreting the NPPF, there is no distinction made between the hierarchy of centres designated and as such all areas are considered Town Centres in definition, albeit the purpose and function performed by the centres clearly differs.

The NPPF makes it clear the Goldings Hill/Lower Road shopping area would be considered a centre in definition. As such the application site is within 300m of such a centre and is required sequentially only to demonstrate there is no town centre site available for use as this would be more preferable.

The Applicant has correctly identified, using guidance within the NPPF, that the location of the site should be defined as 'edge of centre' as outlined above being located within 300m of the Goldings Hill/Lower Road local centre.

The Applicant has not identified any available sites within the existing town centres that would be suitable for accommodating a retail use of the scale proposed. They do identify the site of the former Winston Churchill PH on the Broadway as being available in a supplement provided to the sequential test following the demolition of the Winston Churchill public house. This is a centre based site and sequentially would be preferable to the application site. However, the Applicant has stated this site is outside of the intended catchment area of their facility but irrespective of this has made enquiries with the freeholder. For clarity Officers can confirm the Winston Churchill site is no longer in the Council's ownership. The freeholder has confirmed to the Co-op that the site is not available and a tenant has been identified for the retail space. Also the hours of restriction on the premises are unsuitable to the Co-op group. The hours of restriction at the former Winston Churchill site are 0730 to 2300 on Monday to Thursday, 0730 to 0000 (midnight) on Fridays and Saturdays and 0900 to 2300 on Sundays.

The Applicant has also referred to guidance accompanying the NPPF that sets out 'use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations'.

In terms of the sequential test, Officers agree the site is in definition edge of centre, and that as such they need only assess other sites that are within a town centre. The only site identified, that came to fruition during the consideration of the application, is the retail space approved at the former Winston Churchill that has now been demolished. This space is not available as the Applicants have been advised a tenant has been secured, furthermore the site in The Broadway is outside of the catchment area desired by the Applicant and has a restriction on hours that is not suitable to the Applicant. As such the site is not available, no other available town centre site has been identified and the sequential test has been fulfilled.

Design

The proposed building would replace an existing large unsightly and dominant structure with a smaller building of lesser depth. The existing building is 4.6m high reducing to 2.9m high at the boundaries. The proposed building would be 4m high, offset from the boundary with the Esso station and reduce in height to 3.3m to the rear. The rear roof would also contain an acoustic screen for roof plant.

The proposals would improve the openness of the site and visual amenities of the area. The proposed design would improve visual interest on site, provide an ATM and advertisements to the frontage enhancing the appearance of the area and potentially drawing attention to the continuation of the centre in this area. Therefore in design terms, the proposals are considered acceptable.

Neighbouring Amenity

The application site is immediately adjacent to number 111 Church Hill. At present this property has an existing building for the entirety of the depth of the garden boundary. The proposals do not change this relationship. Parking will be provided on the boundary with 111 Church Hill to the front of the site but this is also unchanged from present.

Neighbouring properties in Marjorams Avenue back onto the site and presently onto a building. The building will be moved off the boundary and replaced with parking. The parking is provided against the Esso Station boundary as opposed to on the neighbouring boundaries. A narrow planting bed is provided as a buffer and existing walls are to be retained.

In terms of outlook, the proposals will represent a significant improvement, enhancing outlook and views across the site with the removal of more than half the existing structure. The introduction of parking and delivery areas to the rear does introduce a degree of noise and disturbance, particularly as movements will no longer be constrained within a building. Similar relationships between properties are noted to exist elsewhere in the district and the existing walls would be retained with a planting area to the front. This will go some way to mitigating the impact of noise. Noise can be further mitigated by restricting opening and delivery hours. The Applicants have provided a noise assessment prepared by 24Acoustics. This demonstrates that noise would not be significantly beyond the background noise level in the area and recommended deliveries be restricted to 7am-11pm daily. In addition it is recommended the site adhere to a noise condition preventing adverse impact to the neighbouring properties.

The proposals therefore offer a compromise of improvements to outlook from the existing structure and potential increase in noise and disturbance. In policy terms, Officers are satisfied noise and disturbance can be mitigated by conditions to a level not unacceptable in an urban area. Furthermore of the properties immediately adjacent the site, only number 28 has raised an objection, this neighbouring property and neighbours at 22, 24 and 26 are separated by a mature tree screen, further mitigating noise. Officers have also considered that the milk depot can resume functioning at any time without hours of use or noise conditions due to the age of the premises.

Neighbours have raised concerns regarding anti-social behaviour, the sale of alcohol and issuing of a licence to the premises. The Council would not have received a licence application as there are no premises in place, alcohol sales exist already in the area and anti-social behaviour is beyond the reasonable scope of planning. However on site security is likely to deter anti-social behaviour as it is usually accompanied by petty theft and property damage, both of which supermarkets seek to prevent on their premises, usually through CCTV. Officers would also note the site is currently vacant and this in itself raises issues in relation to anti-social behaviour.

Highways and Access

The proposed development has been assessed by County Highway Officers against current national and local policy and safety guidelines and has been found acceptable.

The existing access provides sufficient visibility and geometry for the proposed use. It is not envisaged that the proposal will attract many additional vehicle movements along Church Hill, as it will mainly cater for drive-by customers with the bigger stores near-by catering for destination shopping trips.

All deliveries will be on-site and off of Church Hill to the benefit of all highway users. Turning is provided within the site so all delivery vehicles can enter and exit in forward gear.

The parking provision is considered acceptable given the accessible location of the site, but the applicant will have to be responsible for policing the use of the parking spaces as this is not within the jurisdiction of the Highway Authority to enforce.

Consequently the Highway Authority is satisfied that the development would not be detrimental to highway safety, capacity or efficiency at this location or on the wider highway network.

The Highway Authority would not wish to raise an objection to this proposal subject to the following conditions:

1. Submission of a Highway Construction Method Statement.
2. Provision of adequate width of access.
3. Provision of a Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include, but not limited to: delivery times, the size of delivery vehicles and the procedure for safe deliveries within the site.
4. Provision for upgrading of the two existing bus stops outside of Homebase, to Essex County Council specification, for the implementation of integral Real Time Passenger Information within each shelter.
5. Demonstration of adequate means of surface water discharge.

A number of neighbouring properties have expressed concern regarding pedestrian safety, however there is no new access being formed, rather the existing access would be brought back into use. Subject to conditions, highways and the Officers are satisfied there would be no additional risk to pedestrians.

The parking provision on site is less than would usually be anticipated with 12 spaces provided. The adopted standards would seek 1 space per 14sqm at the maximum, resulting in no more than 25 spaces for a store of 344sqm. However a lower provision may be appropriate in urban areas where there is good access to the site and other forms of transport. The location of the site is such that Officers are satisfied that the 12 spaces are sufficient in policy terms. Parking is often at a premium in urban areas, however the Council can only seek to impose reasonable policy based restrictions on development and the Applicant has offered to enforce waiting times of no more than 2 hours for onsite parking. This would mean visitors would be restricted to short stays and staff would have to travel to site via alternate arrangements. Officers consider two hours to be generous, given the number of bays provided and perhaps 30 minutes to an hour would be more appropriate. The site is served by bus routes and close to Goldings Hill shopping area so it is anticipated that the parking provision, whilst not ideal is acceptable. Compliance with the onsite parking restrictions may be secured by condition. This would assist in ensuring availability of parking on site and reduce strain on the surrounding area.

Other Matters

Landscaping - There are no trees on the site. A standard landscaping condition is proposed to ensure what limited on-site provision is possible, is secured and maintained.

Contaminated Land – The site's former use as a dairy depot suggests the site was used for garaging and bottle-washing, therefore there is no expected contamination. Standard condition 87F regarding unexpected contamination is suggested as a precaution.

Waste – The Council’s waste team have no objections as there is no domestic collection in association with the site. A condition is suggested regarding the provision of details regarding the storage and collection of waste to ensure suitable provision is made to reduce vermin concerns.

Drainage – The proposals reduce the footprint of the building onsite but retain hard surfacing. The land drainage team have no objections but seek a standard condition to ensure suitable surface water run off.

Prefer development for housing – Whilst a number of objectors have raised this point, the Council must determine the applications put forward and has no control over the application submitted. Instead the Council is required only to assess each scheme submitted on its own merits.

Proposed development at former car park, Church Hill – Concern has been raised that this application should not be considered separately to the more recent application for a Sainsbury’s on the site on the alternate side of the Esso Station. The applications each require consideration based on their own merit and the existence of the other application (either in its current form or as an approved development) would not alter the acceptability of this proposal in planning policy terms. This is because neither application proposes a retail store at a size that would attract a need for a retail impact assessment (and as a point of interest although there would be no policy requirement, even if the two floor areas were added together, cumulatively this would continue to fall well below the threshold). In terms of a sequential test the two sites would fall within the same edge of centre definition and accordingly neither would be more preferable in policy terms than the other. Whilst it is understood that the approval of both schemes would result in two similar stores in very close proximity to one and other, this is a matter to be determined by market forces and the desirability of such a situation is a matter for consideration by the interested supermarket chains. It is not uncommon for competing food stores to co-exist within the same catchment area and indeed several do within other locations within the District. However, in the interest of Members being able to issue an informed decision on both matters, both applications are being put forward for consideration under the same meeting. Members should also be aware it is entirely possible to issue differing or the same decisions for both sites as long as the decision is based entirely on the merit of the scheme submitted.

Conclusion:

In light of the above appraisal, it is considered that the redevelopment of a site in an urban area is acceptable, the provision of a retail store is acceptable in this location, the sequential test provided is acceptable and issues relating to viability are for the market to determine. The size and scale of the store is an enhancement in design terms on site and the neighbouring impacts are reduced from those which may exist were the current site still in use. In highways terms the proposals are acceptable and parking whilst not ideal, is provided at an acceptable level. In summary subject to conditions, the proposals are recommended for approval. It is for Members to consider whether they concur with the view of Officers or if Members consider there to be material grounds relating to the scheme and/or the site which would justify a refusal. In addition, should Members agree with the view of Officers, it is for Members to consider if a legal agreement would be required to restrict the sales offered on site and/or to secure funds for the enhancement of the bus stops in lieu of the condition proposed.

Should you wish to discuss the contents of this report item please use the following contact details by 2pm on the day of the meeting at the latest:

***Planning Application Case Officer: Ms Jenny Cordell
Direct Line Telephone Number: (01992) 564481***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk

