

The application is for full planning permission for the change of use of an existing building from Use Class B1 (business) to Use class B2 (General Industry), completion of cladding to the existing building and extension to the existing palisade fencing, extension to the vehicular access provision and additional landscaping and alteration to previous approved landscaping.

The application site is located within the urban area of Newcastle-under-Lyme and partially is within the area covered by saved Local Plan Policy E9 (relating to employment uses) as indicated on the Local Development Framework Proposals Map.

The proposal would be accessed off Apedale Road.

**The 13 week period for the determination of this application expires on 28th May 2014.**

### **RECOMMENDATION**

**Permit the application, subject to conditions relating to the following matters:-**

- 1. Standard Time limit**
- 2. Approved plans/drawings/documents**
- 3. Landscaping Scheme including full schedules and specifications**
- 4. Approval of a landscape management plan including weed control and litter picking measures**
- 5. Approval of any external lighting scheme**

### **Reason for Recommendation**

The principle of employment use on this site has been established by its existing lawful use and the established employment uses of the surrounding sites. Suitable mitigation measures have been submitted which reduce the visual impact of the proposal on the surrounding area, These mitigation measures can be secured and maintained through the imposition of conditions, the development accords with the provisions of the development plan and there are no other material planning considerations that would justify refusing the proposed development.

### **Proposed Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development is carried out in an acceptable and appropriate manner and has followed the guidance in paragraphs 186-187 of the National Planning Policy Framework on the approach to be adopted.

### **Policies and Proposals in the approved Development Plan relevant to this decision:-**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted 2009) (CSS)

**Strategic Aim 5 (SA5):** To foster and diversify the employment base of all parts of the plan area, both urban and rural, including development of new types of work and working lifestyles, and supporting the office development sector, new technologies and business capitalising on the inherent advantages of North Staffordshire.

**Strategic Aim 16 (SA16):** To eliminate poor quality development and establish a culture of excellence in built design by developing design skills and understanding, by requiring good, safe design as a universal baseline and distinctive design excellence in all development proposals, and by promoting procurement methods which facilitate the delivery of good design.

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP2: Spatial Principles of Economic Development  
Policy SP3: Spatial Principles of Movement and Access  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

#### Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy E9 (2): Renewal of Planning Permissions for employment uses  
Policy T16: Development – General Parking Requirements  
Policy T18: Development – Servicing Requirements

#### **Other material considerations include:**

National Planning Policy Framework (NPPF) (March 2012)

National Planning Practice Guidance (March 2014)

#### Supplementary Planning Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

#### Relevant Planning History

08/00664/COU Change of use from B1 to B2 (General Industrial) - approved

There have been a number of planning applications which relate to the applicant's adjoining site for the existing business use over the last 9 years including for a gantry crane, storage building, office building and manufacturing building. Most recent permission 13/00157/FUL permitted last year for a gantry crane and associated works.

#### Views of Consultees

The **Landscape Development Section (LDS)** initially objected to the proposal being of the opinion that the proposed alterations to the approved landscaping of the crane are unacceptable, unless further revisions are made.

Following the submission of further information relating to the landscaping of the site LDS now raises no objections to the proposal subject to conditions relating to:

- Approval of detailed landscaping proposals including full schedules and specifications.
- Approval of a landscaping management plan to include proposals for litter removal and weed control.

The **Environment Agency** has no objection to the proposal and makes comments in respect the protection of controlled waters.

The **Highway Authority** has no objections to the proposal.

The **Environmental Health Division** has no objections subject to control over external lighting.

The views of the **Greater Chesterton Locality Action Partnership** have been sought, and as the date by which any comments were sought has passed without comment, they must be assumed to have no observations to make upon this application.

#### Representations

None received

### Applicant/agent's submission

Apart from the requisite forms and plans the application is supported by

- Design and Access Statement
- Details of the machinery to be used

The applicant's agent has provided an amended landscaping plan showing additional landscaping areas to the application site.

The full versions of these documents are available for inspection at the Guildhall, and on [www.newcastle-staffs.gov.uk/planning/ThorpPrecast](http://www.newcastle-staffs.gov.uk/planning/ThorpPrecast)

### **KEY ISSUES**

This application seeks full planning permission for the change of use of existing building from Use Class B1 (Business) to Use Class B2 (General Industry), completion of cladding to the existing building and extension to the existing palisade fencing and extension to the vehicular access.

Members will recall a planning application (13/00157/FUL) last year from the same applicant, on the adjacent site, for a large gantry crane and associated works, which was permitted. Since that permission the applicant has purchased the site the subject of this application to expand their business and operation further.

The business involves the manufacturing of large precast concrete products for the building industry. The application details indicate the existing business employs approximately 74 persons and if permitted the proposal would allow 16 additional persons to be employed as well as safeguarding the existing jobs.

The building the subject of the change of use and additional cladding has a floor area of approximately 2010 square metres and is of a traditional portal framed construction with brick cladding on the front elevation with light grey profile sheeting to the other elevations which will include the additional cladding on the rear of the building.

The proposal also includes extending the existing access road serving the unit to continue into the remainder of the applicant's site to the west and north. It is understood this access will become the main day to day access to this application site as well as the applicant's existing site. However the applicant is proposing to retain the access permitted by 13/00157/FUL which has a larger radii onto Apedale Road and is adjacent to the new gantry crane area.

The proposal also proposes to provide some additional planting, as well as an amendment to some previously approved planting on the adjacent site.

Given the existing lawful use of the site, the neighbouring premises having similar uses, a previous planning permission now lapsed for the same change of use, and the lack of any material change in the relevant material considerations, it is considered the principle of the proposed change of use would be acceptable.

A small part of the site is identified on the Local Development Framework Proposals Map as subject to saved Local Plan policy E9 (2) which relates to the renewal of planning permissions for employment development. This policy generally supports employment uses of the identified site, however, specifically to this area it requires that any viable reserves of Etruria Marl are safeguarded and a nature conservation study should be undertaken.

Therefore, the main issues to consider with this application are:

The safeguarding of mineral reserves and ecological protection as required by LP Policy E9

As stated above the acceptability of the principle of employment uses on part of the site is dependant on safeguarding any viable reserves of Etruria Marl and a nature conservation study being undertaken.

Only a small portion of the application site falls within this policy area, along the south western boundary beyond the line of the existing access. The planning application for the gantry crane proposal considered last year was wholly in this policy area (13/00157/FUL) and no consultations responses were received in connection with that application which identified any reasons to withhold planning permission on the ground of a conflict with the requirements of Policy E9 of the Local Plan.

Given the minimal extent of Policy E9 into the current planning application site, the current lawful use of the site and previously advice received it is considered this proposal would not conflict with the requirement of Policy E9.

#### The visual impact of the proposal and the acceptability of the proposed mitigation measures

The site sits at the bottom of Apedale Road in the valley with Apedale Country Park rising on the other side of the valley. This topography makes both the application site and the applicant's existing operation prominent in the surrounding landscape, especially at those times of year when trees do not have much foliage; however, from certain locations the site also has the backdrop of other industrial uses on both the applicant's current site and neighbouring sites.

The recent gantry crane proposal was approved on the basis of an extensive planting and mounding around the site and adjacent to the proposed gantry crane.

This current proposal seeks to extend that landscaping further, although the proposal will result in the loss of some sections of the landscaping scheme previously approved, namely around the north western perimeter of the gantry crane site.

The Landscape Development Section (LDS) have initially indicated their concerns with the loss of some of the previously approved landscaping and the amount of additional landscaping and have suggested more areas of landscaping are provided including those already agreed to.

Further discussions have taken place with the applicant's agent in respect of this element of the proposal, the applicant is concerned that the landscaping suggested by LDS would have serious consequences on the operational requirement of the site. However, a satisfactory solution to all parties has been verbally agreed whereby some of the proposed areas of landscaping would be increased in size and other parts of the application site are to be used for landscaping. Amended plans have received from the applicant's agent reflecting these discussions which indicate the additional proposed areas for landscaping.

Following this submission LDS raise no objection to the proposed development subject to the approval of additional detail by planning condition:

- Approval of detailed landscaping proposals including full schedules and specifications.
- Approval of a landscaping management plan to include proposals for litter removal and weed control.

Given the nature and use of the site and the topography of the surrounding area it would be impossible to fully screen the site when viewed from the surrounding area, however, the agreed revised solution would mitigate to some extent the visual impact of the proposed development and subject to appropriate conditions it is now considered acceptable in visual impact terms.

#### Highway matters

The applicant intends to use the existing access which currently serves Unit G1 for general day to day access requirements. The proposal proposes additional lorry parking adjacent to the unit.

As part of the previous proposal for the gantry crane the applicant provided details of the existing protocol relating to the haul route used by visitors, including delivery and collections, to the site. The

route advised is from the A34, via Parkhouse Road West, Audley Road, Watermills Road and Rowhurst Close – thus avoiding the centre of Chesterton. The applicant advises that hauliers are also provided with this route as a mandatory directive as a condition of supply to prevent traffic using that section of Apedale Road to the north east of its junction with Rowhurst Close. Use of that section by heavy goods vehicles of more than a certain tonnage would be contrary to a Traffic Regulation Order furthermore, and in the circumstances it does not appear necessary to seek an additional control over this aspect via a planning obligation.

The Highway Authority has no objections to the proposal.

It is considered there are no sustainable reasons to refuse the proposal on highway grounds

#### Residential Amenity

Given the separation distances from any existing or proposed residential development and the other surrounding existing commercial and industrial uses, it is considered the proposal would not cause any adverse loss of residential amenity. The Environmental Health Division has not objected to the proposal and are recommending a condition relating to the approval of any external lighting scheme to prevent/ reduce light pollution.

It is considered there are no sustainable reasons to refuse the proposal on residential amenity grounds.

#### Background Papers

Planning file  
Planning documents referred to

#### Date report prepared

3<sup>rd</sup> April 2014