

MAIDENHEAD DEVELOPMENT CONTROL PANEL

10 December 2008

Item: 7

Application No.:	08/02714/VAR
Location:	Thames Valley Harley Davidson 84 Altwood Road Maidenhead SL6 4QB
Proposal:	Removal of condition 1 of Planning Permission 08/01207 to allow the storage and collection of tiles to continue after 1st October 2010.
Applicant:	Caversham Tiles Ltd
Agent:	John Andrews Associates
Parish/Ward:	Boyn Hill Ward
If you have a question about this report, please contact:	Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk

1. SUMMARY

1.1 84 Altwood Road is a former motorcycle showroom with planning permission for change of use to a tile showroom. Permission was recently granted to enable the limited storage of tiles on the premises and to allow collection from the site, but Panel imposed a condition that such storage and collection should be discontinued on or before 1 October 2010 to enable further assessment of the impact of the development on the surrounding occupiers. The current application is to vary this condition, to allow the storage and collection of tiles to continue after that date. It is considered that it is reasonable to vary this condition, as it is onerous on the prospective business, and has the effect of discouraging the business from commencing.

It is recommended the Panel grants planning permission to remove the condition.

2. REASON FOR PANEL DETERMINATION

- The Head of Planning considers it appropriate that the Panel determines the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The Altwood Garage occupies a 0.088ha site on the north side of Altwood Road towards its western end. The site is within the Altwood Road Conservation Area and is a predominantly residential location.

3.2 The garage was built following the grant of planning permission in 1964 and stands in contrast to the modest nineteenth century cottages and houses that adjoin it. It comprises a single building with a workshop to the rear and a glazed showroom area to the front. A canopy extends from the front of the building over a forecourt area, which until 1978 was a petrol filling station with access at each end of the 28m frontage to Altwood Road. There is a wider access at the western end where there is space for parking vehicles off the forecourt. There is a bus stop situated outside the garage and there are double yellow lines in the vicinity of the junction with Barnard Road to the west; the road is subject to a 30mph speed limit.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

07/02975	Change of use from garage to tile showroom	Approved 12.2.2008
08/01207	As above, amended to include storage and collection of tiles on site	Approved 22.9.2008
08/02531	3 houses following demolition of garage	12.11.2008 Panel resolved to approve

- 4.1 The proposal is to remove condition 1 of Planning Permission 08/01207 to allow the storage and collection of tiles to continue after 1 October 2010.
- 4.2 The applicant's agent has stated that this variation is sought because, albeit that the storage and collection of tiles is by no means a major part of the proposed use, the applicant company do not consider that the significant costs of fitting out the premises with the possible risk that the storage and collection element being refused in one year's time is acceptable.
- 4.3 In support of this application the agent has stated the following: 'The applicant company has put forward and agreed in consultation with the Council that the area for storage of tiles inside the building shall not exceed 25 square metres as ascertained by external measurement which in itself is a significantly controlling measure on the nature of the operation.'

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Local Area Agreement

- 5.1 The recommendation would contribute to the achievement of these selected priorities of the Council and its partners:

Maintaining a vibrant economy	✓
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More information on these priorities can be found at:
http://www.rbwm.gov.uk/web/partnerships_laa.htm

Berkshire Structure Plan and Royal Borough Local Plan

- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Green Belt	High risk of flooding	Conservation Area	Listed Building	Protected Trees
	✓			✓		
Structure Plan	DP5			-	-	-
Local Plan	DG1, NAP3, P4, T5			CA2		

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issue for consideration is:
 - i Whether the impact on the surrounding occupiers of the storage of tiles on the premises and collection from the site, requires further assessment, or whether this element can be reasonably be approved without the condition imposed on 08/01207 limiting the length of the planning permission.

Impact on surrounding occupiers

- 6.2 It was acknowledged in the 2007 application that local residents considered that the former use of the site as a garage has an adverse impact upon their living conditions, and similar concerns were expressed as to a continued commercial use on the site. The use of the site as a tile

showroom has already been considered to be acceptable, and it is the proposal to remove a condition to allow limited storage and collections from the site without a “trial run” that is of relevance to this application. It is the case that the temporary nature of the permission granted was not the recommendation of Officers but was attached by Panel. The 2007 permission to date has not been implemented and so the former use, as a garage, remains the authorised use of the site, and could recommence at anytime without requiring permission.

- 6.3 A material consideration of the initial 2007 planning application was that no storage or collection was proposed as part of the scheme. 08/01207 sought to allow small-scale storage and collection from the site, which the applicants consider to be essential to the efficient running of the tile business. This provision could result in additional vehicles visiting the site, not only to make deliveries but also customers collecting orders, and as such there could be a potential increase in noise and the disturbance of neighbouring properties.
- 6.4 Whilst there may be an increase in the number of vehicles visiting the site, the area for storage is proposed to be limited to a total of 25 sq m, this is to ensure that the storage and collections remain small scale, and that the primary use of the building is as a showroom, with ancillary sales. In addition to the limit on space, the hours of operation and also the hours of collection and delivery have been conditioned to ensure that these occur within hours that are considered to be reasonable.
- 6.5 It should be noted that Condition 7 of Planning Permission 08/01207 requires that a Travel Management Plan be agreed prior to the commencement of development. The plan shall describe and illustrate how the business is to function in connection with the storage and collection of tiles, specifically vehicle sizes and the times of delivery. It is considered that this provides an additional safeguard to local residents. It is considered that the proposal, with the conditioned safeguards, will not have a detrimental impact upon the residential amenities of the neighbouring properties.

Other Material Considerations

- 6.6 The fact that the business is reluctant to take over the premises with no certainty that further planning permissions will be forthcoming to extend the life of the storage and collection element of the use is a material consideration.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

13 occupiers were notified directly of the application.
 The application was advertised in the Maidenhead Advertiser on 13.11.2008.
 The planning officer posted a statutory notice advertising the application at the site on 11.11.2008.

1 e-mail was received supporting the application, summarised as:

Comment	Where in the report this is considered
1. I don't object so long as the entitlement is limited to only this company and is subject to review, such that if the level of traffic etc is more than originally estimated then the right would be removed.	6.2, 6.3, 6.4, 6.5

3 letters and e-mails were received objecting to the application, summarised as:

Comment	Where in the report this is
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		considered
1.	Having regard to the problems faced by residents in respect of other commercial operations at the premises, it is sensible to provide for a trial period for the proposed new business.	6.2, 6.3, 6.4, 6.5
2.	The condition is entirely appropriate, to protect the local residents. There is a long history of abuse of conditions on the site. There should be a trial or assessment of problems.	6.2, 6.3, 6.4, 6.5
3.	To vary such a condition would make a nonsense of the planning process, the condition was put in with very good reason.	6.2, 6.3, 6.4, 6.5

Statutory consultees

None

Other consultees and organisations

None

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

Conditions and Reasons

1 None.