

## 24 SEPTEMBER 2019 PLANNING COMMITTEE

6c PLAN/2019/0585

WARD: MH

**LOCATION:** Lion Retail Park, 151 Oriental Road, Woking

**PROPOSAL:** Retention of a single storey building in existing car park to be used as a clothes recycling office with associated storage.

**APPLICANT:** Mary Street Estate Ltd.

**OFFICER:** David Raper

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### **REASON FOR REFERRAL TO COMMITTEE:**

The proposal includes the erection of a detached building which falls outside the scope of delegated powers as set out by the Management Arrangements and Scheme of Delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

The proposal is for the retention of a single storey detached structure to be used as a 'cash for clothes' recycling office and store. The building is a height of 2.85m with a length of 6.3m, a depth of 3.3m and an internal floor area of 18m<sup>2</sup>. The building occupies the position of 3x parking spaces. Planning permission for the building has previously been granted for a temporary period of one year (PLAN/2018/0263) and the current proposal seeks the permanent retention of the building.

### **PLANNING STATUS**

- Urban Area
- Priority Place
- Thames Basin Heaths SPA ZoneB (400m-5km)

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The proposal relates to the Lion Retail Park which is characterised by 7x large warehouse retail units to the north of the site with a servicing area to the rear and a large customer car park in the southern portion of the site. Maybury Hill bounds the eastern boundary and Oriental Road forms the southern boundary. The railway line is to the north and an office building and Woking Mosque is located to the west. The wider area is characterised by residential development of a mixture of ages and styles.

### **PLANNING HISTORY**

There is substantial planning history for the site with the most relevant history listed below:

- PLAN/2018/0263 - Erection of a single storey building in existing car park to be used as a clothes recycling office with associated storage – Permitted 12/06/2018 for a temporary period of one year

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- PLAN/1995/0290:- Full planning permission for the erection of a non-food retail park development, garden centre, associated car parking and highway modification works  
- Permitted 08/08/95

### **CONSULTATIONS**

**County Highway Authority:** No objection.

**Environmental Health:** Confirm that the clothes unit has not come to this services attention, during the time it has been operating.

### **REPRESENTATIONS**

One representation has been received raising the following summarised concerns:

- The application states that only three spaces would be lost however large vehicles now use the car park which can occupy multiple spaces.
- Request that that a condition is applied to require the site owners to manage the size of vehicles using the car park. The removal of the height restrictor and night time access is causing a loss of amenity to neighbours (*Officer note: this is considered beyond the scope of the current application and such a condition is not considered reasonable or necessary*)
- Request that a condition is applied to prevent balloon and flag advertisements which could be a distraction to motorists (*Officer note: advertisements would require separate Advertisement Consent*)

### **RELEVANT PLANNING POLICIES**

#### National Planning Policy Framework (NPPF) (2019):

Section 7 - Ensuring the Vitality of Town Centres

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

#### Woking Core Strategy (2012):

CS1 - A Spatial strategy for Woking Borough

CS5 - Priority Places

CS18 - Transport and accessibility

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

#### Supplementary Planning Documents (SPDs):

Parking Standards (2018)

Woking Design (2015)

### **PLANNING ISSUES**

#### Background:

1. The building is in-situ and has been granted planning permission for a temporary period of one year on 12/06/2018 under application ref: PLAN/2018/0263. Permission was granted on a temporary basis in order to review the condition of the site and the impact on neighbours. The current application seeks the permanent retention of the building.

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### Principle of Development:

2. The building in question is used as a 'cash for clothes' clothes recycling facility whereby members of the public deposit second-hand clothes in exchange for money, the clothes are then taken to an off-site facility. The building has a total floor area of 18m<sup>2</sup> and comprises an office and a storage area for clothes. The use is not considered a retail use and can best be described as a 'sui generis' use. The proposal site is not within a designated shopping frontage or Local or Neighbourhood Centre, however as the use is not considered a 'main town centre use' as defined by the NPPF (2019), a Sequential Test assessing the impact on existing designated frontages is not considered necessary.
3. The scale of the use is very modest and is considered ancillary and complimentary to the scale and function of the existing retail park and given the relatively unique nature of the proposed use, the proposal is not considered to draw custom away from existing retail centres in the Borough. The proposal is not therefore considered to detrimentally impact on the function or viability of existing retail centres.
4. Overall the proposed use is considered acceptable in principle in the context of the existing uses and character of the Lion Retail Park subject to the further material planning considerations outlined below.

### Impact on Character:

5. The building has a height of 2.85m with a length of 6.3m and a depth of 3.3m and is sited on an area previously occupied by 3x parking spaces. The proposal site is a large retail park characterised by large warehouse retail units to the north of the site and a large car park on the southern portion of the site with a detached building in A3 (café) use to the south. The building is positioned in the southern portion of the site close to the east of the detached A3 building. Oriental Road bounds the southern boundary of the site and is significantly higher than the level of the car park of the retail park which means there is a retaining wall approximately 2.5m in height and a landscaped strip on the southern boundary. The retaining wall is staggered in nature and the building is positioned up-against the retaining wall and in a recessed area. This siting of the building significantly limits its prominence from public vantage points and the building is not considered unduly prominent when viewed from surrounding roads. When viewed from the car park the building is viewed against the backdrop of the existing retaining wall.
6. The building is finished in timber cladding with grey UPVC doors, shutters and windows and has a simple utilitarian appearance. The building is viewed in the context of the existing modern retail buildings on the site and is relatively modest in scale compared to surrounding structures.
7. Overall the proposal is considered a visually acceptable form of development and is considered to have an acceptable impact on the character of the proposal site and surrounding area.

### Impact on Neighbours:

8. There are residential neighbours surrounding the site including on Maybury Hill to the east and on Little Riding to the south. The use of the unit was previously considered to result in an acceptable impact on the amenities of surrounding neighbours subject to a temporary permission of one year in order to review the impact on neighbours. The Council's Environmental Health Team has confirmed that the unit has not come to

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their attention in the past year in terms of noise/disturbance complaints from neighbours. On the basis of the above, it is considered reasonable that the building is permitted on a permanent basis.

9. As with the previous application, it is considered appropriate to limit both the opening hours of the unit and the hours in which deliveries and collections can be made in order to safeguard the amenities of neighbours. It is considered appropriate to limit the opening hours of the unit in accordance with the previous permission.
10. Overall the proposal is therefore considered to have an acceptable impact on the amenities of neighbours subject to conditions.

### Transportation Impact:

11. The siting of the building results in the loss of 3x parking spaces in the existing car park which features approximately 375x spaces. The loss of 3x parking spaces cannot be considered to materially impact on parking availability in the context of the scale of the existing car park (0.8% reduction). The additional vehicle movements associated with the proposed use are not considered to materially impact on the local high network, congestion or parking availability due to the modest scale of the proposed use. The County Highway Authority has reviewed the proposal and raises no objection and overall the proposal is considered to have an acceptable transportation impact.

### CONCLUSION

12. Overall the proposal is considered an acceptable form of development which would have an acceptable impact on the visual amenities of the area, on the amenities of neighbours and in transportation terms. The proposal therefore accords with the Development Plan and is recommended for approval subject to conditions.

### BACKGROUND PAPERS

1. Site visit photographs
2. Consultation responses
3. Representations

### RECOMMENDATION

PERMIT subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

AAA5158-P2-002 received by the LPA on 12/06/2019

AAA5158-P2-003 received by the LPA on 12/06/2019

ASB609-01 received by the LPA on 12/06/2019

ASB609-02 received by the LPA on 12/06/2019

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The building hereby permitted shall not be open to customers, nor any deliveries or collections carried out, outside the hours of 08:00am to 20:00pm Monday-Saturday and 09:00am to 17:00pm on Sundays unless otherwise agreed in writing by the Local Planning Authority.

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Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

3. There shall be no storage of goods outside the building at any time.

Reason: In the interests of visual amenity and to preserve the provision of car parking at the site in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012 and the policies in the NPPF.

### **Informatives**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework (2019).