

**Item 3:** 07/21/0519/F

**Location:** Homebase Ltd, Sturlas Way, Waltham Cross

**Description:** Refurbishment, extension and external alterations to existing non-food retail unit to enable it to trade as part foodstore and part non-food retail unit, alongside modifications to existing external garden centre, car parking layout, landscaping and other associated site works.

**Applicant:** C/O Avison Young

**Agent:** Avison Young

**Date Received:** 27.04.2021      **Date of Committee:** 28.07.2021

**Officer Contact:** Marie Laidler      **Expiry Date:** 27.07.2021

**Ward Councillors:** Cllr Bowman, Cllr Waters and Cllr Norgrove

**RECOMMENDED that planning permission be refused for the reasons set out at the end of this report**

## 1.0 CONSULTATIONS

- 1.1 County Highway Authority  
 - Objection for the following reasons:  
 1) The scheme doesn't provide sufficient pedestrian and cycling connectivity;  
 2) Impact on traffic in the area;  
 3) The submitted Travel Plan has failed on several items  
 4) Insufficient information submitted – no walking/cycling survey; no profile of servicing and delivery trips; no road safety audit; access amendment details are missing; footway visibility splays are missing; no accident analysis; no traffic modelling surveys; insufficient electric vehicle charging points; insufficient cycle parking; substandard vehicle tracking; and substandard pedestrian routing across the site.
- 1.2 County Lead Local Flood Authority  
 - Objection – there are no details of the existing drainage on-site and clarification of the car park proposal required. There is no justification for the selected SuDS.
- 1.3 BoB Environmental Health  
 Commented that without the make, model and location of the chosen externally mounted mechanical plant it is not possible to assess the impact of the development upon noise sensitive receptors (i.e. residential properties nearby).

## **2.0 PUBLICITY**

2.1 The application was advertised by means of a site notice displayed on 14 May 2021 and 107 individual neighbouring letters were sent to nearby properties on:

- Leven Drive
- Leven Close
- High Street
- Cedar Avenue
- Ruthven Avenue
- Sawyers Court, Sturlas Way

## **3.0 REPRESENTATIONS**

3.1 One letter of support was received and two objections from neighbouring residents were received, with the following concerns:

- Disruption due to construction noise and traffic;
- Additional traffic in the area;
- Additional traffic bringing further air pollution to the area;
- Overspill car parking issues in neighbouring streets that are already heavily parked up;
- Increased risk of vermin due to the food store proposed;
- Increase in criminal activity;
- Security concerns regarding boundary fence with the site at 15 – 37 Ruthven Avenue;
- Another food store is not required in the area.

## **4.0 RELEVANT LOCAL PLAN POLICIES**

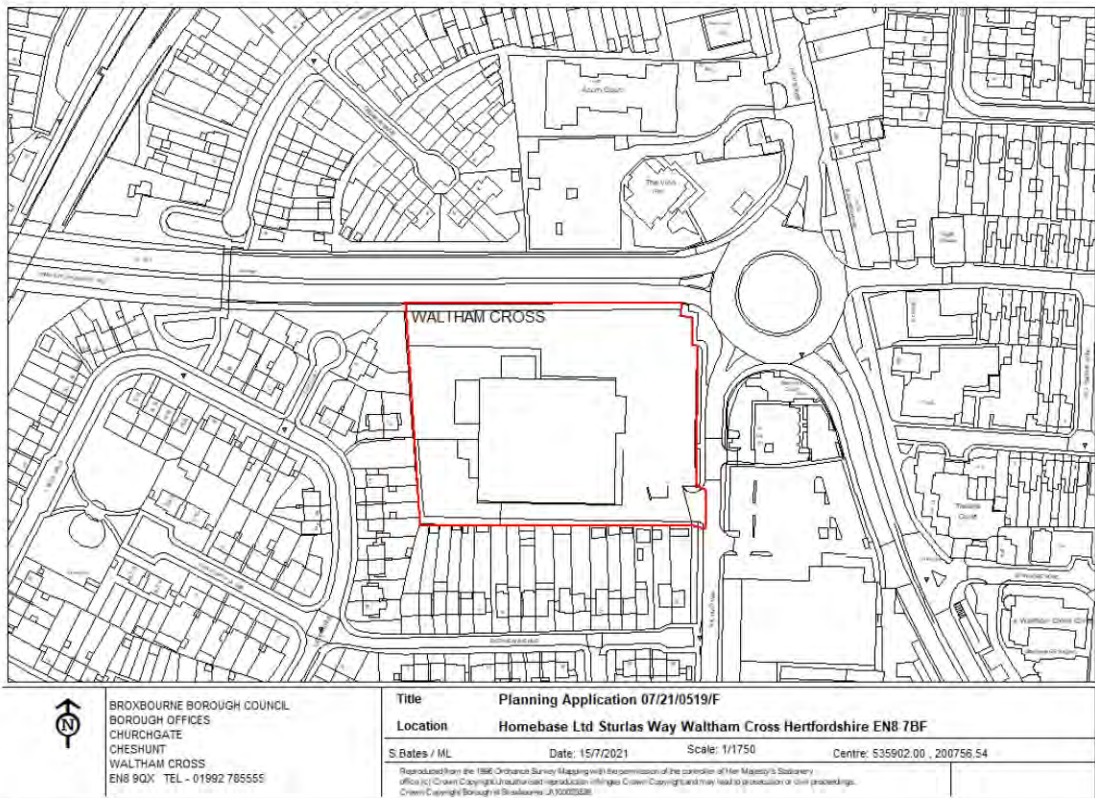
4.1	DS1	The Development Strategy
	PM1	Sustainable Place Making
	WC1	Waltham Cross Town Centre
	WC2	Waltham Cross Northern High Street
	DSC1	General Design Principles
	DSC2	Extensions and Alterations to existing developments
	DSC3	Design Affecting the public realm
	DSC4	Management and Maintenance
	DSC7	Comprehensive Urban Regeneration
	DSC8	Shop Fronts and Fascias
	RTC1	Retail Hierarchy
	RTC2	Development within town, district and local centres and neighbourhood centres and shopping parades
	EQ1	Residential and Environmental Quality
	EQ2	Air Quality
	EQ4	Noise
	EQ5	Contaminated Land
	NEB1	General Strategy for Biodiversity
	NEB3	Green Infrastructure

NEB4	Landscaping and Biodiversity in New Developments
W4	SuDS
W5	Flood Risk
TM1	Sustainable Transport
TM2	Transport and New Development
TM3	Access and Servicing
TM4	Electric Vehicle Charging Points
TM5	Parking Guidelines

- 4.2 The Borough-Wide Supplementary Planning Guidance (SPG) (August 2004) (updated in 2013) is relevant in this case as it provides design guidance for all forms of development.
- 4.3 The Waltham Cross Town Centre Strategy (March 2015) was produced to help guide the development and regeneration of the town centre over a period of five to ten years. It is therefore directly relevant to this application.
- 4.4 The National Planning Policy Framework (NPPF) 2019 also needs to be considered as it sets out the Government's planning policies for England and how these are expected to be applied. The local planning policies listed above are generally considered to accord with the policies and principles of the NPPF. The National Planning Policy Guidance is also relevant.

## **5.0 LOCATION AND DESCRIPTION OF SITE**

- 5.1 The application site is located at the northern limit of the Waltham Cross Town Centre designation area on the western side of Sturlas Way. The site is immediately west of and adjacent to the large busy roundabout at the junction of the High Street and Winston Churchill, Sturlas and Monarchs Ways. It is bounded by Winston Churchill Way to the north and set at a lower ground level. To the east exists Sawyers Court on Sturlas Way which is a three storey residential apartment block containing office uses at ground floor level. The 'Wickes' DIY store is located further to the south east beyond which commences the High Street with its pedestrianised area. To the south and west are terraced and semi-detached houses on Ruthven Avenue, Leven Drive and Leven Close with gardens backing onto the site boundaries that contain mature trees (largely conifer trees) and hedging. A strip of soft landscaping exists along the eastern boundary adjacent to Sturlas Way footpath.



- 5.2 The application site covers approximately 1.23 hectares in area measuring 130m in width and 98m in depth occupying the north western corner of the town centre. It comprises of a large format, established, non-food retail premise, part of the national chain of Homebase DIY/ Garden Supply outlets. Car parking spaces wrap around the eastern and northern areas of the site and servicing is located along the southern boundary. The site is accessed via a crossover onto Sturlas Way approximately 75m south of the roundabout.
- 5.3 The building is single storey with a partial mezzanine level within. The Gross Internal Area covers 4,319sqm, including the mezzanine. The building is of a steel frame construction with a mixture of external finishes, including brown/red brick and high level profiled cladding. A glazed entrance area exists to the eastern elevation. A glazed roof structure also exists to the northern and western garden display areas of the store that are partially open air.
- 5.4 The site is located within Flood Zone 1 with a low probability of flooding.



*North east corner of existing Homebase store*



*North elevation (Garden centre structures proposed to be demolished)*



*North west corner of the site and northern boundary wall*



*Entrance, east elevation and southern service area*



*Conifer trees to the southern boundary*



*Sawyers Court, existing car park and Alder tree (proposed to be removed)*



*Eastern boundary treatment*



*Northern boundary wall and Winston Churchill Way*

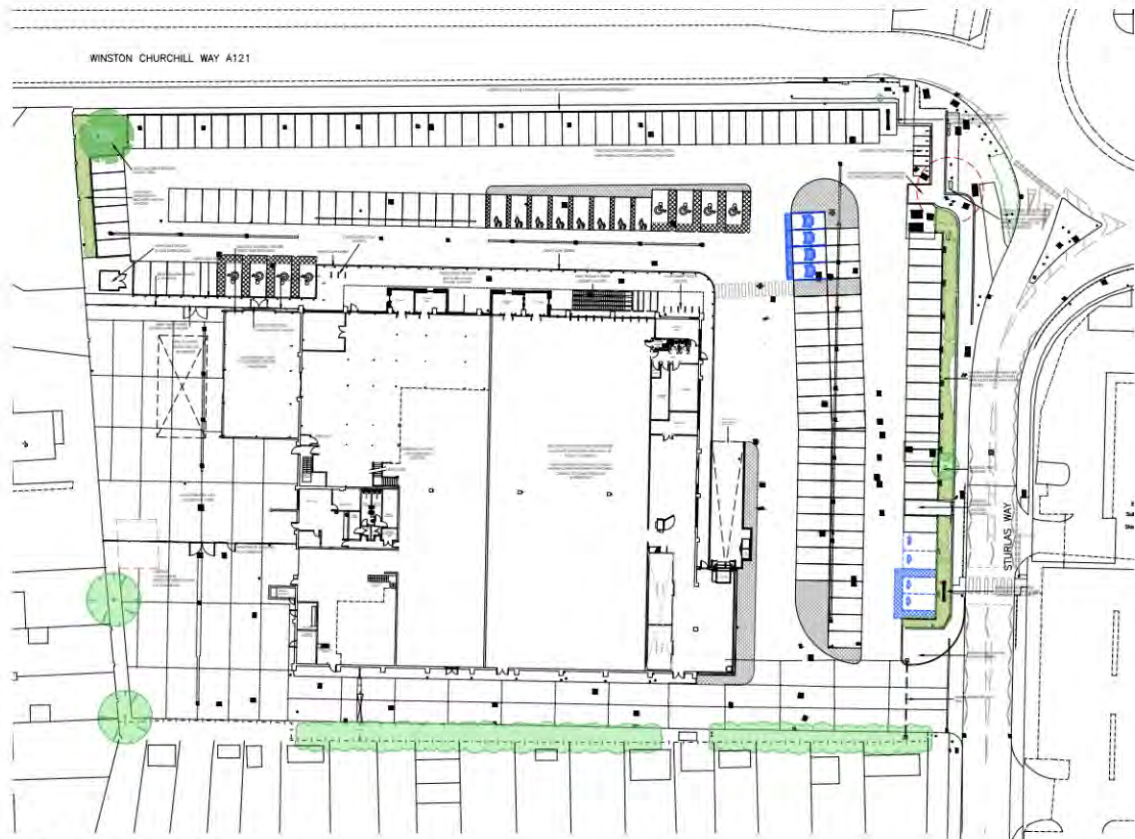




*View towards the site from Winston Churchill Way/High Street/Monarch's Way/Sturlas Way roundabout*

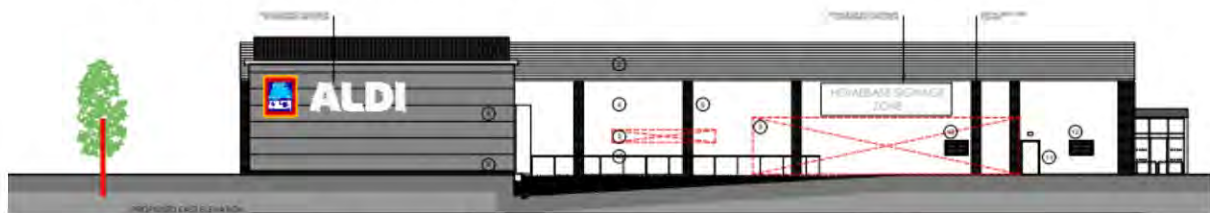
## **6.0 PROPOSAL**

- 6.1 The application proposes the refurbishment and extension of the existing non-food retail unit, Homebase Store, and its sub-division to incorporate an Aldi foodstore. The split would maintain 2,371sqm (currently 4,319sqm) of Gross Internal Area (GIA) for Homebase and 1,756sqm of GIA for Aldi, these include trade areas, staff welfare areas, lobbies and warehouse space. A mezzanine floor would remain within the Homebase store. Homebase would occupy the western side of the store with a trade area of 1,514sqm over the two floors and Aldi would be to the east with a trade area of 1,262sqm.



*Proposed site plan*

6.2 The alterations to the building would involve the demolition of the northern garden centre enclosure that is a lower height than the main building and contains a partial glazed roof. The remainder of the enclosed outdoor sales area to the west of the building would be retained. Also to be removed is the existing glazed entrance lobby to the east elevation. The entrance to the building would be re-orientated to the north elevation and would incorporate separate entrances and shop fronts for each store. The eastern elevation would be revised with the construction of a ramped service access to the Aldi store with associated loading bay area.



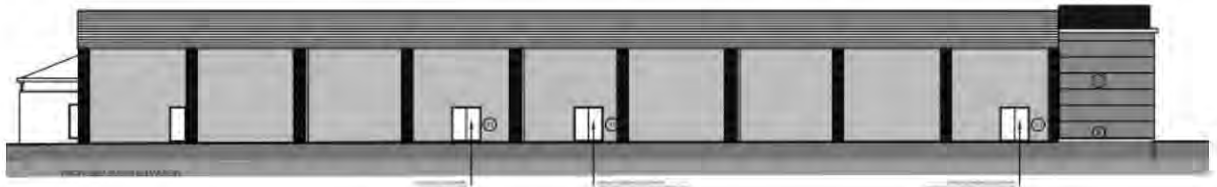
*Proposed east elevation*



*Proposed north elevation*



*Proposed west elevation*



*Proposed south elevation*

- 6.3 The car park layout is proposed to be amended. The parking spaces along the eastern elevation would be removed to enable the new ramp. The area where the existing garden centre structure is located to the north would be replaced with the lobby areas, trolley parking, cycle parking and some car parking spaces repositioned. A total of 157 car parking spaces would be shared between the two stores, the spaces would be revised and have some allocated bays for disabled parking, parent and child, click and collect and bays with active or passive electric vehicle charging points. Five motor cycle parking spaces would also be provided.
- 6.4 A small area of soft landscaping would be provided within the north west corner of the site. New landscaping would also be provided along the eastern boundary.
- 6.5 The proposal would involve amendments to the façade of the building to modernise its appearance.
- 6.6 The application is supported by a Design and Access Statement; Planning Statement; Phase 1 Land Contamination Report; Ecological Assessment; Flood Risk Assessment; Noise Impact Assessment; Arboricultural Impact Assessment; Transport Assessment and Travel Plan.

## **7.0 RELEVANT PLANNING HISTORY**

- 7.1 7/0757/05/F/WX - Variation of condition 18 of planning permission (ref. 7/0383/1984) to allow the sale of all non-food items (A1). Approved October 2005. Condition 18 restricted use of the premise to only storage, wholesale and retail of articles for home decoration, maintenance and improvement, garden goods and equipment, and self-assembly furniture.
- 7.2 7/0717/02/F/WX - Rear conservatory and replacement side canopy. Approved September 2002.

- 7.3 7/411/2001 - Side extension to garden centre with additional doors. Approved September 2001.
- 7.4 7/464/1997 - External storage in service yard in contravention of condition 11 of planning permission 7/383-84 as shown on drawing number TPC1. Approved September 1997.
- 7.5 7/148/1995 - Demolition of garden centre wall construction of new wall and resurfacing of car park (Post Facto). Approved April 1995.
- 7.6 7/383/1984 - Retail Store, Garden Centre & Car Parking. Approved May 1984. The permission was also subject to a Section 52 Agreement (dated 31 January 1984) preventing the site from being used for the '*purpose of a retail or wholesale food shop or store*'.
- 7.7 7/632/1982 - Replacement of Existing Buildings by Erection of 5,639.4 sqm (60,701sq ft) buildings for class 1 retail use - excluding sale of food/car parking & temporary garden centre. Approved February 1984.

## **8.0 APPRAISAL**

8.1 The main issues for consideration in this case are as follows:

- Principle of development;
- Design, layout and appearance;
- Highways/Car Parking;
- Impact upon residential amenity;
- Surface Water Drainage;
- Trees and Landscaping;
- Biodiversity and Ecology

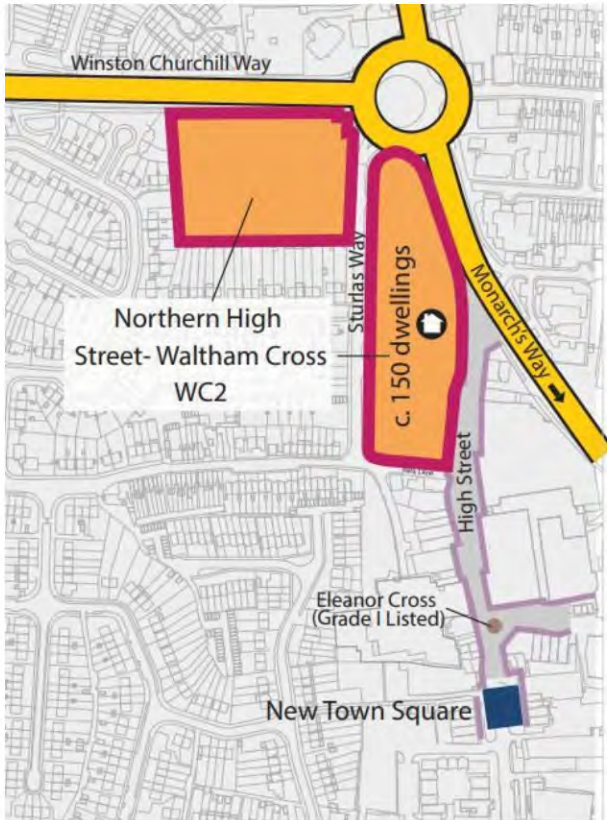
These matters will be appraised in turn, below.

### Principle of Development

- 8.2 The application site lies wholly within Waltham Cross town centre. The proposal to subdivide the existing store in order to retain a smaller Homebase store and provide a new food retail store (Aldi) in this location accords with the NPPF as being a suitable use that does not require application of the sequential test (paragraph 86 of the NPPF). It also falls within the retail hierarchy of a town centre use as set out in Policy RTC1.
- 8.3 The submission provides commentary on the Aldi retail offer explaining that Aldi product lines are deliberately restricted to 2,000 rather than around 20,000 lines

that would be found in larger superstores. The products replicate the most regularly purchased items within a weekly shop, the majority of stock is Aldi branded and through economies of scale are heavily discounted. The store does not contain certain ancillary lines (such as tobacco) and there are no staffed butchery, deli's, fishmongers. The stores do not contain restaurants or in-store franchises, such as a Post Office, pharmacy, opticians etc. The proposal indicates that the Aldi store will drive footfall, promote linked shopping trips, stimulate spin-off trade for existing businesses and enable competition within the retail offer in the area, thereby enhancing the centres overall 'vitality and viability'. It concludes that these are factors that ensure that there is far less potential for cross-over with independent high-street retailers than for 'mainstream' food retailers that stock a far wider spectrum of goods. However, that justification is not sufficient in considering the Council's vision for this site with regards to the regeneration of the town centre.

- 8.4 The NPPF sets out in Section 7 (Ensuring the Vitality of Town Centres) that decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. It recognises that residential development often plays an important role in ensuring the vitality of centres and that residential use should be encouraged. Local Plan Policy WC2 has been formulated following the Waltham Cross Town Centre Strategy in 2015 and sets out the future aspirations for the application site as being part of the Northern High Street redevelopment opportunity. That opportunity would promote a mixed use, high density development of apartments, shops and community uses that would complement and connect more strongly to the town centre. The northern end of the High Street includes both the existing Wickes and Homebase sites either side of Sturlas Way and the current mixed use site at Sawyers Court. The eastern side of the allocation would accommodate approximately 150 dwellings, whilst to the west within the application site, the potential for significant housing and mixed use development is envisaged.
- 8.5 The northern end of the High Street currently sees low levels of footfall. Whilst the two existing home improvement stores at Wickes and Homebase provide an alternative retail range and complement the retail offer within the town centre, the sites 'turn their back' on this end of the High Street to the effect that they close off the pedestrianised core and limit the footfall and viability of the retail units. A proposal such as that being considered here would not improve these wider issues within this sector of the town centre that is required to form part of a more comprehensive master plan to improve the vitality of this area of the town, improve the public realm and help to create a balanced town centre from the northern to southern gateways. The plan below gives an indication of how this sector of the town centre could be developed.



*Waltham Cross Northern High Street Indicative Concept Plan*



Homebase site  
131 homes

*Northern High Street Masterplan Option*

- 8.6 As will be considered further within the following section of this report, the revised layout to the store, with entrances to the north of the building, is not considered to fit the aspirations sought within policy WC2 as the buildings main façade would continue to face away from the public realm of the town centre. Furthermore, the proposal would not improve pedestrian connectivity and the opportunity for making more efficient use of this extensive piece of land within the town centre would be impeded. Whilst the applicant indicates the benefits of introducing an Aldi store to the area, as set out in paragraph 8.3 of this report, these are short term measures of potential improvements. The Council's vision for a mixed-use development within the site provides significant opportunity to improve this corner of the town centre as a gateway development. Officers have been provided with proposals for this site within a pre-application meeting in 2019 which presented a scheme that would align more closely with policy. That scheme provided a multi-storey mixed-use development of residential use along with two commercial units fronting Sturlas Way. The proposal also contained improvements to the Winston Churchill Way frontage and more substantial soft landscape enhancements throughout the site. The scheme had potential for being brought forward sooner as a positive scheme benefitting the appearance of the northern gateway to the High Street and integrating it effectively with the wider town centre. The proposal being considered here would have a short term role without any of the benefits sought within policy WC2.
- 8.7 The submission indicates that the subdivision of the existing Homebase store reducing its size would be more commensurate with that company's future business requirements and safeguard the viability of its operation. Introducing Aldi within the site would ensure that there would be no risk of a vacant site in the near future. It also sets out that this scheme could be brought forward far sooner than the comprehensive plans set out in Policy WC2, stating that the town centre residential-led redevelopment is intrinsically linked to Crossrail 2 and that the realisation of this would not now be within the plan period as a consequence of the coronavirus pandemic and that Transport for London have put the project on hold. The Council acknowledges that the wide scale redevelopment would be more medium term, however the link to Crossrail 2 is primarily connected with the regeneration of the eastern end of Waltham Cross and lands within the vicinity of the railway station that do not have land allocations for redevelopment. The area is to be pursued through an Area Action Plan (Policy WC4 – Waltham Cross Renaissance Area Action Plan). Whilst the application site is within the Area Action Plan it does have its own Local Plan land allocation for redevelopment. As policy WC2 states '*Incremental development of the area will be resisted*' to ensure that such schemes do not form a barrier to the future aspirations within this current Local Plan.
- 8.8 The submission sets out that the proposal would provide further job opportunities along with the retention of the existing workforce at Homebase. This matter is not sufficient to outweigh the above concerns where there are greater benefits from a mixed use redevelopment of the site.

- 8.9 **The principle of the development within the site is considered contrary to Local Plan Policies WC2, DS1, PM1, RTC2 and DSC7 and the Waltham Cross Town Centre Strategy (2015) which seek a comprehensive development approach to this allocated site.**

Design, Layout and Appearance

- 8.10 The proposal would result in a reduction in the Homebase unit's sales area of over 50%. The scheme sets out that this will allow Homebase to utilise their floorspace more efficiently, better addressing the changing retail needs of customers within the Waltham Cross area. The store will still continue to sell a range of home improvement and garden products but at a reduced scale. The Aldi store, that would accommodate a trade area of 1,262sqm, is set out to be consistent with trading floorspace of every Aldi store (Around 1,200sqm to 1,400sqm). This enables the limited range of identical products sold in each Aldi store to be arranged and displayed with a consistent specification. The scale of the units would therefore meet the needs of each store and is considered an efficient use of the site in that regard.
- 8.11 In terms of the layout, the building would remain in its current position within the site. The existing customer entrance is located to the eastern elevation. The proposal would remove that arrangement so that two entrances for the stores would be located to the north elevation with glazed extensions projecting 3m to the north with a width of 8.6m and height of 4m. A new extension would be located to the east elevation measuring approximately 16m in length, 6.1m in width and a height of 7m with an acoustic barrier extending a further 1.4m in height. A ramp measuring 19m in length with a width of 5m would be excavated sloping down towards the extension that would provide the service area and loading bay requirements for the Aldi store. The supporting text to Local Plan Policy WC2 sets out that this northern end of the High Street 'turns it back' on the street and creates closure to the pedestrian core, consequently limiting footfall. This proposal is not considered to improve that issue, quite the contrary. It would rather create further isolation from the active site frontage, given that the entrances would face away from the pedestrian route to the site from Sturlas Way.
- 8.12 Being presented with the service area of the store to the east with its associated ramp and loading bay exposed to the wider area is also considered to be an inappropriate arrangement as it would not be an attractive public fronted elevation. The submission states that the service area for Aldi is located to the south east of the store to '*ensure it does not detract from any key views from Winston Churchill Way*' and the customer service entrances would '*provide a strong presence and frontage to Winston Churchill Way*'. The submission continues by stating that the arrangement is particularly important given the site's gateway location into the town centre from the north taking note of the sites active frontage. However, Winston Churchill Way is screened by a high boundary wall, as seen in the report photos, therefore the north elevation is not directly visible on approach to the town centre. The sites main elevation that has a more pronounced public view and active frontage is the north eastern corner and the east elevation from Sturlas Way. This elevation is given little



recognition other than to improve the landscaping along Sturlas Way. The proposal would therefore be detrimental to the character and appearance of the wider area and would not support the Council's aim of improving the connectivity of the northern High Street area with the rest of the town centre.

- 8.13 Furthermore, the application site is entered from the south east corner via the only vehicular access, a customer entering the site would not directly view the main entrance to the building and therefore maximising the legibility of the building has not been achieved. The proposed entrances would face Winston Churchill Way. With the ground level changes to the north presented on site, the entrances would not be obvious to customers and therefore do not provide a coherent and logical layout. This matter has the potential to affect the footfall recognised within the Local Plan as a major issue of this town centre location. As a result, there would be greater reliance on travelling to the site by car.
- 8.14 The proposal would provide façade alterations to the building to integrate the extension to the east elevation and infill the façade where the section of the building to the north would be demolished. The overall height of the building would remain as existing. The alterations would include repainting of the existing high level cladding in anthracite grey, provision of acoustic screening on the roof, new and existing infill blockwork to be finished in white render, the eastern extension to be finished in flat composite cladding panels finished in metallic silver, anthracite grey cladding and black lower level brickwork, existing brick piers would be retained and cleaned, new glazed shopfronts, windows entrance doors, fascias and rainwater goods would be finished in anthracite grey powder coated aluminium. These façade amendments are considered appropriate improvements that would modernise the appearance of the existing building. However, these are not as beneficial as a high density, mixed use redevelopment sought within the local plan policy allocation that would enhance this gateway site and promote the town centre.
- 8.15 The layout of the car parking has been amended. The vehicular access remains in its current position to the south west corner of the site and car parking occupies the northern and eastern parts of the site as existing. There would be a reduction in the car parking capacity due to the position of the proposed new extension for the Aldi service area to the east and rearrangement to the north where part of the garden sales area is to be removed and replaced with new entrances, trolley and cycle spaces. The matter of parking is considered in the following section. The vehicular routing around the site appears logical and there is sufficient space to manoeuvre in and out of the car parking spaces. However, the position of the proposed new service area would present some conflict between delivery lorries and customer vehicles entering and leaving the site. Whilst this would depend on the delivery times and whether these coincide with store opening times, this matter adds to the concerns raised above with regards to the location of this service area in a prominent position and directly adjacent to customer activity rather than in a more inconspicuous location as existing to the rear of the building.
- 8.16 Overall, the proposal does not seek to achieve the objectives set out within the Local Plan, in particular the implementation of sustainable place making

principles (Policy PM1) whereby new developments are required to complement existing towns, implement their own identities through design benefits, allow interconnection with land uses and interaction between communities.

- 8.17 **The proposal presents a layout that is not considered to integrate with the town centre and fails to enhance the character and appearance of the wider area and would not support the Council's aim of improving the connectivity of the northern High Street area with the rest of the town centre. The proposal is considered contrary to Local Plan Policies WC2, PM1, DSC1, DSC3, DSC7 and DSC8 and the Waltham Cross Town Centre Strategy (2015).**

#### Highways and Car Parking

- 8.18 The application proposes to use the existing access in the south east corner of the site. The existing access has an excessive bell mouth arrangement and lack of tactile paving to each side. The Highway Authority state that the access would no longer be supported by the NPPF and the County Local Transport Plan as it would not promote pedestrian access over that by a private motor vehicle. The access would therefore need to be upgraded to modern highway standards and designed with pedestrian priority in mind. The access road and access junction would therefore need to be narrowed (the exact width tested by tracking of the largest vehicle likely to enter the site) and the access raised to aid pedestrian crossing. The submission indicates that the access would be reduced in width, however no further details are provided and no indication that the access would be raised or provided with tactile paving. The submitted tracking diagrams do not correspond with the reduction in width of the access. The required vehicle visibility splays are demonstrated to be met, however the pedestrian visibility splays of 2m x 2m are missing.
- 8.19 In terms of the assessment of traffic that would be generated by this proposal, the Highway Authority has commented that the proposal is not supported by a robust methodology. The TRICS data (an industry standard collection of traffic surveys) is not supported by real traffic surveys or counts. Furthermore, the selected peak times are not reflective of the local highway network through collection of data from the County. The proposal therefore does not present an adequate assessment of the traffic generation at the site.
- 8.20 The County Highway Authority has rejected the submitted Travel Plan due to a number of missing requirements. However, it is considered that in the event of approval these could be sought through an appropriate planning condition.
- 8.21 The submission indicates that there would be a pedestrian link from the store entrances across the car park to Sturlas Way which then has its own links to the town centre. However, this is not reflected in the plans. A pedestrian link only partially crosses the site and it is not clearly marked out. The Highway Authority also state that a walking and cycling survey should have been provided that would set out recommendations to improve the safety of pedestrians and cyclists between the site and the town centre and Winston

Churchill Way roundabout. The current crossing facilities for pedestrians on Sturlas Way do not contain tactiles and upgrading of the pedestrian access to Sturlas Way is required. Improvements would also be required to nearby bus stops. The NPPF (paragraph 110) requires new developments to be designed so that they are safe for pedestrians and not favour motor traffic, it also seeks to minimise the scope for conflicts between pedestrians, cyclists and vehicles. The proposed location of the Aldi service area at the eastern elevation is not shown to have safe routes around it for pedestrians which should be provided for each direction customers will walk to the site.

- 8.22 As indicated in the previous section of this report, the new service area would in addition present potential obstruction with customers travelling to the site by car at the point of manoeuvring in and out of the nearest car parking spaces to the loading bay. The proposal sets out that on average four HGV deliveries would take place per day and required every day to provide fresh produce. The proposed delivery times overlap with the store opening times and could cause congestion within the site. The Homebase store will continue its use of the service area to the south and south west of the store. Its service frequency and duration will continue as existing.
- 8.23 The proposal would provide 157 car parking spaces in total for both uses (including 8x disabled customer spaces, 8x parent and child spaces, 4x click and collect spaces and 4x spaces with EV charging points (with below ground infrastructure for a further 16 spaces). The number of spaces are indicated to be adequate for the commercial operation requirements for Homebase and Aldi based on their store portfolios. The existing store currently has 192 spaces; under the Council's current parking guidelines this is an excessive amount for the existing arrangement. However, the guidelines indicate that a foodstore would have a higher parking requirement than the existing non-foodstore with garden centre. The Aldi food store would therefore require 98 car parking spaces and Homebase would require 95 spaces as per the Parking Guidelines (a total requirement of 193). A shortfall of 36 spaces is presented. The site is located in an accessible location within the town centre and cycle parking is provided (as set out below). However, whilst the number of car parking spaces is suggested within the submission to suit both stores, the issue of insufficient pedestrian accessibility improvements to and within the site places significant doubt over the acceptability of this shortfall. Without the pedestrian links there is potential for increased vehicular travel to the site resulting in greater demand for parking. Therefore, the shortfall in car parking spaces is not sufficiently justified.
- 8.24 A time limit of 90 minutes is proposed to be placed upon customers using the car park to enable linked trips with the town centre to take place whilst preventing any longer term parking exploitation.
- 8.25 Policy TM4 requires that at least 20% of all new parking spaces for new retail and commercial development must be fitted with active electric vehicle charging points, with passive provision for all the remaining spaces. The proposal sets out that there would be 4 active charging points provided and a further 16 car parking spaces would be provided with below ground infrastructure for passive

charging points. Taking into account that there would be a reduction in parking spaces rather than new parking spaces, the amount of charging points proposed is justified.

- 8.26 The Transport Assessment indicates that the cycle parking would incorporate 12 short term spaces for Aldi and 11 short term spaces for Homebase. A total of 19 spaces are required as set out in the Council's Parking Guidelines. However, the submitted plans indicate 18 short stay cycle spaces (9 Sheffield cycle hoops) to the north elevation. An underachievement of just 1 space is not sufficient reason for refusal. Although not indicated in the plans, long stay cycle spaces would be provided within the warehouses of both stores for staff usage.
- 8.27 **The proposal does not present sufficient connectivity improvements for cyclists and pedestrians and improvements to promote the use of public transport. This results in reliance on car travel to the site which would not justify the shortfall in car parking. The proposal is therefore contrary to Local Plan Policies TM1, TM2, TM3 and TM5 and the NPPF.**

#### Impact Upon Residential Amenity

- 8.28 The main alterations to the existing store from the perspective of neighbouring properties is the extension to the east elevation which is well within the site. The nearest dwellings at Sawyers Court are at a distance of over 49m and as the extension would not project above existing, it is not considered that there would be any loss of light, outlook or overlooking concerns experienced at the neighbouring properties.
- 8.29 The new Aldi service yard, as indicated within the submission, is justified in its location as being distant from residents along Ruthven Avenue. Rather, it would be closer to the residents at Sawyers Court opposite the application site on Sturlas Way at approximately 49m. However, this is an active frontage and not considered an unreasonable location in that regard. Furthermore, the proposal sets out that the service area would incorporate a sheltered canopy and dock leveller system from the ramp meaning that products can be unloaded without any external activity such as forklift trucks, scissor lifts or cages. Therefore, servicing activity, other than the arrival and departure of delivery lorries, would be largely internal.
- 8.30 The application sets out that deliveries are proposed to be between 6:30am – 11:30pm Monday to Saturday and 8am to 5pm Sunday and Bank holidays. The existing Homebase and Wickes stores have a restriction on deliveries and refuse collections of just 7:30am to 6:30pm Monday to Saturday under their original permissions. The nature of the food store requires fresh produce deliveries and to protect the amenities of existing residents in the area the Environmental Health department has recommended a condition restricting deliveries to the food store to the hours of 7am to 11pm Monday to Saturday and 9am to 9pm on Sundays only which are considered reasonable in the event of an approval.

- 8.31 The application is supported by a 'Plant and Delivery Noise Impact Assessment' to assess the impact of noise from the proposed externally mounted mechanical plant upon neighbouring residents. The location indicated for measuring the background sound levels was from a single point on Sturlas Way on approach to the Monarch's Way/Winston Churchill Way roundabout, which has a louder noise climate due to traffic noise. However, the plant would also be close to residents on Ruthven Avenue that are further away from the louder noise climate on Sturlas Way and therefore not a suitable representation of the noise impact. The assessment has not provided the exact location of the plant, presumably this is above the proposed loading bay extension behind the proposed acoustic screening. There are no details provided for the make/model of the equipment and therefore the Council's Environmental Health team are unable to assess the impact of the development upon noise sensitive receptors, being the dwellings at Sawyers Court, Ruthven Avenue, Leven Drive and Leven Close. Whilst Environmental Health has suggested conditions requiring this information, it is considered that it should form part of the application determination. Therefore, the disturbance to neighbours resulting from potential noise is not adequately addressed in this application.
- 8.32 **The proposal does not adequately address the matter of noise impact upon sensitive receptors due to the associated new plant equipment at the site. The proposal is considered contrary to Local Plan Policies EQ1 and EQ4.**

#### Surface Water Drainage

- 8.33 The application site is located within Flood Zone 1. A Flood Risk Assessment has been submitted which indicates that it is proposed to drain the new extension and loading ramp via a channel drain and petrol interceptor to the existing surface water system draining the car park. However, the assessment does not set out what the existing drainage method is on site other than '*it is believed to be freely discharging*'. The County Flood Authority has objected to the scheme due to insufficient information on this basis and concern over the use of petrol interceptors as opposed to above-ground SuDS, such as permeable paving or filter drains. A technical justification for the SuDS selection has not been provided.
- 8.34 The site is largely impermeable and the submission states that rainwater currently drains away from the existing building and carpark via a combination of rainwater downpipes and gullies. The extension would cover an area of approximately 100sqm and a loading ramp is to be excavated. However, the main building and hardsurfaced area is to remain as existing and there would be no additional hardsurfacing at the site. In the event of an approval it would be considered appropriate to require further details of the existing drainage system through condition.
- 8.35 **The proposal is not considered to increase the risk of flooding outside the site and would satisfy Local Plan Policies W4 and W5 and the NPPF.**

## Trees and Landscaping

- 8.36 The site currently benefits from a landscape strip along Sturlas Way to the east. This contains a mix of small trees and shrubs. One large Alder tree exists in the north eastern corner of the site, this is noticeably leaning to one side and its roots have caused damage to the pedestrian footpath boundary wall given its close proximity to it. The submitted Arboricultural Impact Assessment sets out that this tree merits removal as it is unsafe and has a reduced future contribution to the area. This is considered acceptable given the close proximity of this tree to the footpath and busy roundabout, however, the tree is not within the application site and is within the County adopted verge therefore agreement with the County Highway Authority would be required for the tree to be removed.
- 8.37 The existing soft boundary treatment along Sturlas Way is proposed to be replaced and enhanced with mixed species native hedging which is considered acceptable to improve the appearance of this active site frontage.



*Footpath boundary wall damage*

- 8.38 The proposal sets out that a new area of soft landscaping would be provided within the north western corner of the site. Whilst not having a widely public view, the location has a backdrop of boundary planting within the neighbouring garden. The new area of soft landscaping would complement the backdrop within the currently hard surfaced corner of the site. Native shrub planting and a silver birch tree are proposed in this location. There is limited opportunity for further landscape enhancements within the site.

- 8.39 The existing tall conifer trees along the southern boundary are proposed to be retained as these provide natural screening of the site for the existing residents to the south on Ruthven Avenue.
- 8.40 **The proposal demonstrates an acceptable landscaping scheme in accordance with Local Plan Policy NEB4.**

#### Biodiversity and Ecology

- 8.41 The application is accompanied by an Ecological Assessment. The majority of the site comprises the building and hardstanding which offer no value in terms of biodiversity as set out in the report. Dense scrub lines the eastern and western boundary, the latter is outside the application site but partially overhangs. The section that lines the eastern boundary contains ornamental non-native species and as it provides some resources for biodiversity it is considered of local ecological importance and is proposed to be retained and enhanced with native species. The conifer trees along the southern boundary are proposed to be retained and are likely to provide commuting features for bats, a habitat for nesting birds and a source of insect forage. Lighting of the site at night would be unlikely to support notable levels of bat activity. Overall, the site was not found to support significant biodiversity and ecology opportunities. The proposal would incorporate a small area of additional planting that would provide some biodiversity gains.
- 8.42 Mitigation measures are set out in the assessment in terms of ensuring development is carried out at appropriate times to avoid disturbance to nesting birds, tree protection measures, provision of bat and bird boxes, deadwood habitat piles and native species or known wildlife beneficial planting. In the event of an approval these measures would be secured through condition.
- 8.43 **The proposal is considered to accord with Local Plan Policies NEB1, NEB3 and NEB4. The existing landscape features to be retained are of some biodiversity value as they assist in the green infrastructure of the urban site. The site would be enhanced further with new area of soft landscaping.**

#### Other Matters

- 8.44 *Land Contamination* – A Phase I land contamination report has been submitted with this application which recommends further investigation with regards to risks from several contaminants (localised hydrocarbons, metals, inorganic chemicals, ground gases and asbestos). In the event of an approval a condition should be imposed for the phase II site investigation and risk assessment, remediation strategy and verification report to be submitted for approval. A further condition would be required for an asbestos survey to be conducted.
- 8.45 *Section 52 Agreement* - The unit is subject to a historic Section 52 Agreement (dated 31<sup>st</sup> January 1984) under planning approval 7/838/1984. The agreement prevents the estate (site) being used for “*the purposes of a retail or wholesale food shop or store*”. Accordingly, if the application were to be

approved for the part-use of the building as an Aldi foodstore, it will be necessary to discharge the Section 52 agreement.

## **9.0 CONCLUSION**

- 9.1 The proposal to sub-divide the existing building to provide an Aldi foodstore alongside the Homebase store is not considered acceptable in principle. The scheme is considered contrary to the aims and objectives of this allocated site whereby a comprehensive high density mixed-use development is sought to make efficient use of the town centre location and to enhance the vitality of Waltham Cross town centre..
- 9.2 The layout of the proposal is not considered to integrate with the town centre through its inappropriate orientation and lack of connectivity.
- 9.3 The proposal fails to promote travel to the site via cycling, walking or use of public transport. There is insufficient connectivity improvements for cyclists, pedestrians and improvements to the nearest bus stops.
- 9.4 Given the lack of improvements to encourage alternative modes of transport the car parking spaces within the site are considered insufficient to justify the shortfall in spaces.
- 9.5 The assessment of noise impact to neighbouring residents is judged to be inadequate.
- 9.6 The matters of surface water drainage, trees, landscaping, biodiversity and ecology and land contamination are considered to be acceptable.

## **10. RECOMMENDED that planning permission be refused for the following reasons:**

- (a) the proposed development would undermine the Council's ability to pursue a comprehensive mixed use development at the allocated site contrary to policies WC2, DS1, PM1, RTC2 and DSC7 of the Broxbourne Local Plan 2018 – 2033 and the Waltham Cross Town Centre Strategy (2015);**
- (b) the proposal presents a layout that is not considered to integrate with the town centre and fails to enhance the character and appearance of the wider area. The proposal would not support the Council's aim of improving the connectivity of the northern High Street area with the rest of the town centre. The proposal is considered contrary to policies WC2, PM1, DSC1, DSC3, DSC7 and DSC8 of the Broxbourne Local Plan 2018 – 2033 and the Waltham Cross Town Centre Strategy (2015);**
- (c) the proposed development would not provide sufficient connectivity improvements for cyclists and pedestrians and improvements to promote the use of public transport. The proposal is therefore**



**contrary to policies TM1, TM2 and TM3 of the Broxbourne Local Plan 2018 – 2033 and the NPPF;**

- (d) the proposal does not adequately address the shortfall in car parking spaces at the site and is therefore contrary to policy TM5 of the Broxbourne Local Plan 2018 – 2033; and**
- (e) insufficient information has been submitted for the proposed roof plant equipment. Therefore, the noise impact upon the amenity of neighbouring occupants is not fully addressed contrary to policies EQ1 and EQ4 of the Broxbourne Local Plan 2018 – 2033.**