

Item No 12:-

16/00009/FUL (CT.2609/Z)

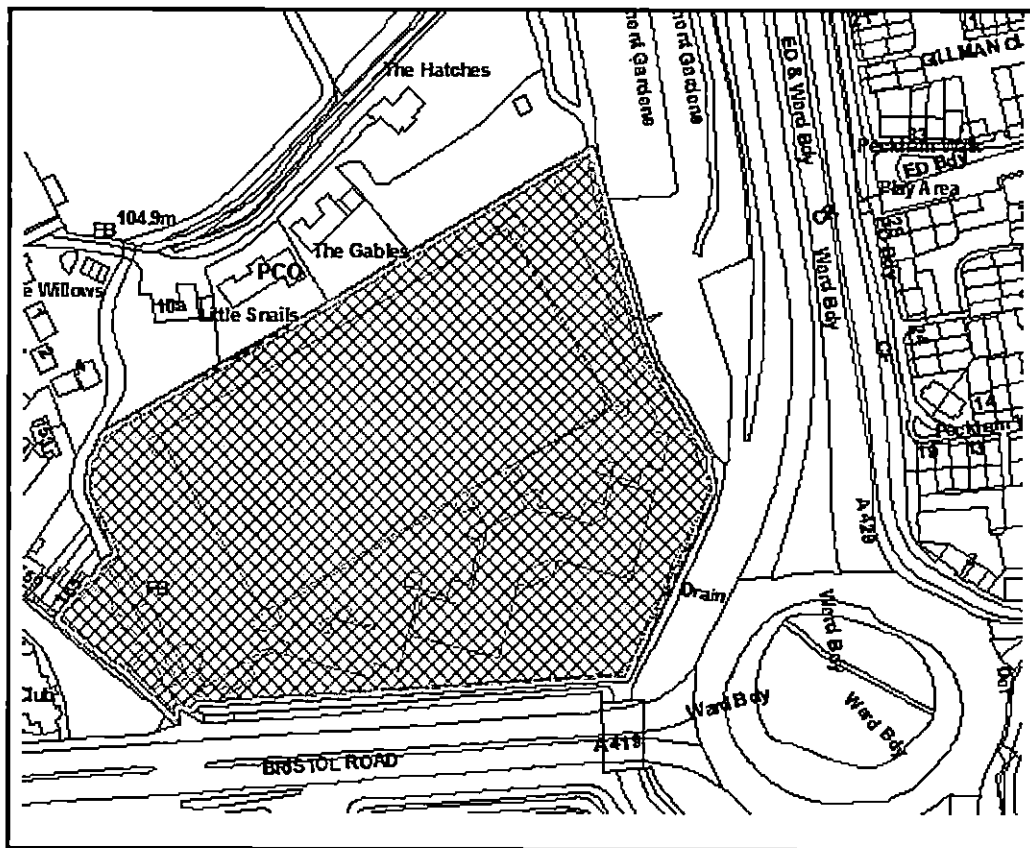
**The Colt Car Company Ltd
Watermoor Road
Cirencester
Gloucestershire
GL7 1LF**

Item No 12:-

**Retention and alterations of external racking
at The Colt Car Company Ltd Watermoor Road Cirencester**

Full Application 16/00009/FUL (CT.2609/Z)	
Applicant:	The Colt Car Company
Agent:	LD & PC Ltd
Case Officer:	Scott Britnell
Ward Member(s):	Councillor Joe Harris
Committee Date:	9th March 2016

Site Plan



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RECOMMENDATION: PERMIT

Main Issues:

- (a) Do the proposals overcome the reason for refusal under planning application 15/03215/FUL?
- (b) The impact of the development upon the character of the area
- (c) The impact of the development upon the living conditions of the occupants of neighbouring and nearby dwellings
- (d) The impact of the development upon on-site car parking provision
- (e) The proximity of the racking to the established fire escape

Reasons for Referral:

This application has been referred to committee by Councillor Harris owing to the recent planning history of this site and the ongoing concerns about the impact on local residents.

1. Site Description:

The Colt Car Company site sits at the eastern end of Watermoor Road with residential roads and dwellings neighbouring it to the west and north. It is a well-established employment site situated within the Development Boundary. To the south, the site is bounded by the A419 Bristol Road. Although the site is not within a conservation area the boundary of the South Cirencester Conservation Area is nearby.

2. Relevant Planning History:

The site has been the subject of a number of planning applications over the past two decades. The most recent consent was granted on 14 April 2015 for the erection of a single storey storage building. That application originally included external racking in the same location as proposed within but was withdrawn following concerns expressed by Local Members.

15/03215/FUL Erection of external racking: Refused at Planning Committee 11 November 2016 for the following reason: -

Although the site is in industrial use, it is located in an area that abuts residential development on two sides. The position of the external racking is on an elevation of the existing industrial building that closely adjoins the rear gardens of neighbouring dwellings. The industrial building itself, while clearly being untypical of a residential area, is nevertheless of a plain and uncluttered appearance that has a relatively neutral visual impact. By virtue of its height, materials, overtly active functional appearance and its closer proximity to the boundary of the adjoining residential properties, the racking structure has a more intrusive, visually harmful impact and materially worsens the effect of the relationship between the industrial site and the neighbouring dwellings. Consequently, the proposed development fails to accord with Cotswold District Local Plan policies 24 and 42 and section 7 of the NPPF.

3. Planning Policies:

- LPR24 Employment Uses
- LPR38 Accessibility to & within New Develop
- LPR42 Cotswold Design Code
- LPR46 Privacy & Gardens in Residential Deve
- NPPF National Planning Policy Framework
- LPR05 Pollution and Safety
- LPR15 Conservation Areas
- LPR18 Develop within Development Boundaries

4. Observations of Consultees:

Highways Officer: No objection

Environmental Health Officer: No objection subject to condition (see officer's assessment)

5. View of Town/Parish Council:

"Members object to this application on the grounds of the scale, material and structure of the racking, it is still intrusive, has a visually harmful impact and inappropriate appearance in close proximity to residential properties, which will invade their privacy. Also the noise pollution from the fork lift trucks. Members re-iterate their previous position that the external racking be relocated away from residential properties"

6. Other Representations:

The application was advertised by way of 1 public site notice and 22 neighbour notification letters.

A total of 8 separate responses were received including a petition with 8 signatories. All but one of the signatories to the petition also provided the separate responses. Below is a summary of all the comments received to date. The issues raised are considered under the Officer's Assessment unless stated:

What would prevent Colt Cars applying at a later date to have racking all down the side of the building? Case Officer Response: Any future application would have to be considered on its own merits and in accordance with the relevant planning policies.

I would have welcomed a discussion with Colt Cars prior to the erection of the racking/application. Case Officer Response: This is a matter for the applicant.

Could the visitors' parking spaces be indicated on the block plan?

Increased noise from activities relating to the use of the racking

The visual impact of the racking, including its appearance

The racking would still be visible and not adequately screened

The racking is not in keeping with the area and would be seen from public vantage points

There is no guarantee about what will be stored on the racking

Loss of privacy due to the height of the racking

Loss of on-site parking spaces

The racking would be increased in length

The racking would be visually imposing

No new jobs would be provided by the racking

7. Applicant's Supporting Information:

Planning Statement

8. Officer's Assessment:

Proposal

This application proposes the retention of the external racking to the western end of the north elevation of the site's largest building, although the top tier would be removed and the overall width of the structure extended.

The racking is required to store the rigid plastic shells found to the rear of Mitsubishi flatbed cars and vans. The Planning Statement submitted with this application advises that storing these items externally would save valuable internal space.

The racking would be constructed of galvanised steel and provide 22 separate bays (11 wide x 2 high). It would have a depth of just less than 2.1 metres with a width of 29.7 metres and height of 4.1 metres. The racking would sit up against the kerb of the pavement to the north of the building resulting in the loss of 11 on-site car parking spaces. The racking would be anchored to the ground on base plates with galvanised steel bearers supporting timber shelves.

(a) Do the proposals overcome the reason for refusal under planning application 15/03215/FUL?

The proposals will see the removal of the top tier of the existing racking structure, which will improve its appearance and significantly lessen its impact on visual amenity. While at 4.1 metres high it would still be visible from the rear of the residential properties to the north, it is adjudged that this impact would be significantly less than that of the previously refused scheme.

The contrast between the functional appearance of the racking and the uncluttered appearance of the host building would still remain but it is adjudged that this is mitigated against by the reduction in height. For this same reason, the increased width of the racking is not adjudged to introduce significant harm. The revised racking is therefore adjudged to overcome the reason for refusal.

(b) The impact of the development upon the character of the area

Section 7 of the National Planning Policy Framework (NPPF) states that, "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Local Plan Policy 18 states that "the siting, appearance and scale of the [proposed] development respects the surrounding countryside, topography, and the traditional form, character, appearance and setting of the settlement, and would cause no significant adverse environmental or visual harm to the site or its surroundings..."

Local Plan Policy 24 (paragraph 6) states that "new buildings and structures that are required for, and directly related to, an existing business will be permitted provided the development is designed to avoid visual harm..."

Local Plan Policy 42 requires that "development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship"

The Cotswold Design Guide is a Supplementary Planning Document which promotes good design. With regards to development within "industrial estates" this guidance proffers that "outdoor storage areas should be well screened by walls or close-boarded fences".

The racking has a functional appearance in line with its setting. In terms of its scale, it is clearly a subservient structure and the materials employed are wholly appropriate for this context. While it would not be wholly screened from the residential properties to the north, only the top tier would

be visible. Given the context of the site this is not considered to represent an incongruous or harmful addition.

It is unlikely that the revised racking, due to its lower height, would be readily visible from the public realm, including from within the nearby Cirencester South Conservation Area. Verbal advice has been sought from the Council's Conservation Officer who has no objection to these proposals on the basis that the racking would have no impact upon the special character of the conservation area.

It must also be noted that the impact of the (taller) racking upon the character of the area did not form part of the refusal reason in respect of the previous application.

In light of the above assessment, the racking due to its location, design, scale and form is adjudged to comply with Local Plan Policies 15, 18, 24 and 42 and section 7 of the NPPF.

(c) The impact of the development upon the living conditions of the occupants of neighbouring and nearby dwellings

Local Plan Policy 5 requires the Local Planning Authority to consider the potential for development to cause unacceptable pollution, including noise. This policy also sets out the LPA's approach to developments that may pose safety hazards. Local Plan Policies 18 and 46 are also relevant to the consideration of this element of the proposals.

A number of objections have been made with regards to the impact of the proposal upon the living conditions of nearby residential properties. Whilst the racking would be visible from a number of adjacent dwellings and their gardens, its subservience with the building against which it would be set, and its materials of construction would not materially alter the outlook available from those properties. It is important to note that as existing, that outlook is dominated by the warehouse. Further, as the racking would be set against the existing building, it would not result in a sense of overbearing or enclosure.

An objection has been made with regards to the impact of the racking at night, which due to the existing external lighting is partly illuminated. Further comments have also been made with regards the variety of stock that is stored upon the racking. It is suggested that the changing nature of the stock imbues the racking with an ever-changing appearance and so prevents neighbouring occupiers becoming accustomed to it.

With regards to its night time appearance the racking it is adjudged, would not result in material harm to the amenity of the occupants of the neighbouring properties. In respect of the use of the racking for storing different stock/goods, this is only to be expected. The LPA, if approving this application, could not reasonably require only specific goods to be stored upon the racking. Such a requirement would have to be secured through condition and it is the officer's view that such a stipulation would be overly onerous and unreasonable.

An objection has also been made in respect of the potential health and safety implications of having high level storage in proximity to residential properties. Any working practices in relation to the storage of goods, such as their movement by fork lift trucks, would need to be carried in accordance with all relevant Health and Safety Regulations. The appropriate body for ensuring compliance with those rules is the Health and Safety Executive and any unsafe practices should be reported to them accordingly. It must also be noted that it is not the role of the planning system to regulate issues that are covered by other legislation.

With regards to potential for overlooking, the racking system is clearly designed for storage purposes. Loading and unloading items (to the top tier in particular) would almost certainly require a fork lift truck or similar equipment, and so opportunities for overlooking from this structure would be extremely limited.

Concern has also been expressed with regards to the increase in noise levels resulting from fork lift movements and general storage activities adjacent to the boundary with neighbouring residential properties. The Council's Environmental Protection Team had assessed the previous proposals and considered them acceptable, subject to a condition controlling noise associated with the use of the external racking. Given the proximity of the properties to the north of the site and the likely levels of use associated with the racking, it is adjudged both reasonable and necessary to require by condition suitable noise mitigation measures.

Subject to the aforementioned noise condition it is adjudged that the proposals would not have any materially harmful impacts upon the living conditions of neighbouring or nearby properties. The application is therefore compliant with Local Plan Policies 5, 18 and 46 and section 7 of the NPPF.

It must also be noted that the impact of the development upon the living conditions of neighbouring properties in respect of potential for overlooking or noise did not form part of the previous refusal reason.

(d) The impact of the development upon on-site car parking provision

Section 4, Paragraph 32 of the NPPF refers to developments that generate significant amounts of movement and advises that such proposals should be accompanied by a Transport Statement or Assessment. As noted by the Highways Officer this application is not 'severe' and so the requirement for a statement or assessment is not required and the development is adjudged to be policy compliant.

There are currently 189 car parking spaces on site, of which 18 are visitors' spaces. The proposals would result in the loss of 11 spaces, 3 more than under the previous application.

The Highways Officer has confirmed that the loss of the 3 parking spaces in addition to the 8 previously proposed is not deemed to be severe enough to cause a significant impact on the surrounding highway.

Further, the external racking is set suitably back from the highway within the premises of The Colt Car Company resulting in no reduction to existing inter-visibility.

Given the Highways Officers response it is not considered necessary to seek a revised block plan highlighting the visitors' parking spaces, as has been requested by an objector.

In light of the above the proposals are adjudged to comply with Section 4 of the NPPF and Local Plan Policy 39.

(e) The proximity of the racking to the established fire escape

The racking would cross in front of the existing fire escape serving the warehouse. The Building Control officer has confirmed that the issue of emergency fire escape would fall under their relevant legislation.

Matters

The site is within a Flood Zone 2/3 area but it is adjudged, given the nature of the proposals that the racking would not result in increased flood risk.

9. Conclusion:

The revised racking would overcome the reason for refusal given in respect of the previous application and would be an acceptable addition into an established industrial context. No material harm has been identified in respect of its impacts upon the character of the area or living conditions of the occupants of neighbouring and nearby properties. Further, the loss of 11 parking spaces can be accommodated without resulting in a significant impact on the surrounding

highway. The application is therefore adjudged to comply with Local Plan Policies 5, 15, 18, 24, 39, 42 and 46 and Sections 4, 7 and 11 of the NPPF and is recommended for approval, subject to any conditions referred to above.

10. Proposed conditions:

The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing number(s): PL8- Revision A, PL7 Revision A, PL3 Revision A

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

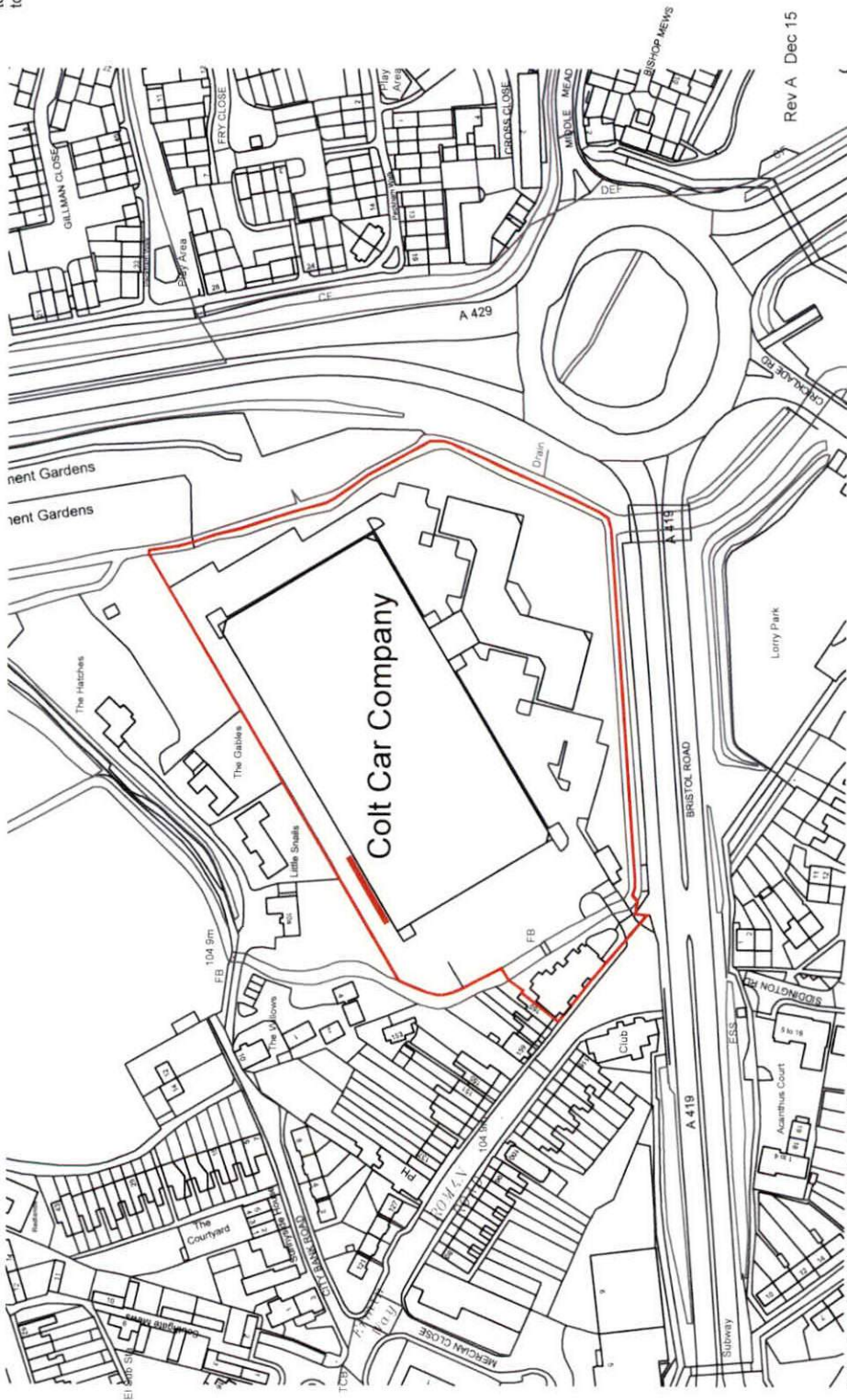
Within 2 months from the date of the granting of this planning permission a scheme shall be submitted to and agreed in writing by the local planning authority which specifies the provisions to be made for the control of noise associated with the use of the external racking hereby approved. The noise mitigation scheme shall come into effect from the date of the local planning authority's approval of such and shall be maintained and shall not be altered thereafter without the prior written approval of the local planning authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy 5 and PPG 24.

APPENDIX "A"

Do Not Scale!

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Rev A Dec 15 Racking reduced in height but extended to maintain 21 usable bays

PROJECT:
Proposed External Racking
at Watermoor Road,
Cirencester Glos, GL7 1LF
DRG TITLE:
Site Location Plan

JOB NO: 15.06
SCALE: 1:2500 @ A4
DATE: July 2015

DRG NO: PL8- Rev A
DRN BY: RG
CKD BY: .

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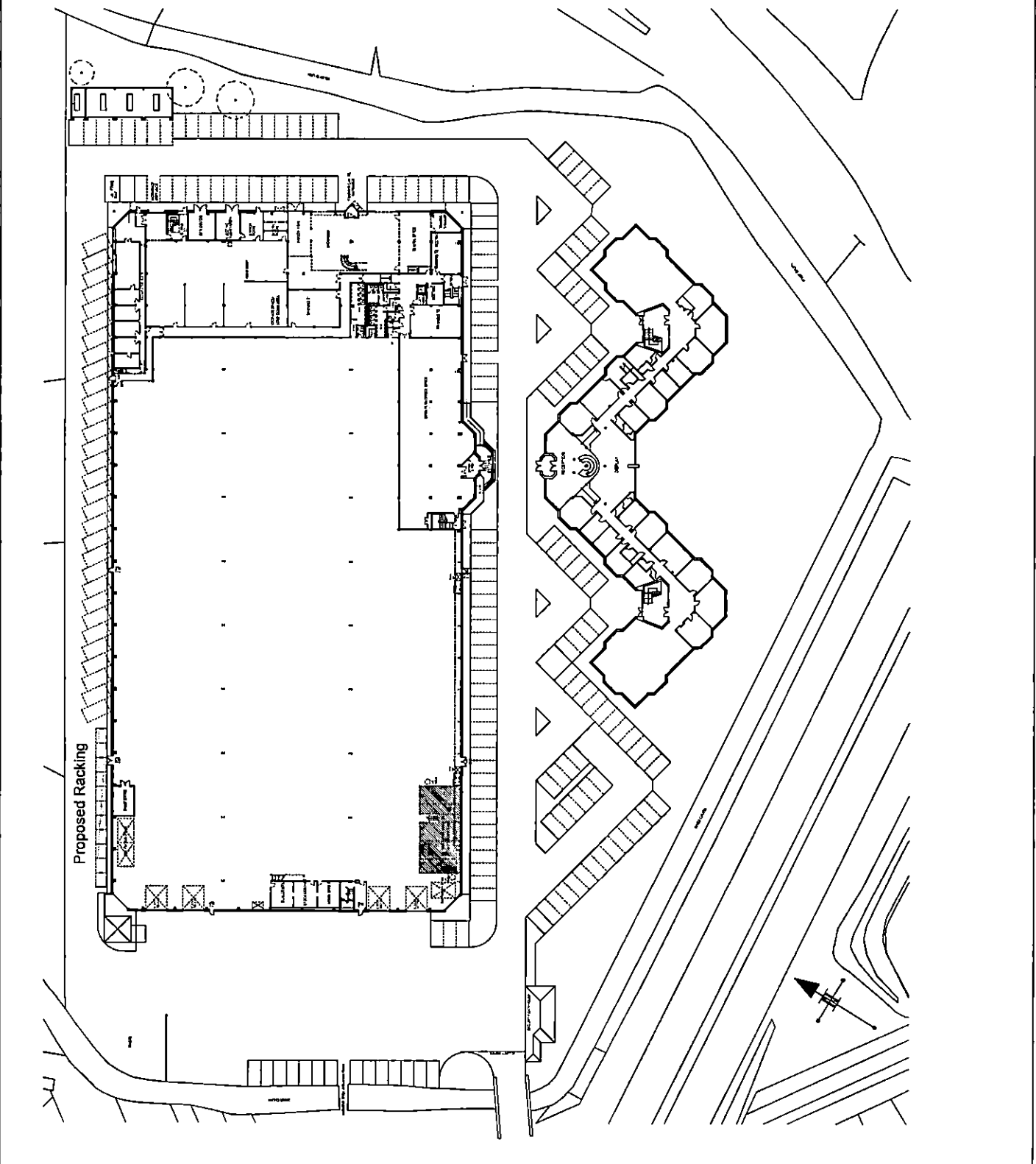
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APPENDIX "B"

Do Not Scale All Dimensions Are In Millimetres Unless Otherwise Stated This plan is shown as hand-drawn	
Drawing Revisions	
DATE	REVISION
Rev 01	Issue for construction
Rev 02	Issue for construction

PROJECT: Proposed External Racking at Waterloor Road, Chichester	
DRAW TITLE: Block Plan	
DATE	REV
15.06	PL7 A
SCALE	DATE BY
1:500 @ A2	RG
DATE	COURT
Jul 2015	
GLEVUM Design & Build	
Glevum Design & Build Ltd Newbold Chichester GL14 4JF	
www.glevum.co.uk 01243 76000 01243 76001 info@glevum.co.uk	



APPENDIX 'C'

<p>Do Not Scale All Dimensions Are In Millimetres Unless Otherwise Stated This plan is drawn as hand-drawn Drawing Revisions</p>	
DATE	REVISION
15/06/15	Issue 15 Change to include 100mm high parapet on roof edge See attached to length for section 15/06/15
15/06/15	Issue 14
15/06/15	Issue 13
15/06/15	Issue 12
15/06/15	Issue 11
15/06/15	Issue 10
15/06/15	Issue 9
15/06/15	Issue 8
15/06/15	Issue 7
15/06/15	Issue 6
15/06/15	Issue 5
15/06/15	Issue 4
15/06/15	Issue 3
15/06/15	Issue 2
15/06/15	Issue 1

<p>PROJECT: Proposed External Racking Waterbury Road, Chichester</p>	
<p>DWG TITLE: Proposed External racking</p>	
DATE	BY
15/06	PL3
SCALE	DATE
1:100 @ A1	RG
DATE	DATE
Jan 2015	
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