

REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE

Reference No: HGY/2005/1988

Ward: Seven Sisters

Date received: 27/10/2005

Last amended date: N/A

Drawing number of plans: L425/L(0) SK028 Rev J & L425/L(0) SK029 Rev A.

Address: Unit 4 Arena Estate, Green Lanes N4

Proposal: Provision of additional retail floor space at mezzanine level (Use Class A1) associated with Unit 4.

Existing Use: Retail

Proposed Use: Retail

Applicant: Wildmoor Properties

Ownership: Wildmoor Properties

PLANNING DESIGNATIONS

Area Plans and Planning Briefs
Contaminated Land (GeoEnviron)
Tube Lines
Area of Community Regeneration
Road – Metropolitan

Officer contact: Stuart Cooke

RECOMMENDATION

GRANT PERMISSION subject to conditions

SITE AND SURROUNDINGS

The application site comprises Unit 4, and parts of Units 5 and 5b, of the new retail development currently under construction at the Arena Estate in Green Lanes.

The site is currently identified as being on the edge of the Green Lanes Town Centre in the adopted Unitary Development Plan. However, the emerging Unitary Development Plan incorporates this site into the Town Centre.

PLANNING HISTORY

25.06.2002 – Redevelopment of site for new retail development (Outline) – Granted – HGY2000/1027

18.11.2003 – Approval Of Details relating to outline approval – Granted - HGY2000/1027

DETAILS OF PROPOSAL

This scheme proposes the re-configuration of the ground floor by amalgamating Units 4 and 5b, a section of Unit 5 and a portion of an internal service corridor plus the insertion of a mezzanine floor into this unit. The mezzanine proposed is 2119 square metres.

CONSULTATION

Ward Councillors
Transportation
Ladder Community Safety Partnership

RESPONSES

Ward Councillors – no responses received
Transportation – no highway objections
Ladder Community Safety Partnership – no response received

RELEVANT PLANNING POLICY

Adopted Unitary Development Plan

STC 1.2: Large New Stores
STC 1.3: Retail Warehousing/Retail Parks
STC 1.4: Town Centre Primary Frontages
TSP 7.1: Parking for Development

Emerging Unitary Development Plan

TCR1: Development in Town and Local Shopping centres
UD9: Parking For development

ANALYSIS/ASSESSMENT OF THE APPLICATION

The insertion of mezzanine floors does not constitute development under the terms of S55 of the Town and Country Planning Act 1990, because they are internal structures and internal works are not regarded as development by the Act.

The original outline planning permission however was subject to a condition limiting the total amount of floorspace to 9990 sq. metres. As such, any significant increase in floorspace over 9990 sq. metres requires permission.

The Planning and Compulsory Purchase Act 2004 seeks to bring the insertion of mezzanine floors within the meaning of development by amending the General Permitted Development Order 1995 to include mezzanines. S49 of the Planning and Compulsory Purchase Act 2004 inserts new section as 55(2A) and 55(2B) into the Town and Country Planning Act 1990. These new sections bring into the meaning of development operations which have the effect of increasing the gross internal floor area of a building. This would make such increases in floorspace subject to planning control. A threshold of 200 sq. metres, applying to retail floorspace only, has been set. These proposals are currently the subject of a consultation exercise by Office of the Deputy Prime Minister, so S49 of the 2004 Act has yet to come into force.

Government advice identifies two main issues with regard to mezzanine developments;

1. Impact on adjacent town centres and
2. Impact on traffic and highway conditions.

With regard to the first issue, impact on adjacent town centres, the Arena retail park has been incorporated into the Green Lanes Town centre in the emerging Unitary Development Plan. As the retail park forms part of the Town Centre, the proposed development cannot be regarded as having any adverse effect on the Town Centre, therefore the issue is no longer relevant. The proposal therefore complies with policies STC 1.2: Large New Stores, STC 1.3: Retail Warehousing/Retail Parks and STC 1.4: Town Centre Primary Frontages of the adopted Unitary Development Plan and policy TCR1: Development in Town and Local Shopping centres of the emerging Unitary Development Plan.

With regard to the second issue, impact on traffic and highway conditions, the size of the additional floorspace proposed will have some impact, when considered in relation to the total floorspace of the retail park. A traffic assessment has been submitted as part of this application which demonstrates the likely impact of the additional floorspace.

Transportation have commented:

“Whilst the applicant’s consultants, Mayer Brown (MB) suggest that this supplementary retail floor space would generate some 73 combined in/out vehicular trips, our interrogation with TRAVL trip prediction software revealed that, using comparable sites (Blockbuster video, CR0 and Broadway Shopping Centre, W6), this development proposal, some 2119sqm GFA would generate a combined inflow/outflow of 153 and 217 vehicles in the am and pm peak respectively.

However, MB have used our trip calculation in their TRANSYT junction capacity analyses and subsequent results have indicated that the forecast development flows have a minute impact on the adjoining highway network with small changes in the level of queues predicted at Green Lanes/Endymion Rd, Green Lanes/Williamson Rd and Green Lanes/Hermitage Rd junctions.

“Notwithstanding, since a few arms of the junctions assessed are predicted to have little spare capacity and considerable level of vehicles queuing, there is the need to control the level of vehicular traffic accessing this development site, especially at Green Lanes/Williamson Rd junction.

To this effect, we have considered that a car parking management initiative is highly imperative to minimise the impact of this development and contain the ultimate level of queues occurring at this junction.

“Consequently, the highways and transportation authority would not object to this application subject to the condition that:

“The applicant submits a satisfactory car parking management plan to the highways and transportation authority for approval.

As set out above, Transportation do not raise any highway objections to this proposal subject to a car parking management plan be submitted and agreed. The proposal therefore complies with policy TSP 7.1: Parking for Development of the adopted Unitary Development Plan and policy UD9 Parking For Development of the emerging Unitary Development Plan.

Separate applications have been submitted and approved in relation to Unit 1, Unit 2 and Unit 6 of this development. The application relating to Unit 1 is for a mezzanine floor of 1397 square metres to be used for display space only for non-food retail use. The application relating to Unit 6 has been agreed under delegated powers as the scheme proposed a relatively small addition to the mezzanine agreed within that unit as part of the original planning permission.

In considering the potential cumulative effect of these separate applications, account has to be taken of the differences between the nature of each scheme. In the case of Unit 6, the additional floorspace is small and will have little effect on the overall scheme. Unit 2 is larger, but again the overall effect on the impact of the total development is not regarded as significant. Unit 1 is larger, but the additional floorspace approved as part of that unit is for display purposes only and not additional retail floorspace. The additional floorspace proposed here is considerably more than in the previous permitted schemes, but is related to a reconfiguration of both Units 4 and 5. The transport assessment submitted in support of this scheme demonstrates that any increase in traffic generation can be accommodated by the local highway network. In this light, it is considered that the resulting cumulative effect of these schemes will not result in an unacceptable increase in overall traffic generation to the site to the detriment of the local highway network.

SUMMARY AND CONCLUSION

This application proposes the insertion of an additional mezzanine floor to this unit of 2119 sq. metres. Planning permission is required for this mezzanine as the total floorspace of the new retail park is limited by condition attached to the original outline planning permission .

The retail park is incorporated into the Green Lanes Town Centre in the emerging Unitary Development Plan. Transportation are satisfied that the proposal will not adversely affect highway conditions in the area. The proposal therefore complies with policies STC 1.2: Large New Stores, STC 1.3: Retail Warehousing/Retail Parks, STC 1.4: Town Centre Primary Frontages and policy TSP 7.1: Parking for Development of the adopted Unitary Development Plan, and policy TCR1: Development in Town and Local Shopping centres and policy UD9 Parking For Development of the emerging Unitary Development Plan.

RECOMMENDATION

GRANT PERMISSION

Registered No. HGY/2005/1988

Applicant's drawing No.(s) L425/L(0) SK028 Rev J & L425/L(0) SK029 Rev A

Subject to the following conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.
Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.
2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.
Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.
3. That the additional floorspace hereby approved shall be used for A1 retail (non-food) purposes only.
Reason: to ensure the proper planning use of the floorspace hereby approved.
4. A car parking management plan for the development hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development.
Reason: to ensure adequate parking provision is made within the site.

REASONS FOR APPROVAL

The retail park is incorporated into the Green Lanes Town Centre in the emerging Unitary Development Plan. Transportation are satisfied that the proposal will not adversely affect highway conditions in the area. The proposal therefore complies with policies STC 1.2: Large New Stores, STC 1.3: Retail Warehousing/Retail Parks, STC 1.4: Town Centre Primary Frontages and policy TSP 7.1: Parking for Development of the adopted Unitary Development Plan, and policy TCR1: Development in Town and Local Shopping centres and policy UD9 Parking For Development of the emerging Unitary Development Plan.

