

The Application is for full planning permission for a new industrial unit, link to existing unit, and associated service area and car parking.

The site, of approximately 1.2 hectares in extent, is within the Kidsgrove Neighbourhood and Urban Area as indicated on the Local Development Framework Proposals Map.

The 13 week period for the determination of this application expires on 13th March 2015.

RECOMMENDATION

1) Subject to no adverse comments being received from the Environmental Health Division which cannot be dealt with by appropriate condition(s), and the applicant entering into a S106 obligation, by 27th February to secure £2,200 towards travel plan monitoring costs.

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

- 1. Standard Time limit for commencement**
- 2. Approved plans/drawings/documents as revised**
- 3. Landscaping Scheme**
- 4. External facing materials to be agreed**
- 5. Development to be constructed in accordance with the remedial measures in the submitted Geotechnical Assessment**
- 6. Contaminated land conditions**
- 7. Drainage**
- 8. Provision of accesses, parking, servicing and turning areas prior to the development being brought into use.**
- 9. Submission and approval of amended plans revising the access details.**
- 10. Provision of weatherproof cycle parking.**
- 11. Approval and implementation of a Travel Plan**
- 12. Submission and approval of details of the surfacing materials for internal access roads, parking and servicing areas; surface water drainage; signage and delineation of parking bays and the service area.**
- 13. Gates to the service area to be a minimum of 18m rear of the boundary.**
- 14. Gates to the car park to be a minimum of 5m rear of the boundary.**
- 15. Submission and approval of a Construction Method Statement addressing highway and environmental matters.**
- 16. Any other appropriate conditions as recommended by the Environmental Health Division.**

2) Should the travel plan monitoring fee not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on sustainable transport measures; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Reason for Recommendation

The principle of employment development on this site is acceptable and is supported by local and national policy. Following receipt of amended plans the design and appearance of the proposal is acceptable. Subject to conditions, the development does not raise any highway safety concerns and includes adequate parking provision.

Further comments are awaited from the Environmental Health Division to establish whether appropriate mitigation measures can be secured through condition to address any residential amenity concerns that arise as a result of the proposed development.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

The proposal is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework provided that the objections of the Environmental Health Division are withdrawn.

Policies and proposals in the approved development plan relevant to this decision:-

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

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles of Economic Development
Policy SP3: Spatial Principles of Movement and Access
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP10: Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing Requirements

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

Supplementary Planning Guidance/Documents

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

Relevant Planning History

10/00136/FUL Permitted - Generator and associated housing
11/00016/FUL Permitted - Generator and associated housing
11/00591/FUL Permitted - Relocation of existing test rig equipment with extension to recycling area
12/0379/FUL Permitted – Proposed alterations to loading bay
13/00195/FUL Permitted – Relocation of existing generator
14/00728/PLD Pending consideration - Application for a lawful development certificate for proposed remodelling of reception to office building, overcladding and upgrading/replacement of windows to the street elevations and roof to existing buildings. Erection of a screen wall to hide existing plant and machinery
14/00738/FUL Pending consideration – alterations to existing car park and associated landscaping

Views of Consultees

The **Highway Authority** has no objections subject to conditions as follows:

- Provision of accesses, parking, servicing and turning areas prior to the development being brought into use in accordance with the approved plans.
- Submission and approval of amended plans revising the access modification details.
- Provision of weatherproof cycle parking.
- Submission and implementation of a Travel Plan
- Submission and approval of details of the surfacing materials for internal access roads, parking and servicing areas; surface water drainage; signage and delineation of parking bays and the service area.
- Gates to the service area to be a minimum of 18m rear of the boundary.
- Gates to the car park to be a minimum of 5m rear of the boundary.

- Submission and approval of a Construction Method Statement.

A monitoring fee of £2,200 is required for the Travel Plan

The **Environmental Health Division** initial comments are that there has been no assessment of potential noise and vibration impacts and as such it is recommended that the application is refused. In the event that consent is granted conditions relating to contaminated land; construction management; and submission of a noise and vibration assessment together with mitigation measures for approval are sought. The Division has been re-consulted as the applicant had submitted a Noise Assessment with the application and this has now been made available to view; their further comments will be reported if received.

The **Environment Agency** has no objection to the proposed development subject to conditions relating the contamination of the site to ensure that the water environment is protected.

The **Coal Authority** is satisfied that the remedial measures proposed by the applicant following intrusive site investigation works set out in the submitted Geotechnical Assessment are appropriate to address the coal mining legacy issues present on the site. It therefore has no objection to proposed application and recommend that a condition is imposed requiring that the recommended works are undertaken prior to commencement of the development.

United Utilities has no objections subject to conditions relating to foul and surface water drainage.

MADE Design Review Panel acknowledge the constraints imposed by the occupier of the unit with regard to the specifications of the building and their security requirements. Notwithstanding these constraints the Panel urged the applicant to do whatever possible to enhance the site. This should include the repositioning of half a dozen or more parking spaces to create room for some tree planting along the road frontage.

Without compromising the occupants' security requirements, they felt that there is scope to make the building more interesting and attractive. This could be easily achieved through some variations in the colour and/or pattern of the cladding panels. They also suggest that consideration be given to the company's signage so that this can be incorporated in the scheme design from the outset, rather than being reliant on a later site notice.

Although this is in essence a utilitarian project, they consider that it should be incumbent on the developer to take this opportunity to enhance the appearance of West Avenue. They also believe that a more attractive scheme would serve to enhance the image of the company for whom the development is being built.

The views of **Kidsgrove Town Council** have been sought, however as they have not responded by the due date it is assumed that they have no comments to make on the proposal.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by:-

- Design, Access & Planning Statement,
- GE Energy letter of support
- Site Investigation report
- Transport Statement – which concludes that there are no highway grounds for refusal.
- Ecological Assessments undertaken in July 2004 and May 2010 with a covering letter indicating that the most recent survey indicate that the site mainly contains hardstanding and building and whilst the site has changed it provides negligible opportunities to provide a habitat for notable or protected species other than breeding birds at the appropriate time of the year.

- Air Quality Report – which concludes that air quality impacts from the proposed development will not be of significance.
- Flood Risk Assessment – which concludes that the development will not be affected by current or future flooding and will not increase the flood risk elsewhere.
- Geo-technical Assessment
- Noise Assessment – which recommends mitigation measures

All of these documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/1400736FUL

Key Issues

The proposal involves the construction of a new building on the site replacing an existing building that is currently being demolished. The new building measures 76.5m by 45m in footprint and has a ridge height of 14m and will be linked to the existing, retained building adjoining. A service area is proposed to the rear of the building served by an access off West Avenue. Visitor and disabled parking for 85 vehicles (5 disabled parking spaces) is proposed to the front of the building with additional cycle parking facilities. The site is located within an existing employment area..

It is considered that the main issues for consideration in the determination of this application are:

- The principle of the proposed development in this location
- Design
- Residential amenity
- Highway safety/parking

Principle of the proposed development

Policies of the CSS seeks to support and encourage economic development with Policy SP2 seeking to support economic development that results in improvement in the levels of productivity, modernisation and competitiveness of existing economic activities.

The NPPF at paragraph 19 highlights that the Government is committed to ensuring that the planning system does everything it can to support economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

The proposed development would accord with such local and national policies as it provides modern, purpose built floorspace that replaces a building that does not serve the same purpose and is not adaptable to provide the accommodation proposed. The proposal will enable the existing occupier of the site to expand resulting in an increase in the number employed on the site (from 350 full time jobs to 400 according to the application form).

In principle therefore the proposed development is acceptable.

Design

As described above the proposal involves a sizable building set within the context of an existing employment site. The building is to be metal clad and, due to the occupier's specifications, has a limited number of door/loading bay openings and windows only on a short section of the front elevation to serve a proposed office area. As initially submitted the elevations were to be clad in the same colour, with a darker band beneath the eaves and within the gable area, and a blue coloured edge to the shallow pitched roof.

Whilst acknowledging the occupants' security requirements MADE Design Review Panel considered that there was scope to make the building more interesting and attractive through some variations in colour and/or pattern of the cladding panels, and through signage. Additionally MADE indicated that space for landscaping along the front boundary of the site should be provided.

In response to the comments of MADE amended plans have been received introducing panels of a different colour cladding on the front elevation and on the north elevation which would be visible when travelling along West Avenue towards Linley Road. Such an amendment has resulted in some improvement in the appearance of the building. The development, in its amended form, would not be of such design quality that it could be said to significantly enhance the appearance of West Avenue it is, however, considered to be visually acceptable.

The occupier of the proposed building advise that they do not require signage on this building as they consider there is sufficient signage currently in place in a position that draws any prospective visitor to the reception area. In their opinion any further signage is unnecessary and is undesirable to them. As such signage would not be utilised to provide some interest to the building (and if proposed would have been subject to a separate application for advertisement consent).

Six parking spaces as proposed in the initial submission adjacent to the front boundary of the site have been removed in response to the comments of MADE which will provide space for landscaping. It has been indicated that a landscaping plan is to be submitted however the area created is of sufficient size to provide meaningful planting that will visually improve the frontage of the site and as such the landscaping scheme could be agreed as a condition of planning permission if it is not received in time.

Residential amenity

The application is supported by a Noise Assessment which concludes that subject to recommended mitigation measures that address noise from the service yard area, noise from external plant and equipment and addressing the potential noise from within the building the proposed development would not have an unacceptable impact on residential amenity.

As indicated above the Environmental Health Division did not consider this document when it objected to the proposal on the potential noise and vibration impacts. Their further comments have been sought and will be reported.

The proposed building is located at a sufficient distance from any residential property as existing or as approved to be constructed to ensure that it will not result in an overbearing visual impact or loss of light.

Highway safety/parking

The Highway Authority is satisfied that the proposed accesses to the service yard and parking area are safe, subject to conditions.

Parking provision for 287 vehicles is to be provided in total across the overall site, with 85 spaces proposed within this application and a further 202 referred to in application 14/00738/FUL involving alterations to the existing car park to the rear of the existing, retained building to make more efficient use of that area for parking purposes. This overall level of parking is considered to be acceptable and will meet the operational needs of the occupier.

The Highway Authority have requested that a condition is imposed to secure a Travel Plan and such a condition is considered to be reasonable and appropriate given the scale of the site and the number of people that will be employed. Securing the requested Travel Plan monitoring fee by a planning obligation is considered to be acceptable and in accordance with CIL Regulations.

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

21st January 2015