

Agenda Item: 6.1

07/04287/P 13/11/2007 Waddon

Application for full planning permission

Agent:
Mr C Clayton Turner
DHL Express Ltd
Property Dep
50 Cox Lane
Chessington Surrey
KT9 1TJ

Applicant:
Exel Europe Ltd
Property Dep
50 Cox Lane
Chessington Surrey
KT9 1TJ

Location: Spitfire Business Park, 1 Hawker Road, Croydon, CR0 4WD

Description: Use of land for the parking of commercial vehicles in connection with a home delivery operation; siting of temporary portacabins for use as ancillary offices and toilet block; provision of staff parking and storage areas

Drawing No(s): CROYDON-1007-100C

Recommendation: Grant Permission

Subject to the following condition(s) and reason(s):-

1. The use hereby permitted shall not commence until the parking spaces marked out in the service/access road have been removed and double yellow lines have been installed and/or appropriate signage has been erected to prevent parking in this road.

Reason: To allow for the free and unrestricted movement of traffic to and from the site and in the interests of highway safety in accordance with Policy T11 of the Croydon Replacement Unitary Development Plan (The Croydon Plan)

2. This permission is granted for a limited period expiring on 19 June 2013 when the use shall be discontinued and the buildings removed

Reason: To allow the Local Planning Authority to reconsider the proposal in the light of circumstances existing at the expiry of the limited period

In granting permission the local planning authority had regard to the following policies:-

- . The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP4, UC11, SP14, T2, T11, SP15, EM1, EM2.

The development is considered to be satisfactory in relation to the following:-

- . (a) the character of the development in the surrounding area
- (b) the safety of pedestrians and motorists on the adjacent highway
- (c) the employment policies of the development plan

and having regard to all other matters raised.

Application Number: 07/4287/P – Spitfire Business Park, 1 Hawker Road,
Croydon

1. SUMMARY

- 1.1 This application for temporary planning permission for use of the land for the parking of commercial vehicles in connection with a home delivery operation was deferred by the Committee at its meeting on 8 May 2008 in order that questions raised by Members about the access road and rights of access issues could be addressed by the applicant and Transportation Team. These matters have been dealt with and are set out below. The original report is attached for information.
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2. ADDITIONAL INFORMATION

- 2.1 What is the status of the parking spaces on the service road to Lysander Way?
The applicant has explained that the existing parking spaces shown in the service road are not in use and legally neither the adjoining commercial occupier (Sigma Aerospace) nor any third party have rights to park vehicles in this location. The owner of the road has agreed that subject to the grant of planning permission, these spaces will be removed and appropriate signage or yellow lines will be installed. This could be secured by the imposition of a 'Grampian' condition on any planning permission.
- 2.2 What rights does the adjoining commercial occupier (Sigma Aerospace), who have objected to the application, have to unload on the service road?
Sigma Aerospace has no legal rights to unload vehicles or park on the service road. These activities should take place within their own demise. This has been confirmed in a letter from the owner's solicitor. The adjoining commercial occupier only has a one way right of access along this service road, and vehicles exiting their site should do so via Sigma's own landownership, via a gate leading directly onto Lysander Way. The applicant, however, has been granted an unrestricted right of way across the service road which enables free passage of their vehicles to and from the site.
- 2.3 Is an alternative access road to the site feasible and what are the implications if access is not granted from Lysander Way?
It should be emphasised that the availability of an alternative right of way is not a material planning consideration and the only issue which should be considered by Members is whether the granting of this temporary planning permission would prejudice the use of adjacent land. In the applicant's opinion, they have secured the best possible access to the site and have secured an unrestricted right of way via Lysander Way. The landowner has explained in a letter that a right of way is not available via Hawker Road, and if this application was refused the applicant would be unable to gain access to the site. The landowner goes on to explain that it has proved difficult to let the units in Phase 1 of Spitfire Business Park and that 3 of the units remain vacant. In order to provide the best chance of securing full occupancy and to provide

security of tenure for the existing occupiers, they consider it is vital to maintain a secure unfettered access to the Spitfire Business Park site.

2.4 What is the width of the service road and the width of Hawker Road?

The service road ranges in width from 5.0m at its junction with Lysander Way to 7.3m near to the entrance of the site. There is no footway on this road and so pedestrians accessing the new site would need to walk in the road. However, given the intended use of the site and hours of operation, most staff would probably travel by car. The road is wide enough for 2 way lorry movements, despite the presence of parking spaces, however, there is little evidence these are used. Hawker Road has a width between 7.50m-7.55m and was designed as an industrial estate road and so this is also wide enough for 2 way lorry movements.

2.5 General comments from applicant's agent

The applicant has a contract in place to operate a home delivery operation from the site for the next 10 years and so would prefer temporary permission is granted for this longer period (rather than 5 years as recommended) to provide the applicant and future employees with increased security. Part of the proposal entails the laying of hard standing on the site which would involve a significant capital expenditure.

2.6 The proposal would provide a viable interim use of the site which is appropriately sited in an industrial location and which would generate significant local employment. A number of the existing units in Phase 1 of the Business Park remain un-let despite extensive marketing and it is not viable to construct Phase 2 at present. However, nothing in this proposal would preclude the future development of Phase 2. If the scheme is not granted planning permission, the site would remain vacant which would be detrimental to the locality and make no contribution to the local employment market.

Case Officer: John Lawson

Background Documents: Letter and enclosures from Alliance Planning (21 May 2008)

Contact Officer: Mr. P. Mills 020 8760 5419

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Drawing No(s): CROYDON-1007-100C

Recommendation: Grant Permission

Subject to the following condition(s) and reason(s):-

1. This permission is granted for a limited period expiring on 8 May 2013 when the use shall be discontinued and the buildings removed
Reason: To allow the Local Planning Authority to reconsider the proposal in the light of circumstances existing at the expiry of the limited period

In granting permission the local planning authority had regard to the following policies:-

- . The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP4, UC11, SP14, T2, T11, SP15, EM1, EM2.

The development is considered to be satisfactory in relation to the following:-

- . (a) the character of the development in the surrounding area
- . (b) the safety of pedestrians and motorists on the adjacent highway
- . (c) the employment policies of the development plan

and having regard to all other matters raised.

Ward: Waddon
Lead Officer: Head of Planning Control

PLANNING COMMITTEE
8 May 2008

Application Number: 07/4287/P – Spitfire Business Park, 1 Hawker Road, Croydon

1. SUMMARY

- 1.1 This is an application seeking temporary planning permission for use of the land for the parking of commercial vehicles in connection with a home delivery operation and the siting of temporary portacabins for use as ancillary offices and toilets with staff parking and storage areas.

2. RECOMMENDATION

- 2.1 Grant temporary planning permission subject to a condition limiting the use of the land and the erection of the buildings for a period of 5 years only.
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3. BACKGROUND

3.1 Site Description

The application site is vacant and rectangular in shape with a site area of 0.38ha. It is part of a larger site which was formerly a builder's yard and has now been laid out for small starter industrial units known as Spitfire Business Park. The site is located off Queensway in the Purley Way (south) Employment Area. Fifteen units have already been built to the north and east of a service road. Vehicular access to the site is from the north (Hawker Road) and from the west (via another service road off Lysander Road)

3.2 Surrounding Area

The surrounding land is entirely commercial in character, comprising a number of single and two-storey industrial and warehouse buildings, of varying age.

3.3 Designations

The site is within a Strategic Employment Location and an Archaeological Priority Area as defined in the Croydon Plan.

3.4 Relevant history

There is no relevant planning history.

3.5 Proposal

Temporary planning permission is sought for use of the site for the parking of commercial vehicles in connection with a home delivery operation for DHL Express UK Ltd and for the siting of a two-storey temporary portacabin as an ancillary office and 1 single-storey portacabin for use as a w.c. There would be space for staff parking and storage adjacent to the portacabin buildings.

- 3.6 The site would be hard surfaced and marked out for 40 lorry parking spaces. There would be a turning space at the western end. Forty 7.5 tonne delivery vehicles (cab and trailer) would be based at the site and would run daily to and from the site to home addresses within a 50 mile radius. The vehicles would be parked on site overnight and depart daily over a staggered period between 0600 and 1000 hours and return between 1600 and 2200 hours. The vehicle movements would equate to 10 per hour in the morning and 6 per hour in the evening

- 3.7 Replacement boxes (3.6m in length) would be delivered to the site overnight in readiness for the commencement of deliveries at 0600 hours. In total there would be 20 deliveries to the site per night, consisting of 2 boxes per delivery by a drawbar trailer (wagon and drag) vehicle. Should deliveries be necessary during the daytime, these would be co-ordinated between 1000 hours and

1600 hours to ensure there is no conflict with the smaller vehicles.

- 3.8 The site would operate predominantly between Monday and Friday, with only between 30-50% use on Saturdays and no deliveries on Sundays. At times there may be an overlap with delivery volumes which may require a number of boxes to remain stationary on the site, and space is provided for this next to the turning area. Access and egress to and from the site would be from an existing gate onto the service road to Lysander Road. The site would be enclosed by new 2.4m high palisade fencing.
- 3.9 The site would provide employment for 80 persons, the majority of which would be delivery operatives, who if travelling to the site by car would use the vacant lorry parking spaces during the day. The site would be manned from 0600hours to 2000hours and night trunk drivers would gain access via a secure entry system. Delivery drivers would arrive at the site over a staggered period between 0600hours and 0800hours.
- 3.10 The applicant has confirmed that the service road linking through to Lysander Way, which will be the sole vehicular access to the site, is a private road along which they have an unrestricted right of way. The adjoining company, Sigma Aerospace, whose premises are situated to the north of this service road, have a non-exclusive single right of access along this private road, but do not have any rights to use it for unloading. The applicant has explained that there is only an option to utilise the access onto Lysander Way and has no rights of access via Hawker Road.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Croydon Replacement Unitary Development Plan (the Croydon Plan) are SP4, UC11, SP14, T2, T11, SP15, EM1 and EM2.

5. CONSULTATIONS

- 5.1 Thirty-eight adjacent occupiers were notified of the application. One reply has been received objecting to the proposal raising concern about use of the service road by delivery vehicles which could hinder unloading operations of aircraft engines from lorries into the adjoining factory site (Sigma Aerospace). It is suggested that a condition be attached to any grant of permission limiting access to the site from Hawker Road only, and not via the service road which links the site to Lysander Way.
- 5.2 The application has been referred to Committee by Councillor Simon Hoar who states that whilst the plans on the site itself are uncontroversial, the problem with the application centres on issues of traffic generation and movement. The small service road accessing the rear of the Spitfire Business Park, which is to be used as the main entrance/exit to the site via Lysander and Imperial Way, would see an increase in commercial traffic that is potentially detrimental to neighbouring businesses. As such, the application potentially fails policy T2 by not satisfactorily accommodating the extra traffic generated by the development. In addition, the unique nature of the limited term planning application potentially means that the application fails under policy EM2 (4) by altering the nature of the site to a sui generis usage within a strategic employment area that potentially harms the continuation of existing uses, both on that site and neighbouring sites. In conclusion, the access and egress

element of the application needs to be reconsidered in order to cope with the increased volumes of traffic that would be generated via a small service road.

6. CONSIDERATIONS

Use policies

- 6.1 There is no policy objection to the principle of the use of this land for the distribution of goods and the parking of commercial vehicles for a temporary period. However, 5 years is considered satisfactory to allow the business to establish, rather than the 10 years applied for. The site is in an appropriate location for this use with direct access to the primary road network and remote from residential areas. The use is for a limited temporary period, following which the lawful use position would revert to the extant consent for single-storey industrial/business units at this site.

Townscape issues

- 6.2 The siting of the portacabin structures would be acceptable in the context of the surrounding industrial buildings and would not harm the character of the area.

Amenities of adjoining and nearby occupiers

- 6.3 The proposed use and new buildings would have no significant impact on the amenities of adjoining commercial occupiers.
- 6.4 The question of use of the service road as a right of way is a private matter between the interested parties, and not a subject which should involve the Council as Local Planning Authority.

Highways and parking

- 6.5 Having regard to the information submitted by the applicant, and outlined in paragraphs 3.6-3.9 above, it is considered that the proposed use would not impinge significantly on the operation of the adjoining roads. The proposed service road and access would allow sufficient width to enable large vehicles to pass each other and provides direct access to Imperial Way/Purley Way with a dedicated HGV turn off the A23. Given the limited number of vehicles leaving the site during the day, and the fact that the site is within an industrial area, there would be no significant impact on the road network to warrant refusal of the proposal on highway grounds.

7. ENVIRONMENTAL CONSIDERATIONS

- 7.1 Given this would be a temporary use, there are no environmental considerations applicable to this proposal.

8. EQUALITIES CONSIDERATIONS

- 8.1 There are no equalities considerations appertaining to this proposal.

Case Officer: John Lawson

Background Documents: I letter from an adjoining occupier
Referral from Councillor Simon Hoar

Contact Officer: Mr. P. Mills 020 8760 5419