

**Convenience Store  
239-243 Eastwood Road,  
Rayleigh**

**Planning Statement**

**January 2011**

PREPARED BY

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Date: January 2011

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## Quality Standards Control

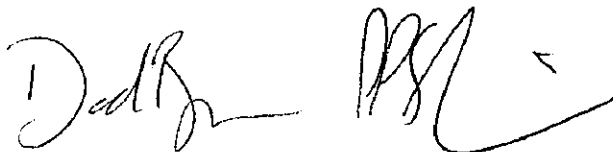
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This document must only be treated as a draft unless it has been signed by the Originators and approved by a Business or Associate Director.

DATE  
January 2011

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## Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of GL Hearn; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

## 1 INTRODUCTION

1.1 This Statement has been prepared by GL Hearn on behalf of Geoff Bray (Rayleigh) Ltd in support of a planning application submitted at a car showroom site at Eastwood Road. The planning application is full, with no matters reserved and forms the re-submission of planning application 10/00748/COU.

1.2 This planning application seeks planning permission for a part change of use from a car showroom (sui generis) including ancillary retail space comprising a convenience goods retail unit with allocated car parking.

1.3 The description of development remains unchanged from 10/00748/COU and is set out as follows:

*“Part change of use of existing car showroom and ancillary retail use to retail use including car parking provision for 8 no. vehicles (including 1 no. disabled car parking bay)”.*

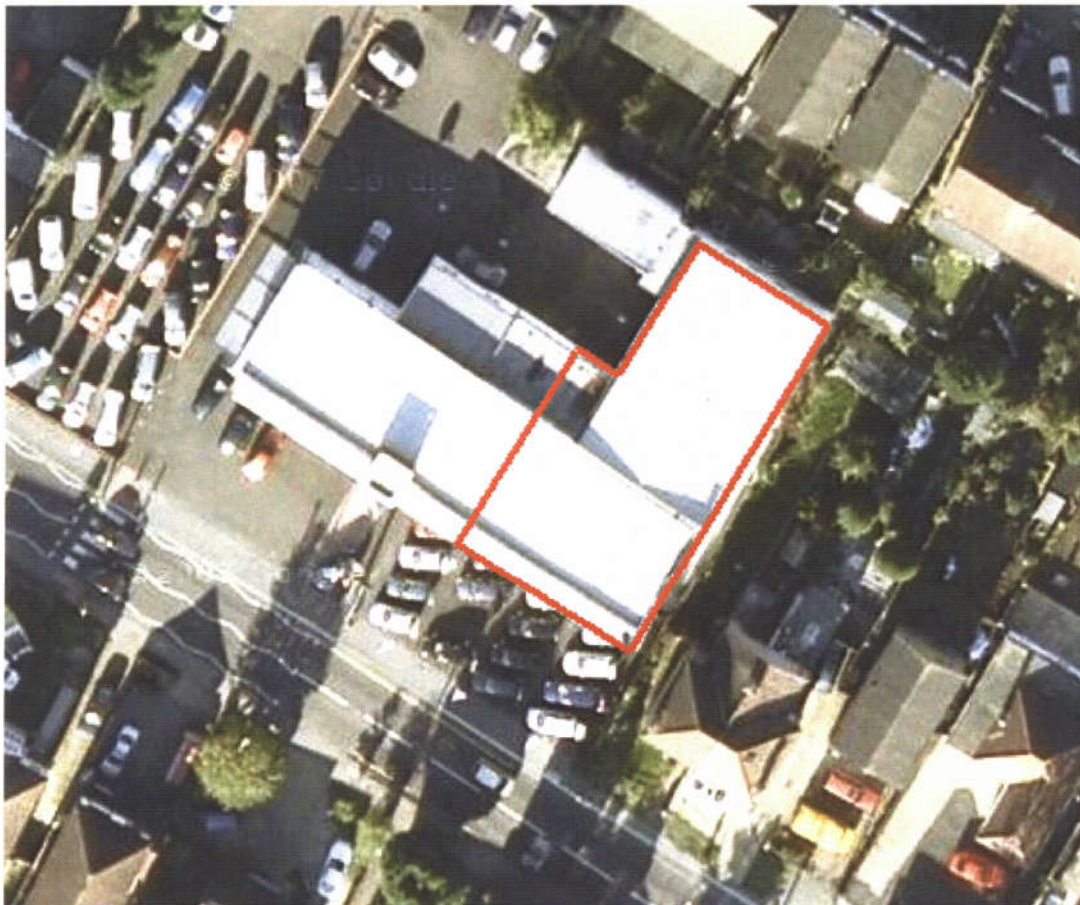
1.4 This Statement combines both a Planning Statement and retail assessment while also addressing general matters surrounding highways/transport – including parking.

1.5 A full set of plans are submitted as prepared by Hone Edwards Architects, as well as necessary planning application forms, fee, notices and certificates.

1.6 This Statement sets out in Section 2 details of the site and surroundings and also makes reference to the background of this site – including the planning history; Section 3 provides a detailed analysis of the planning application proposals; Section 4 reviews relevant planning policy at national, regional and local level; Section 5 provides an assessment of the scheme; and Section 6 summarises and concludes on the proposal.

## 2 SITE, SURROUNDINGS AND BACKGROUND

- 2.1 The site is currently occupied by a modern two storey car showroom consisting of both sales and office space. The area is largely characterised as residential however an existing convenience store is located to the west of the planning application site.
- 2.2 The existing showroom benefits from ample car parking to the western boundary while a forecourt sales area lies to the south of the application site.
- 2.3 The entire building extends almost two thirds of the plot width and depth and lies within close proximity of the eastern boundary.
- 2.4 The part of the building subject to this planning application is located to the east of the site – as identified at **Figure 1** below.
- 2.5 Vehicular access is served via Eastwood Road to the south of the site.



**Figure 1 – Aerial photograph of site**

## **Planning History**

2.6 The following planning application(s) identified at the site are considered to be relevant to the convenience store proposal:

- 05/00627/COU – Change of use workshop (B2) to retail/office (A1/B1). Total refurbishment of premises, layout external areas and small single storey rear extension. GRANTED (22.09.2005)
- 07/00258/FUL – Retention of Amended Fenestration to North Elevation, Retention of Air Duct and Screening, Valet Bay Extension and Car Wash Enclosure (Amendment to 05/00627/FUL). GRANTED (09.05.2007)
- 10/00479/FUL – Construct new vehicular access onto Eastwood Road. GRANTED (22.09.2010)
- 10/00490/LDC – Proposed Lawful Development Certificate For Change Of Use In Accordance With Approved Planning Application 05/00627/COU To A1/B1 On Part Of Site (Continuing Implementation of 05/00627/COU). CERTIFICATE ISSUED (21.09.2010)
- 10/00748/COU – Part change of use from car showroom (including ancillary retail space) to A1 use including the provision for 8no. customer car parking spaces – REFUSED (19.01.11)

### **Planning Application Reference: 05/00627/COU**

2.7 Planning permission was granted in September 2005 for the change of use of a workshop (B2) to retail/office (A1/B1). The change of use equated to c.223sqm of floorspace, of which there were no conditions delineating or specifying the quantum of A1 (net sales) or B1 space.

2.8 The planning application site subject to this application is identified at Figure 2 below.

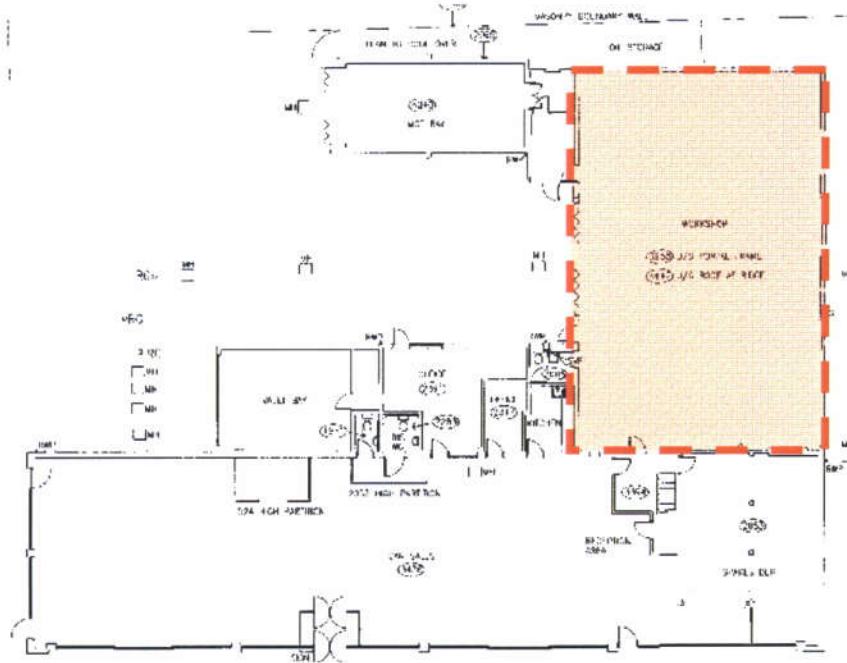


Figure 2 – Planning application site (05/00627/FUL)

**Planning Application Reference: 10/00490/LDC**

- 2.9 A Lawful Development certificate was issued in September 2010 confirming the quantum of possible A1 floorspace following the implementation of planning application 05/00627 (see **appendix 1**).
- 2.10 Although the principle of A1 floorspace was established through the Certificate, it was confirmed by the Council that this floorspace remained part of the car showroom and that should the A1 floorspace be used independently as a separate planning unit that an application seeking a change of use would be required.
- 2.11 The Certificate application also confirmed that the quantum of retail sales space sought under planning application 05/00627 is not too dissimilar from that proposed under this planning application – the difference being 57sqm.
- 2.12 Figure 3 below identifies the quantum of A1 floorspace granted under planning application 05/00627 however arranged 'as proposed' under this application (identified in red). Figure 3 also identifies an area to be allocated for 'back of house' - ancillary to the A1 use (identified in blue); and finally the 'additional' net sales space above and beyond that granted under planning application 05/00627 (in yellow).





**Figure 3 – Quantum of A1 use approved under planning application 05/00627 ‘as proposed’ under the proposed change of use application**

**Planning Application Reference: 10/00479/FUL**

- 2.13 Planning permission was granted in September 2010 seeking to create a new vehicular access at the site. Permission was granted to relocate the existing vehicular access to the eastern end of the site, a short distance to the west of the existing. The proposal also sought to reinstate the existing access.
- 2.14 It was accepted by the Local Highway Authority that the relocation of the access would improve upon the existing access (see **appendix 2**).

**Planning Application Reference: 10/00748/COU**

- 2.15 Planning permission was refused on 19 January 2011 seeking the same development as currently proposed.
- 2.16 The application was refused under delegated powers and for a single reason based upon inadequately sized parking spaces and an overall under provision of car parking (as recommended by Essex County Council Highways) – for which there was no justification. A copy of the Decision Notice and Officers report can be identified at **Appendices 3 and 4**.

- 2.17 Leading up to, and following refusal the applicant has engaged in dialogue with Essex County Council with an aim of overcoming this reason for refusal. The outcome will be considered in more detail within the supporting Transport Assessment.
- 2.18 It should be noted that the principle of the development had been accepted by the Council, hence this not forming a further reason for refusal.



### 3 THE PROPOSAL

3.1 This submission by the landlord seeks full planning permission for:

*"Part change of use of existing car showroom and ancillary retail use to retail use including car parking provision for 8no. vehicles (including 1 no. disabled car parking bay)".*

3.2 As per planning application 10/00748/COU this proposal seeks to sub divide an existing building through the partial change of use of the car showroom. Any external alterations to the building (including the provision for a new shopfront will be considered following the granting of planning permission for the A1 use.

3.3 The main planning considerations will now be addressed.

#### **The Planning Application Proposal**

##### The Food Store

3.4 It is proposed that the retail store has a maximum net sales area of 280sqm (3,013sq ft) and a total GEA of 381sqm (4,101sq ft). Although no end user has been identified at this stage, evidence suggests that the proposed net sales area is appropriate for a store of this size.

3.5 For a schedule breakdown of floor areas please refer to **Table 1** below:

Gross Floor Area	381sqm
Net Sales Area	280sqm
Back of House	101sqm
Standard Car Parking Spaces	7 spaces
Disabled Car Parking Spaces	1 space
Minimum Cycle Spaces	6 spaces (confirmed)

**Table 1 – Development Schedule**

##### Opening Hours

3.6 It is anticipated that the proposed opening hours of the store would be in line with the standard requirement for a convenience store of this size. It is therefore proposed to operate from 0700 to 2300 Monday to Sundays - including Bank and Public holidays.

### Local Employment

- 3.7 The retention and consolidation of the existing car showroom use will result in no overall loss in employment.
- 3.8 In fact, the proposed retail store of the size proposed will provide employment for approximately 20-25 people and will include a mix of both full and part time positions. As per the retained use, the additional employment generated will also vary in terms of skill and will provide a broad level of opportunities to various elements of the community.
- 3.9 Based on GL Hearn's professional experience elsewhere around the country, it is anticipated that a large number of employees for the store will come from the local area. Locally sourced employment has a number of benefits which include local recognition and continuity between staff and customers. From a sustainability point of view, this will mean that staff can ideally walk to work or use other sustainable modes of transport. In addition, this ensures that money is re-invested in the local economy.
- 3.10 It should be noted that in general terms a convenience store of this nature would not have all employees on site at any one time as staff will work set hours / shifts to suit their own specific requirements.

### Servicing

- 3.11 It is proposed that the servicing to the store will be during the morning. It is envisaged that all delivery movements to the proposed unit would be accommodated on site.
- 3.12 It is proposed that all store refuse will be stored internally and will be taken away by the delivery vehicles where it would be dealt with accordingly.

### Car Parking

- 3.13 The proposal seeks to accommodate 8no. car parking spaces (including 1no. disabled bay). The individual car parking spaces have been designed to measure 2.4m x 4.8m. Space is also set aside for the provision of cycle storage, the quantum of which can be dealt with by way of planning condition.

### S106 Obligations

- 3.14 It is anticipated that there will be no requirement to enter into a Section 106 Agreement.

## 4 PLANNING POLICY

- 4.1 The following section of the Statement reviews the most pertinent planning policy relevant to the site and proposal at a national and local level.
- 4.2 Reference will no longer be made on the Regional Spatial Strategy given the guidance issued on the 6<sup>th</sup> July 2010 by the Secretary of State for the Department for Communities and Local Government that all Regional Spatial Strategies were revoked with immediate effect on 6<sup>th</sup> July 2010.
- 4.3 Despite a recent judgement (November 2010) the Chief Planning Officer has advised all Local Planning Authorities to still have regard to the advice from July 2010.

### **PPS1: Delivering Sustainable Development (2005)**

- 4.4 PPS1 sets out the key principles and objectives of the planning system to facilitate and promote sustainable and inclusive patterns of development by:
- Making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;
  - Contributing to sustainable economic development;
  - Protecting and enhancing the historic environment, the quality and character of existing communities;
  - Ensuring high quality development through good and inclusive design and the efficient use of resources; and
  - Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.
- 4.5 Paragraph 35 sets out criteria for good design and paragraph 36 sets out the key objectives that development should achieve, which includes being sustainable, durable and adaptable and makes efficient and prudent use of resources; optimising the potential of a site to accommodate development whilst creating an appropriate mix of uses; responding to local context; addressing the needs of all in society and are accessible; and being visually attractive.
- 4.6 Specific to this proposal it should be noted that sustainable development is the core principle underpinning planning. Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by *"ensuring that development supports existing*

*communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (paragraph 5)*

- 4.7 The PPS also advises that planning authorities should *“provide improved access for all to...shops by ensuring that new development is located where everyone can access services and facilities by foot, bicycle or public transport rather than access by car whilst recognising that this may be difficult in rural areas” (paragraph 27).*

#### **PPS4: Planning for Sustainable Economic Growth (2009)**

- 4.8 The new Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4) was published on the 29 December 2009. The new PPS sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas, including town centres.
- 4.9 The new PPS4 replaces the existing Planning Policy Guidance 4: Industrial Commercial Development and Small Firms, Planning Policy Guidance 5: Simplified Planning Zones and PPS6: Planning for Town Centres. The new PPS4 also replaces part of Planning Policy Statement 7: Sustainable Development in Rural Areas, and part of Planning Policy Guidance 13: Transport.
- 4.10 **Policy EC1** of PPS4 advises local planning authorities on using evidence to plan positively.
- 4.11 **Policy EC10** of PPS4 provides guidance on assessing proposed retail developments. The policy advises that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.
- 4.12 **Policy EC10.2** further advises that all planning applications for economic development should be assessed against the following impact considerations:
- A) *“whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;*
  - B) *the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured;*

- C) *whether the proposal secures high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions;*
- D) *the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives; and*
- E) *the impact on local employment"*

4.13 **Policy EC16** relates to impact assessments for retail proposals not in a centre. Proposals should be assessed against the following considerations as set out under **policy EC16.1**:

- A) *"the impact on existing, committed and planned public and private investment in a centre or in centres within the catchment area of the proposal*
- B) *the impact on town centre vitality and viability*
- C) *the impact on allocated sites outside town centres*
- D) *the impact on in-centre trade/turnover and on trade in the wider area*
- E) *if located on the edge of a town centre, whether the proposal is of an appropriate scale in relation to the size of centre and its role in the hierarchy of centres*
- F) *any locally important impacts on centres"*

4.14 **Policy EC17** provides further guidance on retail proposals not in a centre and not in accordance with an up to date development plan. **Policy EC17.1** advises that planning applications should be refused planning permission where:

- A) *"the applicant has not demonstrated compliance with the requirements of the sequential approach (policy EC15); or*
- B) *there is clear evidence that the proposal is likely to lead to significant adverse impacts in terms of any one of impacts set out in policies EC10.2 and 16.1, taking account of the likely cumulative effect of recent permissions, developments under construction and completed developments."*

4.15 **Policy EC17.3** advises that judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date). Recent local assessments of the health of town centres which take account of the vitality and viability indicators in Annex D of the PPS will also be relevant.

### **PPG13: Transport (2001)**

4.16 The key aim of PPG13 is to seek to achieve a reduction in motorised journeys, encourage alternative means of travel that have less environmental impact and reduce reliance of the

private car. The guidance puts particular emphasis on the promotion of public transport and discouragement of trips by car.

- 4.17 The objectives of PPG13 are to promote sustainable transport choices for people and moving freight; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and reduce the need to travel especially by car.
- 4.18 In terms of parking standards PPG13 promotes a car parking ratio of 1 space per 14 sq m spaces of gross external area.

#### **PPS22: Renewable Energy (2005)**

- 4.19 PPS22 sets out the Governments guidelines for renewable energy provision within developments to help cut, among others, carbon emissions.
- 4.20 PPS22 asks developers to consider the opportunity for incorporating renewable energy developments in all new developments. The policy recommends that small scale renewable energy schemes utilising technologies in all new developments such as solar panels, Biomass heating, small scale wind turbines, photovoltaic cells, as well as combined heat and power schemes.

#### **PPG24: Planning and Noise (1994)**

- 4.21 PPG24 provides advice on how the planning system can be used to minimise adverse noise without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens of business. It outlines some of the key considerations which local planning authorities should regard when determining planning applications for development that either generate noise or may be exposed to existing noise.

#### **Rochford District Replacement Local Plan (adopted 2006)**

- 4.22 The Rochford Local Plan was adopted in 2006. The relevant policies to the proposal will be considered in turn below:
- 4.23 For the purposes of considering this planning application it is identified that the site is located within the Limits of Built Development. The site does not lie within a conservation area or other area protected for its architectural integrity or heritage.



### Strategic Policies

- 4.24 **Policy CS1** (Moving Towards Sustainable Development) – Identifies that It is the Council's aim to improve and enhance the environmental wealth of the district by only permitting development that is environmentally, socially and economically sustainable.
- 4.25 **Policy CS3** (Reducing the Need to Travel) – states that it is the Council's aim to ensure that development reduces the length, number and duration of motorised journeys, particularly at peak hours and that it encourages the use of alternative modes of transport to help protect the quality of the built environment.
- 4.26 **Policy CS5** (Encouraging Economic Regeneration) – identifies that it is the Council's aim to:
- a. *"Work with partners to consolidate the local economy and attract new investment; and*
  - b. *Allocate land for industrial and commercial uses, whilst striving to maintain and enhance the vitality and viability of the town and village centres as attractive places to visit and shop"*

### Highways/Transport Policies

- 4.27 **Policy TP5** (Public Transport) – Highlights that development must be well related to existing public transport infrastructure.
- 4.28 **Policy TP8** (Car Parking Standards) – Identifies an absolute maximum standard of 1 space per 14sqm may be applied to food retail requirements. In considering applications for new development the Council will expect as a general rule the provision car parking spaces in accordance with maximum standards set out in LPSPD1 - Parking Standards: Design and Good Practice and LPSPD2 in the Local Plan.
- 4.29 **LPSPD1** states that in all cases adequate provision should be made for the parking and turning service of vehicles delivering goods to the premises. In terms of Cycle provisions, 1/100m<sup>2</sup> for staff and also customers
- 4.30 **Policy SAT7** (Servicing) – highlights that the Local Planning Authority will require the provision of off-street servicing in all proposals for new development within Town Centres and will encourage the provision of new or improved off-street servicing facilities as opportunities arise.

### Retail Policies

4.31 **Policy SAT1** (New Retail, Commercial & Leisure Development) – States that the Local Planning Authority shall adopt a sequential approach to consider the suitability of proposals for retail, commercial, public offices, entertainment, leisure and other such proposals. The preferred location for such proposals shall be within the Town Centre boundaries of Rayleigh, Rochford and Hockley, indicated on the Proposal Maps, followed by edge-of-centre sites, district and local centres, and out-of-centre sites. Having demonstrated a need for any retail development proposals, applications for retail and other such development as covered by this policy outside a town centre, will be determined having regard to the following factors:

- i. *"The availability of any alternative site or sites (whether allocated for the proposed use, or otherwise) within a Town Centre. Applicants must be flexible in terms of format, design and scale of their development"*
- ii. *the quantitative and qualitative need for the amount of floorspace proposed*
- iii. *the likely impact of the development on the vitality and viability of existing town centres, including the evening economy, and on the rural economy*
- iv. *the accessibility of the application site by a choice of means of transport*
- v. *the likely effect of the proposal on overall travel patterns and car use; and*
- vi. *the likely harm of the proposal to the foregoing strategy"*

### **Supplementary Planning Documents**

4.32 The following Supplementary Planning Documents produced by the Council are also relevant:

- SPD4 - Shop Fronts Security & Design
- SPD5 - Vehicle Parking Standards

### **Emerging Local Development Framework**

4.33 The Core Strategy has been submitted to the Secretary of State for independent examination.

4.34 Following a response to the Inspector's letter, the Council will now produce additional Topic Papers on issues resulting from changes to government policy; a schedule of proposed changes to the Core Strategy; and a Sustainability Appraisal of these changes.

4.35 These documents currently subject to a period of consultation (running from 18 October until 30 November), before being submitted to the Inspector for consideration as part of the Core Strategy examination.

## 5 PLANNING ASSESSMENT

5.1 From the preceding planning history, policy analysis and the information detailed within the specialist reports submitted with the planning application the main planning consideration in this application is considered to relate to the single reason for refusal pursuant to planning application 10/00748/COU, namely the;

- Size of the proposed car parking spaces
- Quantum of car parking spaces

5.2 Matters concerning 'principle' and 'impact' as reported under planning application 10/00748/COU will not be addressed as they were accepted by officers and thus did not form part of the refusal. (See **Appendix 4**).

### **Size of proposed car parking spaces**

5.3 Planning application 10/00748/COU was refused in part as a result of the sub-standard car parking space dimensions as they failed to meet Essex County Council standards.

5.4 The revised site layout plan (*plan no. 1901-11A Proposed Retail Unit A1 (1)*) seeks to accommodate 8no. spaces, however now meets the minimum size threshold as prescribed by ECC. It is therefore considered that this concern has been overcome.

### **Quantum of car parking spaces**

5.5 The site has front and side forecourt areas currently utilised for both 'used car surface display' and customer car parking as stipulated by condition 3 of planning permission 05/00627/COU.

5.6 The front forecourt area is accessed by vehicles via 'western' and 'eastern' dropped kerb footway crossovers measuring 16m and 5.5m wide respectively. It should be noted that the existing eastern vehicular access is to be relocated around 7m west of its current location in accordance with recently granted planning permission referenced 10/00479/FUL and dated 22 September 2010. A zebra crossing with associated zig-zag markings is located directly outside the site, and a lay-by with extended entry and exit tapers which accommodates an eastbound bus stop is located just to the west of the site.

5.7 Eastwood Road is a two-way link operating as an urban clearway (no waiting or loading) 07:00-09:30 and 16:30-18:00 Monday to Friday which forms part of the A1015 which running east from Rayleigh town centre.

### Public Transport Accessibility

- 5.8 The supporting Highway Impact Assessment as produced by Mouchel identifies that the PTAL for the site has been calculated as being PTAL 2.
- 5.9 In terms of public transport, buses passing along Eastwood Road serving the eastbound and westbound stops located just to the west of the site are summarised in the table below.

Bus Route	Route	Approx. frequency (buses/hour)		
		M-F	Sat	Sun
9	Shoeburyness - Prittlewell - Rayleigh	5	2-4	2
11a	Temple Farm Ind Estate - Rayleigh - Chelmsford	-	-	Sun only
15	Southend Travel Centre - Prittlewell - Eastwood - Rayleigh	School journeys only	-	-
15B	Southend Travel Centre - Eastwood - Rayleigh - Daws Heath	School journeys only	-	-
16	Southend Travel Centre - Rayleigh - Canvey	School journeys only	-	-
250	South Woodham - Rawreth - Rayleigh - Eastwood - Southend on Sea	School journeys only	-	-

- 5.10 The proposal sees the formation of a new unit (with no net increase in overall floorspace) and an accompanying change of use of part of the existing car showroom to retail space.
- 5.11 The proposal converts the front forecourt 'used car surface display' area to car parking (7 general use spaces and 1 disabled space), and cycle parking (up to 4 spaces) for the new unit. These car spaces will be available for use by customers outside of early morning periods when the forecourt will be used for deliveries. Access to the new unit's forecourt will be via the relocated eastern access.

### Highway impact

#### *Relocated eastern access*

- 5.12 The relocated eastern access is intended to provide improved access to the new unit's front forecourt for both customer parking and delivery vehicles.

#### *Car parking provision*

- 5.13 The quantum of car parking spaces has not changed since planning application 10/00748/COU. The supporting Highway Impact Assessment confirms that the level of parking provision forming part of the proposed development will accommodate the expected level of demand and will therefore not result in any adverse impact on the highway network or be to the detriment of pedestrian and general highway safety. Furthermore, that the level of parking proposed is compliant with relevant highway planning policy and is comparable

with an existing convenience store located adjacent to the application site whose operations do not result in any adverse impact upon the highway network. Finally, the technical note set-out the sustainability of the proposed development in terms of its convenience use and cycle provision, and the sustainability of the application site in terms of its accessibility by bus and its large potential customer base.

#### *On-site servicing*

- 5.14 It is noted from the SPD5 that *“adequate provision shall be made for the parking and turning of service vehicles delivering goods to the premises and, where appropriate, delivery vehicles operating from the premises”* (table within para.11.2). Therefore it is proposed that servicing for this site would take place on the front forecourt in accordance with the aims set out in the SPD5 and in order to minimise any potential impacts that servicing could have upon the public highway, specifically Eastwood Road which forms part of an important 'A-route'.

#### *Sustainability*

- 5.15 The provision of a total of 3 cycle stands, to accommodate up to 6 bicycles has be provided in accordance with the Essex County Council standards.
- 5.16 The existing bus routes passing along Eastwood Road and serving the stops located just to the west of the site will provide a viable alternative to the car for travel to and from the site.
- 5.17 In conclusion, based upon the information provided, it is possible to conclude that the partial change of use of the site complies with relevant highway planning policy. Any change in parking demand and deliveries created by the formation of a new retail unit (offset by the corresponding change in parking demand and deliveries to the existing premises), will be accommodated by the use of the front forecourt as proposed. Furthermore, the provision of on-site cycle stands and the existing bus routes passing along Eastwood Road provide viable options for travel to and from the site by sustainable modes of transport.

#### **Other**

- 5.18 A proposed store of this size will usually provide employment for circa 20-25 people. The jobs will comprise a mix of full and part-time positions, thus offering flexible working.
- 5.19 As identified at Section 3 of this Statement, and based on GL Hearn's professional experience elsewhere around the country, it is anticipated that a large number of employees for the store will come from the local area.

- 5.20 As previously identified, in the current economic climate, the potential for local job creation should not be overlooked.



## **6 SUMMARY AND CONCLUSIONS**

- 6.1 This full planning application seeks permission for the change of use of part of a car showroom (including up to 223sqm of ancillary retail space) for the purpose of A1 use.
- 6.2 The development will make a significant contribution to the local catchment and the wider community in a number of, namely:
- Provision of additional retail food store provision of a size which is considered suitable for the area;
  - The proposal represents a sustainable form of development particularly in relation to reducing shopping trips to facilities further afield and by seeking to change the use of an existing building;
  - The proposal would create between 20-25 full and part time additional jobs above and beyond the existing employment to be retained as part of the car showroom;
  - The proposal would make the most of an under-utilised brownfield site;
  - The development is compatible with the surrounding land uses while the impact upon nearby residential properties is considered acceptable and would be no greater than the existing use;
  - The proposal will not result in a marked increase in vehicular movements while the site entrance can accommodate any increase in additional traffic and delivery movements;
- 6.3 In light of the above the Council are respectfully urged to grant planning permission.

# **APPENDIX 1**

**Decision Notice 10/00490/LDC**

**9 x A4 Pages**



Geoff Bray (Rayleigh) Limited  
239-241 Eastwood Road  
Rayleigh  
SS6 7LF

**Head of Legal, Estates  
& Member Services**

A J Bugeja, BA(Hons)  
Barrister

Ask for: Anne Gerzon  
Ext: 3711

Tel: 01702 546366

Email: [anne.gerzon@rochford.gov.uk](mailto:anne.gerzon@rochford.gov.uk)

My Ref:  
LS/PT/Planning/LDC/Eastwoodroad  
Your Ref:

Date: 21<sup>st</sup> September 2010

Dear Sirs

**Application for a Certificate of Lawfulness for Change of Use in accordance with approved Planning Application 05/00627/COU to A1/B1 on Part of Site (Continuing Implementation of 05/00627/COU) at 239-241 Eastwood Road, Rayleigh, Essex, SS6 7LF**

**Ref: 10/00490/LDC**

1. I refer to your application for a Certificate of Lawful Development for change of use in accordance with approved planning application 05/00627/COU to A1/B1 use on part of the site at 239-241 Eastwood Road, Rayleigh, Essex. The site is shown edged red on the attached plan.
2. The application is made for a change of use in accordance with approved planning application 05/00627/COU to A1/B1 on part of site continuing implementation of 05/00627/COU and is accompanied by three plans 1901/10A which set out the existing elevations, sections and floor plan.
3. If planning permission is not required for the change of use the Local Planning Authority shall issue a Certificate to that effect, and in any other case it shall refuse the application.
4. In determining this application I have had consideration to all the covering letter and plans titled 1901/10A submitted with the application and to the records and documents available to the Council that relate to the above site, in particular the

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planning files.

5. Planning permission was granted on 20<sup>th</sup> September 2005 for "Change of Use Workshop (B2) to Retail/Office (A1/B1). Total Refurbishment of Premises, Layout External Areas and Small Single Storey Rear Extension". This permission had 6 planning conditions attached to it. Most but not all of the development granted via this application has been implemented.
6. This application seeks confirmation that the uses shown within the layout drawing no.1901/10A submitted with this application can be implemented via the approved application (Ref: 05/00627/FUL) without the need for a new application for planning permission. I will first consider whether a material start to application 05/00627/COU has taken place.
7. Condition 1 of the approved application 05/00627/COU stated that "the development hereby permitted shall be begun before the expiration of five years from the date of this permission". This required a material start to be made before 20<sup>th</sup> September 2010 in order to keep the application alive.
8. The applicant has provided a photograph with this application dated 27<sup>th</sup> July 2010 to confirm that the single storey rear extension that was approved as part of the 2005 application has been constructed. In the letter accompanying the application it states that this extension was built in June 2006. However, when the proposed extension has been measured against aerial photographs that the Council hold dated 11<sup>th</sup> August 2007 and 27<sup>th</sup> September 2009 it cannot be seen that the extension has been constructed. In addition a building control plan with inspector's notes shows the walls of the extension crossed out and a window inserted into an existing wall.
9. However, the 2005 application proposed various other works to the premises which have been completed. These include canopies to the south and west elevations, new entrance with signage above, a new escape door on the east elevation, new windows and door to north elevation of old workshop and new windows to north elevation for sales manager, sales admin, store, kids area and finance department, new roof and changes to the new layout. These works have been completed and a material start to the application has been made. This keeps the application alive and would allow for works to continue to implement the permission in accordance with application 05/00627/COU.
10. I will now move on to consider whether the works to undertake a material start to the application have been completed in accordance with approved application 05/00627/FUL. Condition 2 of 05/00627/COU required details of all external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved by the Local Planning Authority. No details of external facing and roofing materials have been provided to the Council to agree and therefore these conditions remain outstanding. However, there is a distinction between the requirement for works to be approved before works starts and an


embargo on work being started before approval. Condition 2 only requires works to be approved before work starts. Therefore the works have been completed in accordance with the approved application.

11. The third question is whether the internal uses as shown on drawing 1901/10A can be implemented via application 05/00627/FUL. The application seeks confirmation that the layout shown on the submitted plan no. 1901/10A can be used for the purposes labelled on the plan by continuing to implement the 2005 approval. I will refer to each area separately as Area 1 (hatched in yellow – identified as B1 with associated A1 use) and Area 2 (hatched in blue – identified as A1). These are shown on Appendix D plan 1901/10A.
12. The supporting statement submitted with the application suggests that the whole of the site was granted consent in 2005 for A1/B1 use. However the application 05/00627/COU referred to the change of use of workshop (B2) to retail/office (A1/B1). It did not refer to change in the use of any other part of the building or of the entire building. The consent appears to relate to the workshop only.
13. Area 1 covers half the floor space of what was previously the workshop to the car dealership. This workshop was granted consent in 2005 for an A1/B1 use. The layout as office space has been completed as per the 2005 approval and the supporting statement confirms that the area has been used for B1 use as offices. Therefore it is possible that the B1 with associated A1 use shown on the submitted plan 1901/10A could continue to be implemented as per the 2005 approval without the need for a new planning application to be considered.
14. I now turn to area 2. Only half of this area was identified as being the workshop within the existing plans submitted with the 2005 application. The approved layout showed this area to have office space, toilets, kitchen, staff room and a waiting area for the car showroom. This use is considered to be a mixed A1/B1 use and was linked to the use of the site as a car dealership. A material start has been made to application 05/00627/COU it is possible for an A1 use to be provided within this area as a mixed A1/B1 use was permitted in this application. However the application does not specify where the A1 and B1 uses would be situated.
15. There are two areas outside of what was identified as the original workshop which did not benefit from an approved change of use within the previous application 05/00627/COU but for which confirmation of an A1 use is sought. The first area to consider is the area hatched green on Appendix E. The 2005 approved plan showed the proposed show area to be sited within this area. A car showroom is not an A1 use but is a sui generis use. The area hatched green is therefore not considered to be in A1 use and the 2005 approval does not allow the change of use of this area to A1. A new application would be required to consider this change of use.
16. The second area is hatched brown on Appendix E. This is identified as the finance room on the approved 2005 drawing. This is considered to be a B1 use. The 2005

approval does not allow the change of use of this area to A1 and a new application would be required to consider this change of use.

17. It could be considered that the change of use of half of Area 2 identified as being the workshop in the 2005 application from a sui generis/B1 use to A1 would be a material change of use. The area is situated at the front of the shop and any change will be noticeable.
18. The proposed layout plan shows that an A1 use of Area 2 would be separated the rest of the premises by a wall. Area 1 would also be separated from the car dealership. The 2005 approval for A1/B1 use was granted in association with the existing use of the site as a car dealership and this was shown as one whole planning unit in the 2005 application. Therefore an A1 use that is separate to the car dealership could not be implemented via the 2005 approval as it would represent a material change of use.
19. Accordingly I have determined that the proposed Change of Use in accordance with Approved Planning Application 05/00627/COU to A1/B1 on the part of site (Continuing implementation of 05/00627/COU) hatched on the plan accompanying the certificate can be used for an A1/B1 use via the approval 05/00627/COU. I enclose a certificate to this effect. The areas hatched brown and green on the plan shown that Area 2 cannot be used for A1/B1 use as set out in application 05/00627/COU as these areas are outside of what was identified as the original workshop and did not benefit from an approved change of use under application 05/00627/COU at 239-241 Eastwood Road, Rayleigh, Essex SS6 7LF as set out in the plans and details submitted under 10/00490/LDC.
20. If you are aggrieved by this determination you have the right of appeal under Section 195 of the Town and Country Planning Act 1990 to the Secretary of State for the Environment.

Yours faithfully



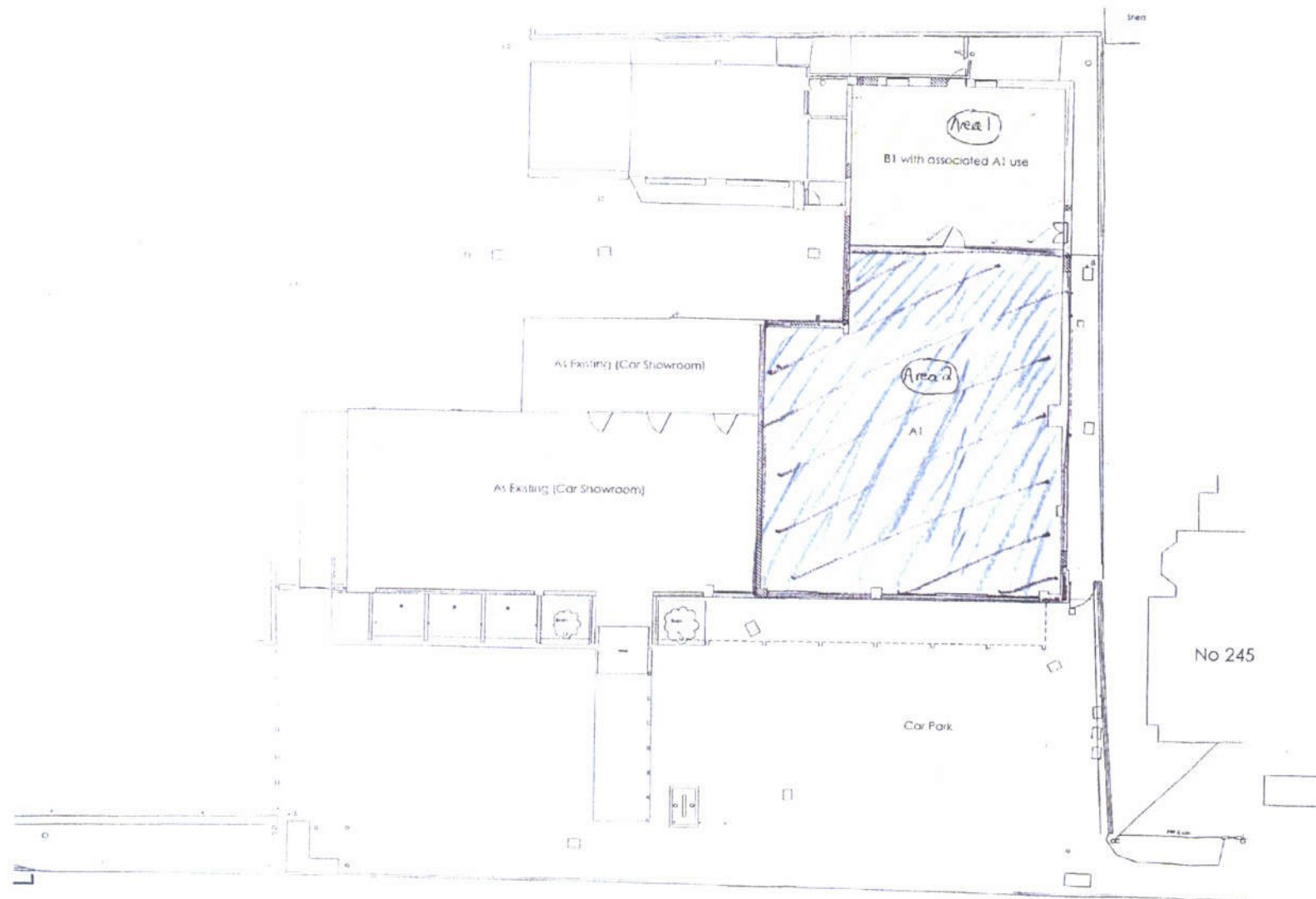
**Head of Legal, Estates and Member Services**



# APPENDIX D

10/490/usi

27 JUL 2017

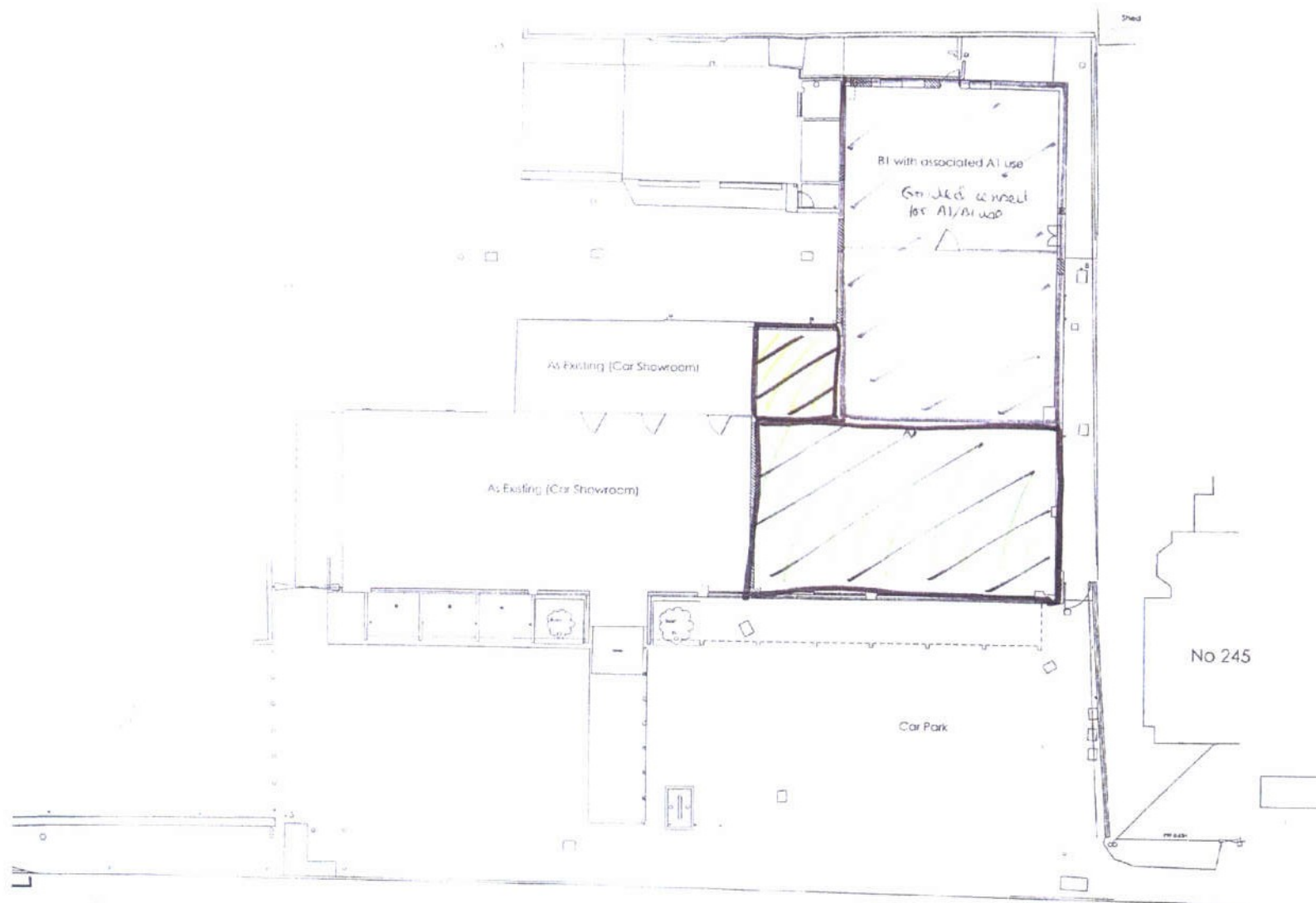


<p>Consultants / Associates name only          Please do not include any company or          identification for use if removed or altered          after consultation is completed</p>	
<p>REVISIONS:          1. 2017-10-10: Initial design</p>	
<p>239-243 EASTWOOD ROAD          KAYLEIGH</p> <p><b>geoffbray</b></p> <p>PROPOSED LAWFUL USE PLAN</p>	
scale:	1:100 @ A1
date:	2017-07-27
drawn by:	1901/10A
<p><b>HONE EDWARDS ASSOCIATES</b></p> <p>Design Studio          10/100 Street          South of Bristol          Bristol, UK          Tel: 01275 711111          Email: info@honeedwards.co.uk</p>	

10/490/usc

27 JUL 2010

# APPENDIX E



Contractors / Manufacturers must only  
Provide any new work and existing  
workmanship to be checked on site and  
any discrepancies reported.

## REVISIONS:

A. 27/07/10: Initial submission

239-243 EASTWOOD ROAD  
RAYLEIGH

**geoffbray**

PROPOSED LAWFUL USE PLAN

scale: 1:100 @ A1

date: JUL 2010

app. no: 1901/10A

**HONE  
EDWARDS  
ASSOCIATES**  
Design Studio  
Milton Road  
Suttonville Road  
Suttonville Road  
Hale, Cheshire  
email: hone@honeedwards.co.uk

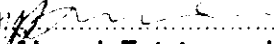


ROCHFORD DISTRICT COUNCIL

10/00490/LDC

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

Rochford District Council hereby certify that on 23<sup>rd</sup> July 2010 the use described in the first schedule in accordance with approved planning application 05/00627/COU to A1/B1 on part of site hatched on the attached plan (Continuing implementation of 05/00627/COU) at the site land mentioned in the second schedule can be implemented.

Signed   
**Head of Legal, Estates and Member Services**  
On behalf of Rochford District Council

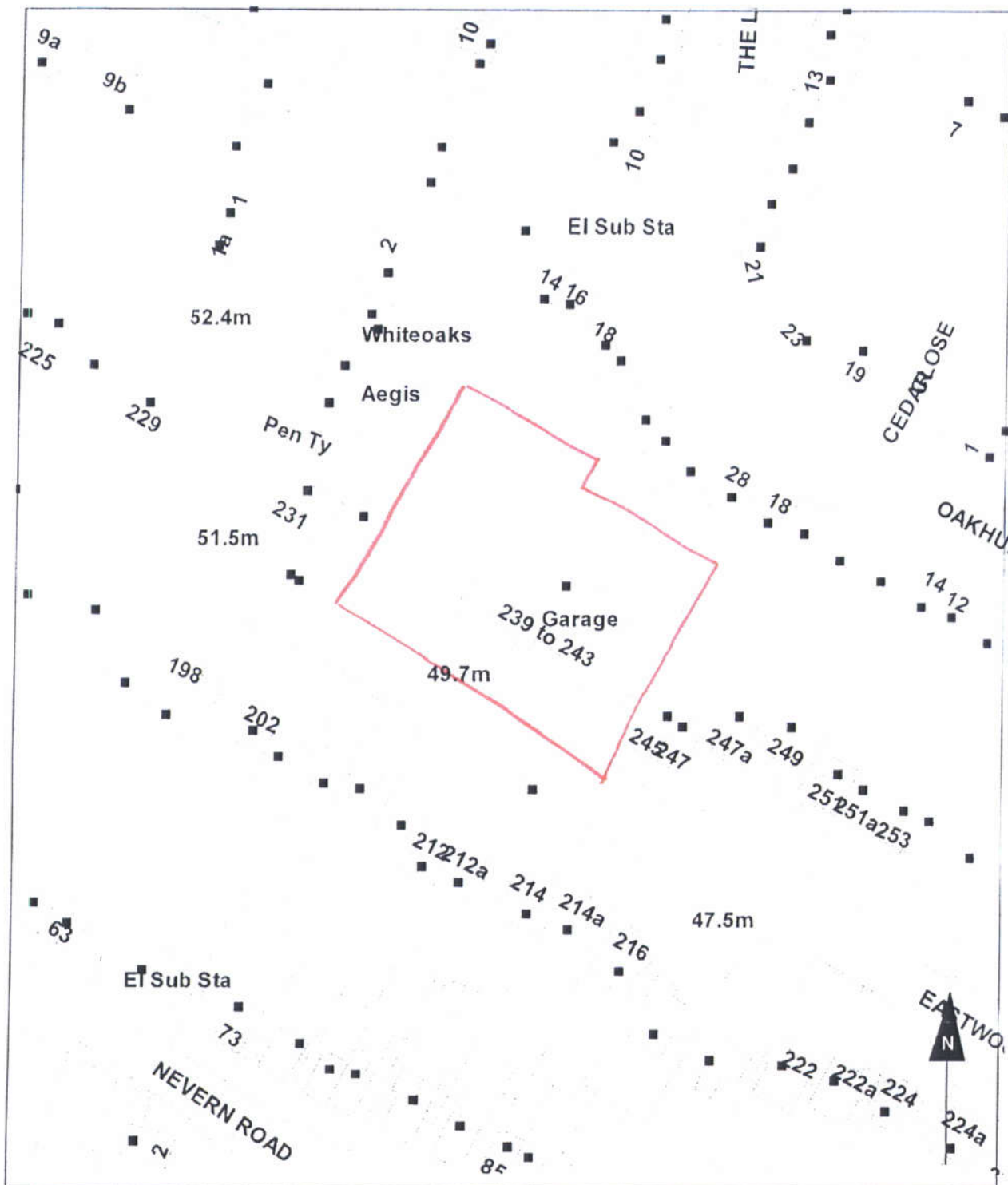
Dated 21/09/10

**First Schedule**

The use in accordance with approved planning application 05/00627/COU to A1/B1 on part of site hatched on the attached plan to this certificate (Continuing implementation of 05/00627/COU) at 239-241 Eastwood Road, Rayleigh, Essex SS6 7LF and subject to the following:

**Second Schedule**

239-241 Eastwood Road, Rayleigh, Essex SS6 7LF as shown edged red on the plan attached to this Certificate.



Scale 1:1000

This is the plan attached to the Determination of Application  
reference 10/00490/LDC dated 21st September 2010  
and referred to in the certificate of lawful use

  
(For Head of Legal, Estates and Member Services)

Authority	Rochford District Council
Department	Legal Services
Date	

 **Rochford**  
District Council

05/627/ca  
NOTES  
25/08/05

2



LOCA  
1-1000 SCALE

SMITH & MERTSON  
CHARTERED  
ENGINEERS

A. H. G. M. I. T. E. S. T. S.  
STUDIO 18      LODGE PARK ROAD

LEIGH DM SEA ESSEX SS9 2DU  
L 01702 472714 1 01702 715049  
L 01702 472714 1 01702 715049

Year	2000	2005	2010
Y=200			MON

GEOFF BRAY

239-243 EASTWOOD ROAD, RAYLEIGH  
REFURBISHMENT WORKS, SCALE 1/50

--  
BORN PLANNING

5.34 

TDC4-

TPU18 



EASTWOOD ROAD

8-11-2004

TAKE: MUST TO HAVE 100,000 METAL MAJOR  
LIGHT FUTURE TO ILLUMINATE EXTERIOR CAR  
DISPLAY & PARKING AREA TO FRONTAGE ONLY.

REPLACE EXISTING SIGN WITH NEW  
ILLUMINATED SIGN



## **APPENDIX 2**

**Decision Notice 10/00479/FUL**

**2 x A4 Pages**



### NOTICE OF DECISION

Town and Country Planning Act 1990

Date : 22nd September 2010

Application No : 10/00479/FUL

Parish : Rayleigh Town Council

Proposal : Construct New Vehicular Access Onto Eastwood Road

Site Location : 239 - 241 Eastwood Road Rayleigh Essex

Applicant : Geoff Bray (Rayleigh) Ltd

The Council as District Planning Authority hereby give notice of their decision to **GRANT PLANNING PERMISSION** for the above proposal as described in the accompanying drawing(s) numbered 1901/090 date stamped 29th July 2010, subject to the conditions set out below

Your attention is drawn to the notes enclosed

### CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 The existing vehicular crossing shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway footway kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

Please turn over page

### INFORMATIVES

- 1 The access(es) and crossover(s) proposed should be constructed in accordance with details stipulated by the County Surveyor at the following address: Area Transportation Manager, 1 Endeavour Drive, Festival Business Pk., Basildon, Essex, SS14 3WF (Telephone 01268-297500).
- 2 The applicant should be made aware that any departure from the approved plan is likely to result in the development being unauthorised with the requirement for a further application to be submitted, which will be dealt with on a "without prejudice" basis. Early contact with the planning department where a change is contemplated is strongly advised although even minor changes are likely to require a new application.

### REASON FOR DECISION

The proposal is considered not to cause significant demonstrable harm to any development plan interests nor harm to any other material planning consideration.

### Relevant Development Plan Policies and Proposals:

NONE



**SHAUN SCRUTTON**  
**HEAD OF PLANNING AND TRANSPORTATION**

Council Offices, South Street, Rochford, Essex SS4 1BW  
Telephone: 01702 546368 Facsimile: 01702 545737  
DX 39751 Rochford Website: <http://www.rochford.gov.uk>

## **APPENDIX 3**

**Decision Notice 10/00748/COU**

**2 x A4 Pages**

**TOWN & COUNTRY PLANNING ACT, 1990**

**NOTICE OF DECISION**

Date : 19th January 2011

Application No : 10/00748/COU

Parish : Rayleigh Town Council

Proposal : Part Change of Use From Car Showroom (Including Ancillary Retail Space) to A1 Use Including the Provision for 8 no. Customer Car Parking Spaces

Site Location : 239 - 243 Eastwood Road Rayleigh Essex

Applicant : Geoff Bray (Rayleigh) Ltd

The Council as District Planning Authority hereby give notice of their decision to **REFUSE PLANNING PERMISSION** for the above proposal as described in the accompanying drawing(s) 1901/PL14, 1901/PL13, 1901/PL12A, 1901/PL12, 1901/11 date stamped 30th November 2010, for the reasons set out below.

Your attention is drawn to the notes enclosed

**REASONS FOR REFUSAL**

- 1 The proposal cannot accommodate the required number of parking spaces at the preferred bay size for the development as recommended in the parking standards document issued by Essex County Council as Supplementary Planning Guidance in September 2009, Parking Standards, Design and Good Practice. The lack of adequate parking provision may lead to short term parking taking place within Eastwood Road on the footway or in The Chase to the detriment of pedestrian and general highway safety.

**Please turn over page**

**Relevant Development Plan Policies and Proposals:**

SAT1, SAT2, of the Rochford District Council Adopted Replacement Local Plan  
As saved by Direction of the Secretary of State for Communities and Local  
Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to  
the Planning and Compulsory Purchase Act 2004. (5<sup>th</sup> June 2009)

A handwritten signature in black ink, appearing to read 'Shaun Scrutton', with a horizontal line extending from the end of the signature.

**SHAUN SCRUTTON  
HEAD OF PLANNING AND TRANSPORTATION**

Council Offices, South Street, Rochford, Essex SS4 1BW  
Telephone: 01702 546366 Facsimile: 01702 545737  
DX: 39751 Rochford Website: <http://www.rochford.gov.uk>

## **APPENDIX 4**

**Case Officers Report 10/00748/COU**

**7 x A4 Pages**

**PLANNING APPLICATIONS WEEKLY LIST NO.1067**  
**Week Ending 14th January 2011**

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Application No :	10/00748/COU	Zoning: Residential
Parish :	Rayleigh Town Council	
Ward :	Rayleigh Central	
Location :	239 - 243 Eastwood Road Rayleigh Essex	
Proposal :	Part Change of Use From Car Showroom (Including Ancillary Retail Space) to A1 Use Including the Provision for 8 no. Customer Car Parking Spaces	

**Rayleigh Town Council:** No objection

**NOTES**

Planning permission is sought to change the use of part of an existing car showroom located on Eastwood Road.

The existing car showroom occupies a site fronting Eastwood Road close to the junction with The Chase. A large single storey building currently occupies the eastern portion of the site with the remainder of the site used for outdoor car sales, parking and as a small yard.

The proposal seeks to change the use of part of the existing building on the site, that part closest to the eastern boundary, from use as part of the car showroom to use as a retail store. That part of the building which would be occupied by the retail store is currently put to use partly as a showroom area to the front whilst to the rear the building is divided up and provides a store room, offices, various cupboards and a toilet area for the existing car showroom. Part of the site frontage would also be incorporated into the site for the retail store providing off street parking for the retail store. Overall the proposed retail store would occupy just under approximately one-third of the existing car showroom site. The proposal would incorporate alterations to the existing building to provide a new shop front for the retail store.

The site is located within a predominately residential area although the site borders a retail store to the west. The proposed retail store would directly border several residential properties; No. 245 Eastwood Road and the rear



garden boundaries of several residential properties on The Limes to the rear of the site.

Several planning application have been made in relation to the car showroom including;

05/00627/COU - Change of use workshop (B2) to retail/office (A1/B1). Total refurbishment of premises, layout external areas and small single storey rear extension. APPROVED.

07/00258/FUL - Retention of amended fenestration to North elevation, retention of air duct and screening, valet bay extension and car wash enclosure (Amendment to 05/00627/FUL) APPROVED.

10/00479/FUL - Construct new vehicular access onto Eastwood Road. APPROVED.

10/00490/LDC - Proposed Lawful Development Certificate For Change Of Use In Accordance With Approved Planning Application 05/00627/COU To A1/B1 On Part Of Site (Continuing Implementation of 05/00627/COU).

The site is located within an area allocated residentially on the adopted Local Plan although is currently in commercial use such that the proposal would not result in the loss of any dwelling units.

The 2005 consent, 05/00627/FUL approved the inclusion of some retail space in the existing building although this retail space related solely to the existing overall use of the site as a car showroom rather than allowing an independent retail use. The proposal would introduce a retail use at the site such that the number of businesses at the site would increase to two. An independent retail use may generate a greater number and frequency of customers than the existing car showroom use, the activity associated with which could continue alongside the retail use. However it is considered that the retail use would not give rise to an increased potential for noise and disturbance to nearby residential properties which would have a detrimental effect on the amenity that ought to be reasonably expected by the occupants of neighbouring properties especially given the context of the site on a main road and the existing commercial use of the site.

Policies SAT1 and SAT2 in the Local Plan are applicable to this application and adopt a sequential approach to new retail uses with a preference to locate new retail uses within the existing town centres of Rayleigh, Rochford and Hockley, followed by location within edge-of-centre sites, then district and local centres and lastly in out of centre sites; this sequential approach echoes guidance in PPG4.

The application site is not within any of the existing town centres or considered to be an edge of centre location. The site is only directly bordered by the car showroom which would remain and the adjoining retail premises and this row of what would be three commercial units is not considered to



amount to a district or local centre. Although not within a local centre the proposal does not relate to a site isolated from any other commercial premises.

The applicants have submitted a report which addresses the issue of need and conclude that there is demand for the proposed retail store, identifying a small catchment area of expected custom from the surrounding residential area. The applicants have very briefly addressed the availability of alternatives sites identifying 5 sites, none of which are identified as a suitable alternative. The applicants have considered the potential impact on the nearby town centre of Rayleigh and conclude that the proposal is not likely to have a harmful impact on the viability or vitality of this centre.

Whilst retail uses are to be strongly encouraged in town centres to support the vitality and viability of these locations, a retail store in this location, away from a town centre is still considered to be a use compatible with the wider context of the site as a predominately residential area. The surrounding area is built up in character such that there are a large number of potential customers within walking distance to the site. There is also easy access to the site by bus and it is not anticipated that the proposal, given its location would result in change to travel patterns on a noticeable scale. Whilst the proposed use could generate direct competition for the neighbouring retail store this is not a reason to refuse planning permission; the proposal is not considered unduly harmful to the viability and vitality of any local shopping centre.

The proposal is not considered to be contrary to policies SAT1 or SAT2 such as to warrant refusal of the application.

The opening times proposed are 0700 to 2300 Mondays to Sundays including Bank and Public Holidays. The closing time would increase the potential for vehicle movements later than currently occurs close to the neighbouring residential property. However, given the context of the site on a busy main road the level of additional disturbance to the occupiers of this adjoining property is not considered to be such that it would be harmful to the level of amenity that ought to be reasonably expected by the occupiers of this property. The opening times are considered acceptable given the nature of the proposed development and the context of the site.

The existing building on the site is of modern construction at single storey and with a flat roofed appearance to the street. The façade is comprised of grey coloured metal sheeting above large glazed panels and doors with a red coloured feature panel which extends above the main roofline. A suspended canopy extends across almost the full width of the building.

The proposed alterations to the existing frontage would consist of replacing six of the large glazed panels with smaller glazed panels including the insertion of a set of automatic double sliding entrance doors and the addition of one metal cladding panel, to match others on the existing building. The metal cladding above the glazed panels would remain as would the suspended canopy over the whole building. The alterations proposed are considered to be in keeping with the existing character and appearance of the building such that the building would still have a coherent frontage composed mainly of

glass although with some differentiation of the two commercial businesses on the site.

Minor changes would be made to the fenestration in the side elevations including; the removal of two windows facing the yard area, the removal of two windows and a door and the insertion of a new steel door in the rear elevation and the removal of two doors on the side elevation facing the neighbouring residential property. In all cases where windows and doors are removed the spaces would be in-filled with render to match the existing building. The changes would not give rise to any harm by way of causing overlooking to neighbouring sites and would be acceptable.

The one window in the rear elevation which would remain was conditioned to remain in obscure glass under planning consent 07/00258/FUL which retrospectively approved fenestration changes to the building which differed from the original consent for refurbishment of the car showroom under 05/00627/COU.

Two ventilation extract ducts with grills over are shown to the rear elevation with one ventilation extract duct shown to the side elevation.

The site is currently accessed via one large vehicular crossover which is located almost directly in front of the main entrance doors to the car showroom which are in the centre of the front elevation. This vehicular access is close to a pedestrian crossing on Eastwood Road. Whilst there is an additional smaller vehicular access to the site off Eastwood Road to the eastern boundary of the site, this is not in use as bollards across the site frontage in this location prevent use. Planning consent was granted for the relocation of this smaller vehicular access under 10/00479/FUL which permits this access to be moved some 6 metres from the eastern boundary, almost directly in front of that part of the building in which the retail unit is proposed. This relocated access was however to serve the existing car showroom use at the site and to provide access to park cars for sale on the car sales display area on the eastern portion of the site frontage rather than provided an additional access for parking for visiting members of the public.

The proposal seeks to utilise the 2010 planning consent for the relocated access for the retail unit proposal. The proposal includes the provision of 8 car parking spaces to the front of the proposed retail unit building including 1 disabled bay for use in connection to the proposed retail store. This would create two vehicular accesses in use for visiting members of the public to the overall site; one for the remaining car showroom and one for the new retail unit. Each of the proposed parking bays would have dimensions of 2.4m by 4.65m, save for the disabled bay. These bay sizes would not meet either the preferred bay size of 2.9m by 5.5m or the minimum bay size of 2.5m by 5m stated in the parking standard. It appears that there may be space within the site frontage of the proposed retail unit to accommodate larger bay sizes, even to the preferred bay size, although this would reduce the pedestrian walkway in front of parts of the unit to a width of approximately 90cm, would reduce the distance behind spaces to approximately 6m and may limit the

potential for siting of the required cycle store spaces. At the preferred bay size there would not be space within the site frontage to accommodate a disabled bay space.

With the provision of one disabled bay, the site could accommodate a total of 7 car parking spaces at the preferred bay sizes.

The parking standard states a maximum requirement of parking spaces of 20 spaces for a retail store with the floor area (retail area) proposed with 3 of these disabled bays. In addition, the parking standard would require 2 cycle spaces and adequate space for the parking and turning of service vehicles.

Whilst the proposal would not provide the maximum number of parking spaces the requirement for 20 spaces is a maximum and allows for the consideration of a lesser provision. A lower provision may be acceptable in urban areas where there is good access to alternative forms of transport and existing car parking facilities. The retail store neighbouring the site has 6 off street parking spaces, although this premises has a smaller floor area than the retail unit proposed.

Given the context of the site on a main road where any build up of cars waiting to park at the site could potentially cause highway problems and given the lack of other parking opportunities elsewhere the provision of 6 spaces is not considered to be adequate to serve the proposed use.

The proposal would not reduce the on-site parking provision for the remaining car showroom premises which would remain in front of the entrance to this unit; the creation of a car parking area for the new retail unit would however reduce the car sales area for this business.

The applicant states that the servicing to the store would take place during the morning and that all delivery movements would be accommodated on the site.

Although the applicant states that cycle storage would be provided in space set aside for this purpose it is not clear on the submitted plans where there is available space within the site to accommodate this requirement, especially if bay sizes would need to be increased to meet the preferred bay size. Employee cycle storage may be able to be provided in the space running alongside the side of the building and could potentially therefore be made a conditional requirement of any consent. Given the importance of encouraging sustainable forms of transport and to compensate for the somewhat lacking on-site car parking provision it is considered essential that the scheme provide space for at least 2 cycle storage spaces.

The applicant states that refuse storage would be contained within the store.

#### **County Surveyor (Highways):** Object

As far as can be determined from the submitted information there does not appear to be sufficient space within the site to provide the required number of

parking spaces for the development as recommended in the parking standards document issued by Essex County Council as Supplementary Planning Guidance in September 2009, Parking Standards, Design and Good Practice.

The parking spaces as shown on submitted plan 1901/11 do not meet the recommended parking space size of 5.5m x 2.9m. The number of parking spaces of these dimensions that can be accommodated within the site will be reduced to 6 spaces.

The lack of parking and reduced parking bay sizes may lead to short term parking taking place within Eastwood Road on the footway or in The Chase to the detriment of pedestrian and general highway safety.

Neighbours: 1 comment received;

Occupant of 214A Eastwood Road;

- If the proposed store did open it would be to the detriment of existing nearby traders and the area does not need another convenience store.
- Concern that the proposal is on a section of Eastwood Road which is very busy often with queuing traffic waiting to leave or join The Chase, compounded by a stream of buses stopping adjacent to the proposed site and a busy pedestrian crossing serving local schools. The current use of the site as a car showroom doesn't impact on this already very busy juncture as the volume of traffic it generates is extremely. With the new use the volume of traffic to and from the site could be a constant flow. There will be an exponential increase in traffic to and from the site with many of the vehicles turning across the traffic. The increase in traffic and manoeuvres would be unacceptable.
- There is already a problem with litter from customers of the existing nearby Co-op store which will only increase with another store to the detriment of residential amenity.
- The signage for a convenience store is likely to be garish and illuminated and have offer boards outside. The surrounding area is almost entirely residential and such signage would not be in keeping with the area or acceptable.
- I thought that Rochford Council was trying to control planning and improve the image and portrayal of Rayleigh. This type of development will only detract from that effort making Rayleigh look like an inner city suburb.

## REFUSE

- 1 The proposal cannot accommodate the required number of parking spaces at the preferred bay size for the development as recommended in the parking standards document issued by Essex County Council as Supplementary Planning Guidance in September 2009, Parking Standards, Design and Good Practice. The lack of adequate parking provision may lead to short term parking taking place within Eastwood

Road on the footway or in The Chase to the detriment of pedestrian and general highway safety.

**Relevant Development Plan Policies and Proposals:**

SAT1, SAT2, of the Rochford District Council Adopted Replacement Local Plan as saved by Direction of the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004. (5<sup>th</sup> June 2009)

The local Ward Member(s) for the above application is/are Cllr Mrs P Aves  
Cllr. A J Humphries