

Erection of coffee shop with drive thru facility and external seating area (mixed Class A1/Class A3 use) with associated alterations to car parking and landscaping

Willow Tree Lane Retail Park, Hayes

Planning Statement

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Golden Cross House, 8 Duncannon Street, London WC2N 4JF
www.burnettpd.co.uk

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1. Initial design submitted at pre-application stage

1. Introduction

The Application Proposals

- 1.1 The owner of Willow Tree Lane Retail Park, RREEF Willowtree Limited, has submitted a planning application to the London Borough of Hillingdon Council (the LPA) for the following development within the existing Retail Park car park;

"Erection of coffee shop with drive thru facility and external seating area (mixed Class A1/Class A3 use) with associated alterations to car parking and landscaping"

- 1.2 The proposed coffee shop (171sqm GIA) will be occupied by Starbucks. It is anticipated that Starbucks will employ up to 30 people at the proposed development in a mix of full time and part time posts.
- 1.3 Starbucks outlets serve a mixture of hot and cold drinks and cold food for eat-in and take-away. The mix of takeaway sales of cold food and drinks (Class A1) to eat in sales (Class A3) is likely to be broadly even and there is no single primary use. Therefore, as is well established from many previous planning permissions for this type of use, the most appropriate classification for the use is a mixed A1/A3 coffee shop.
- 1.4 The proposed coffee shop unit exhibits Starbucks new design concept for its drive thru stores incorporating significant areas of glazing and including a green roof. An external seating area is also provided for customers. New landscaping is proposed to complement two existing category A trees that will be retained as part of the development.
- 1.5 Customers using the drive thru lane will access the lane from the western side of the proposed unit and exit on the eastern side. Deliveries to the proposed unit will be made by 8m rigid box van from the existing access road to the rear of the unit.
- 1.6 The proposal will result in a net loss of 44 car parking spaces within the existing car park reducing total parking provision within the car park from 606 to 562 spaces, excluding the 21 parking spaces adjacent to the existing Burger King which are unaffected by the proposal.

The Site and Surrounding Area

- 1.7 As mentioned above the proposal will be located within the existing car park at Willow Tree Retail Park which is an established retail destination comprising of B&Q (9,035sqm gross), B&M (2,313sqm gross) and a Burger King restaurant with drive thru (258sqm gross).
- 1.8 The Retail Park adjoins, and functions as part of, Willow Tree Lane Local Centre which consists of a large Tesco Extra store and a parade of eight small shop units on Jolly's Lane including a bookmaker; a Post Office; a Dry Cleaner; a hairdresser, a carpet shop, and two hot food take aways. One of the shop units is currently vacant, i.e. 12 Jolly's Lane (formerly an opticians).

Purpose of Report

- 1.9 This Report assesses the application proposals against relevant policies and other material considerations. As referred to further in this Report, the proposals have been the subject of pre-application consultation with the LPA.¹

¹ LPA letter 9 February 2017 and email 16 February 2017

2. Planning Policy Overview

The National Planning Policy Framework (NPPF) – March 2012

2.1 The National Planning Policy Framework is a material consideration in determining applications (NPPF paragraphs 11 – 13 refers).

2.2 The NPPF (paragraph 14) sets out a;

“presumption in favour of sustainable development”

2.3 NPPF paragraph 6 states that the policies in paragraphs 18 to 219, *“taken as a whole”*, constitute the Government’s view of what sustainable development means in practice for the planning system.

2.4 The presumption in favour of sustainable development for decision making means, unless material considerations indicate otherwise:

“approving development proposals that accord with the development plan without delay”

and where the development plan is absent, silent or relevant policies are out of date; granting permission unless:

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”; Or

“specific policies in this Framework [referred to in footnote 9 in the NPPF] indicate that development should be restricted.”

2.5 NPPF paragraph 17 sets out core planning principles that should underpin both plan-making and decision-taking. These include that planning should;

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development including to deliver *“thriving local places”*;
- make every effort to meet the development needs of an area, and respond positively to wider opportunities for growth;

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land);
- promote mixed use developments;

2.6 NPPF paragraph 19 states that the Government is committed to ensuring that the planning system *“does everything it can”* to support sustainable economic growth. Planning should *“operate to encourage and not act as an impediment to sustainable growth.”*

2.7 NPPF paragraph 23 states that LPAs should promote competitive town centres that provide customer choice and a diverse retail offer.

2.8 Paragraphs 25 - 27 require that where retail and leisure development proposals outside of town centres, which are not in accordance with an up-to-date Local Plan fail to satisfy the sequential test or are *“likely to have a significant adverse impact”* on one or more of the identified impact factors in NPPF paragraph 26, they should be refused.

2.9 NPPF Paragraph 27 states that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the identified impact factors, it should be refused.

2.10 The requirement for retail impact assessment set out in the NPPF (para 26) is that where there is no locally set floorspace threshold, the default threshold is 2,500sqm.

2.11 NPPF paragraph 32 relates to promoting sustainable transport and states that;

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

The London Plan (2016)²

- 2.12 London Plan Policy (LPP) 4.7 relates to retail and town centre development. Part B relates to taking planning decisions on proposed retail and town centre development and states that the following principles should be applied:
- a. the scale of retail, commercial, culture and leisure development should be related to the size, role and function of a town centre and its catchment;
 - b. retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport;
 - c. proposals for new, or extensions to existing, edge or out of centre development will be subject to an assessment of impact.
- 2.13 LPP 4.8 supports a successful and diverse retail sector. Part A states that boroughs and other stakeholders should support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of the Plan, especially town centres.
- 2.14 London Plan paragraph 4.47 states that a vibrant, diverse retail sector is essential to London's success. Not only is it vital to ensuring that Londoners have access to the goods and services they need, but it plays a key role in London's economy, employing over 400,000 people and supporting the economic vitality and health of the whole range of town centres.
- 2.15 LPP 5.3 "*Sustainable Design & Construction*" states that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.
- 2.16 LPP 5.10 relates to "*Urban Greening*" and states that development proposals should integrate green infrastructure from the beginning of the design process to contribute

² THE SPATIAL DEVELOPMENT STRATEGY FOR LONDON CONSOLIDATED WITH ALTERATIONS SINCE 2011

to urban greening, including the public realm. Elements that can contribute to this include tree planting, green roofs and walls, and soft landscaping. The Policy requires that Major development proposals within the Central Activities Zone should demonstrate how green infrastructure has been incorporated. LPP 5.11 "*Green Roofs and Development Site Environs*" states that Major development proposals should be designed to include green roofs where feasible.

- 2.17 LPP 5.13 "*Sustainable Drainage*" states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy: (1) store rainwater for later use; (2) use infiltration techniques, such as porous surfaces in non-clay areas; (3) attenuate rainwater in ponds or open water features for gradual release; (4) attenuate rainwater by storing in tanks or sealed water features for gradual release; (5) discharge rainwater direct to a watercourse; (6) discharge rainwater to a surface water sewer/drain; (7) discharge rainwater to the combined sewer.
- 2.18 LPP 6.13 relates to "*Parking*" and states that the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.
- 2.19 LP Paragraph 6A.4 states that the starting point for meeting parking demand for new retail development should be use of existing public off-street provision. Parking needs should be assessed taking account of the reduction in demand associated with linked trips.
- 2.20 Policy 6.13 also states that developments must: make provision for an electrical charging point to encourage the uptake of electric vehicles; provide parking for disabled people; meet the minimum cycle parking standards set out in LP Table 6.3; and provide for the needs of businesses for delivery and servicing.
- 2.21 LPP 7.6 "*Architecture*" states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the

highest quality materials and design appropriate to its context. The Policy also sets out a number of architectural considerations for assessing planning applications.

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

2.22 Policy E5 “*Town and Local Centres*” states that planning decisions will be taken in accordance with the provisions of national guidance [i.e. the NPPF], particularly the sequential and impact tests.

2.23 Paragraph 5.45 states that a retail impact assessment will be required for any proposal not within a town or district centre which exceeds 200sqm additional gross “*retail*” space. Paragraph 5.45 states;

“The viability of local parades is threatened by competition from supermarkets and retail warehouses and the Council will require impact assessments for any retail proposal not within the town or district centres, which exceeds 200 square metres additional gross retail space.”

2.24 Policy BE1 “*Built Environment*” states that the Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. The Policy sets out a number of design considerations for new developments.

Unitary Development Plan (1998) Saved Policies

2.25 In its pre-application advice the LPA advised that it took account of a number of saved UDP policies namely, AM1, AM2, AM14, AM15, BE13, BE18, BE21, BE29, BE38, OE1, OE3. It is considered herein that the saved policies are out of date relative to the NPPF and therefore are not considered in further detail herein as limited eight can be attached to them. In any event, these saved policies cover design, access, amenity and landscaping considerations that are addressed in connection with the NPPF, London Plan and Local Plan Part 1 policies.

Local Plan: Part 2

2.26 The Local Plan Part 2 comprises Development Management Policies, Site Allocations and Designations and Policies Map. Once adopted it will deliver the detail of the strategic policies set out in the Local Plan Part 1: Strategic Policies (2012). The

Local Plan Part 2 Development Management Policies and Site Allocations & Designations (Revised Proposed Submission Version) was the subject of consultation in October 2015 but has not been the subject of examination and therefore cannot be afforded significant weight at this stage.

- 2.27 Nevertheless, regard has been given to relevant draft policies including Policy DMHB 11 “*Design of New Development*”; Policy DMHB 12 “*Streets and Public Realm*”; Policy DMHB 14 “*Trees and Landscaping*”; Policy DMHB 15: “*Planning for Safer Places*”; Policy DMEI 10 “*Water Management, Efficiency and Quality*”.
- 2.28 The boundary of Willow Tree Local Centre is identified on the plan at Appendix D of the draft LPP2. The southern boundary of the Centre is defined by Glencoe Road. The application site is situated immediately adjacent to but outside the identified Centre boundary. This definition of the Centre boundary is consistent with the definition of the Centre on the UDP proposals map.

3. Assessment

The Principle of the Proposed Development

- 3.1 The application site is located within the built up area. It forms part of an established Retail Park that includes a drive thru restaurant use (Burger King), and is located on the edge of Willow Tree Lane Local Centre which includes a large Tesco Extra store and a parade of small unit shops. The proposed use is clearly consistent with the established scale and character of this established commercial area and will make more efficient use of a brownfield site, generating 30 jobs.
- 3.2 The proposal is for a small scale (171sqm GIA) coffee shop use (mixed Class A1/A3) and, as confirmed by the LPA at the pre-application stage, is not the type or scale of development to which a retail impact test applies under Local Plan Part 1 Policy E5 (paragraph 5.45). The Policy E5 retail impact test applies to Class A1 retail proposals over 200sqm outside town centres.
- 3.3 The proposal will add to the range and choice of facilities at this accessible commercial location. It will function as part of the Local Centre, being a short walk from the existing stores, adding to vitality of the locality, and will increase the opportunity for linked trips.
- 3.4 There are no suitable opportunities available to accommodate the proposed coffee shop with drive thru lane within the defined Local Centre boundary. As agreed with the LPA at the pre-application stage, the proposal satisfies the sequential test.
- 3.5 The LPA advised at the pre-application stage that the principle of the proposed development is acceptable subject to satisfying the site specific policy considerations that are assessed below.

Design

- 3.6 The design of the proposed development has evolved during the pre-application process and has responded to the LPA's pre-application advice.
- 3.7 The LPA's pre-application advice on the initial design (drawing attached Appendix 1) was as follows;

“The application is accompanied by indicative elevation drawings which show a flat roofed modular building incorporating a variety of external finishes. Although the design of the building would not directly correspond with the appearance of surrounding buildings, it is considered that it is consistent with the general characteristics to be expected within a retail park and that, in any case, a variation in building design ensures that retail areas such as those surrounding the site do not appear overly uniform or monotonous.

The proposed unit will be free standing with a good degree of separation maintained between it and surrounding built forms, in common with the overall layout of the retail park which has an open, spacious essence.

The building incorporates an adequate provision of glazing that will allow views out towards the pedestrian domain and is also sited away from other buildings so as to prevent the formation of recesses, thereby ensuring that pedestrian safety and security will be enhanced...

It is considered that the design merits of the proposed scheme should be further increased through the adoption of urban greening principles by way of provision of an element of green walls or roofing and through effective soft site landscaping. This will assist in combating the urban heat island effect in accordance with Policy 5.10 of the London Plan (2016) as well as strengthening visual integration with the landscaping scheme of the retail park site as a whole whilst also enhancing the visual and ecological value of the overall scheme.”

- 3.8 The submitted design is a significant enhancement on the design originally submitted at the pre-application stage and responds even more effectively to the LPA's pre-application advice that *“a variation in building design ensures that retail areas such as those surrounding the site do not appear overly uniform or monotonous.”*
- 3.9 The submitted design also includes more extensive use of glazing than shown in the original pre-application submission thereby providing even more opportunity for views into and out of the premises.
- 3.10 The proposed building also includes a green roof. Although there is no adopted policy requirement for a green roof in this case (i.e. LPP5.11 relates to *“major”* development), the inclusion of a green roof responds directly to the LPA's pre-application advice that *“the design merits of the proposed scheme should be further increased through the adoption of urban greening principles by way of provision of an element of green walls or roofing”*.

- 3.11 It is clear that the proposed development exhibits a high quality design and satisfies the design policy considerations outlined in Section 2 of this Statement.

Landscaping

- 3.12 As requested by the LPA, the proposal retains two Category A trees as identified on the submitted landscape plans and additional planting is proposed at ground level as well as the inclusion of a green roof on the proposed building. The proposed landscaping scheme is consistent with LPP 5.10 relating to *“Urban Greening”*.

Amenity

- 3.13 The LPA acknowledged at the pre-application stage that;

“The site is embedded within an established small retail park and is set well away from neighbouring residential properties”

- 3.14 The application site is not therefore a sensitive location in terms of residential amenity given that no residential properties are located in the vicinity that could be affected by the proposals and taking account of the fact that, as acknowledged by the LPA, the application site is more embedded into the established retail park and further away from residential properties than the adjoining Burger King drive thru restaurant.
- 3.15 The proposed opening hours for the Starbucks coffee shop are 6am to 11pm (7 days a week).
- 3.16 As no *‘primary cooking’* would take place at the proposed coffee shop it will not produce cooking fumes or odours and therefore is not anticipated that any mechanical ventilation equipment will be installed at the premises.
- 3.17 The drive thru customer ordering system is also not a significant noise generating activity. The speaker is a simple intercom system which can generally only be heard by the occupants of the car ordering.
- 3.18 The proposal includes an external seating area which is consistent with the LPA’s pre-application advice that;

"It is considered that the site present opportunities for landscaping and outdoor seating areas that would improve the amenity value of the retail park for staff and the public"

- 3.19 The proposed development is therefore acceptable in terms of its potential effects on amenity.

Highways

- 3.20 The Transport Statement (Royal HaskoningDHV, May 2017) demonstrates that the proposed development is an accessible and sustainable form of development in transport terms which will increase the opportunity for linked trips, will not result in any significant traffic impact, and will be effectively serviced.

Drainage

- 3.21 The proposal will not increase impermeable areas and the development merely involves altering the existing car park surface water drainage to accommodate the new unit so that it will continue to flow to petrol interceptors and to the mains sewer. The proposed green roof may provide some attenuation of surface water from the roof.

4. Conclusions

- 4.1 The proposed Starbucks coffee shop with drive thru facility at Willow Tree Lane Retail Park is consistent with the scale and character of existing uses at this established shopping destination. The Retail Park adjoins, and functions as part of, Willow Tree Lane Local Centre.
- 4.2 The proposed use will make more efficient use of part of the existing Retail Park car park, adding to the range and choice of facilities available to shoppers who visit the Retail Park and Local Centre, and increasing the opportunity for linked trips.
- 4.3 The proposal will also generate up to 30 new job opportunities.
- 4.4 The layout and design of the proposed development reflects pre-application advice received from the LPA, including in terms of retaining Category A trees and adopting “*urban greening*” principles in the form of a green roof. The proposed building is a high quality sustainable design that will add to visual interest.
- 4.5 The proposal is in all respects “*sustainable development*” and is in accordance with Development Plan policies and should therefore be granted planning permission “*without delay*” as required under NPPF [14].

APPENDIX 1

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Urban Edge Architecture Limited
One Scotgate Mews, Scotgate,
Stamford, Lincolnshire, PE9 2FX
Tel. ++44 (0)1780 755665
Fax. ++44 (0)1780 755360



1479 - WILLOWTREE RETAIL PARK, YEADING

PROPOSED POD UNIT CONCEPT 2

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