

Report to District Development Control Committee

Date of meeting: 2 February 2010



**Epping Forest
District Council**

Subject: Parking provision at Marks & Spencer Simply Food Store, 161 High Road, Loughton

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Committee Secretary: S Hill Ext 4249**

Recommendation(s):

That the revision to the Car Park Management Statement for the car park at 161 High Road, Loughton proposing a car park capacity of 89 spaces be agreed.

Background

1. (Head of Planning and Economic Development) On 2 March 2004 the District Development Control Committee agreed that planning permission be granted for the redevelopment of the former Lambs Garage site, 161 High Road, Loughton to provide a retail store with associated car parking and alterations to the existing access (application ref: EPF/1750/03). This was subject to a Section 106 legal agreement which was subsequently signed, resulting in a planning permission dated 25 May 2004. The application was submitted by Marks & Spencer and has been used by them as a food store.

2. A number of conditions were attached to the planning permission, one of which, condition 35, required that the approved car park not be used until a Car park Management Plan had been submitted and approved. As part of the condition, the car park was to be laid out, used and managed in accordance with the Management Plan unless otherwise agreed in writing by the council. A Management Plan was submitted, approved and a car park laid out for 94 spaces, 2 of which were agreed to be used as trolley parking.

3. M & S purchased the land on which the store has subsequently been built from the council on 9 September 2004. M & S entered into an agreement that they would grant the owners of 165 High Road a lease of 5 parking spaces in the M & S development and the parties would on completion of the lease enter into a mutual deed of easement granting rights of way over an access way which lies partly on M & S land (the access road) and on land partly on land belonging to 165 High Road.

Report Detail

4. A revised Car Park Management Plan has been submitted with capacity for 89 rather than 94 spaces. There is no change to the layout but 5 spaces are to be leased to the owners of 165 High Road. A copy of the layout is appended to this report and the 5 spaces are highlighted.

5. There is no objection on highway grounds. The parking provision is a maximum requirement to not be exceeded rather than a minimum provision. The site is well served by public transport and it has a local catchment residential area, so that it is in easy walking distance for some of the population users. The 5 spaces are located in the eastern most extremity of the site, beyond the ramp to the basement car park entrance, behind nos. 173-177 High Road. They are not in the main parking area used by customers and it is doubtful that they are used that often, if at all, by customers of Marks & Spencer as they are more isolated in relation to the rest of the car park and located furthest away from the store. Otherwise, there is generally parking spaces available for the car users of the store.

6. It is unlikely that there is a case for the loss of 5 spaces for the store to be detrimental to the vitality and viability of the town centre or that it will result in highway safety concerns in an area where there is parking restrictions in the High Road and other public car parks nearby. Lawlers do not currently have any off-road parking for their staff or visitors but did previously have provision before the store and car-park was built. Their staff could potentially park on the access road to the store's car park and therefore be a highway hazard for the frequent traffic movement into and out of the site.

7. The council's subsequent consent at Council and or Cabinet is required to allow the lease and deed of easement, but for this District Development Control Committee, the issue here is the acceptability of the revised Car Park Management Plan with capacity for 89 rather than the previously approved 94 spaces.

Conclusion

8. The issue is one of parking capacity and highway safety and after consulting Essex County Council Highway Engineers, there is no objections raised to the revised Car Park Management Statement.