

The application is for full planning permission for the formation of a vehicle distribution and storage compound and the erection of a building to be used as storage and vehicle preparation, with offices and facilities. The site extends to some 3.6 hectares.

The application site lies within the Kidsgrove Urban Area on the Local Development Framework Proposals Map.

The site fronts onto Linley Road, the A5011,

The 13 week period for the determination of this application expired on the 28th July 2016, but the applicant has agreed to extend the statutory period to 19th August.

RECOMMENDATION

Permit subject to conditions regarding the following:

- **Time limit**
- **Approved plans**
- **Details of widening and improvements to existing site access on Linley Road**
- **Provision of internal access road, parking, servicing and turning areas**
- **Details of surfacing materials and delineation of parking bays, servicing and loading areas**
- **Details of weatherproof cycle parking**
- **Installation of security barrier**
- **Opening hours**
- **External lighting details**
- **Details of control of noise and spray from HGV wash**
- **Boundary treatments**
- **Materials**
- **Drainage conditions**
- **Implementation of security/crime prevention measures**
- **Tree protection**
- **Construction Method Statement**
- **Hard and soft landscaping**
- **Management and maintenance of existing and new woodland planting**
- **Position of utility apparatus**
- **Schedule of works to retained trees**
- **Any other conditions arising from the comments of the Local Lead Flood Authority**

Reason for Recommendation

The principle of the development is considered acceptable and subject to conditions it is not considered that there would be any significant adverse impact on residential amenity, trees or highway safety.

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

There have been extensive discussions with the agents and following the submission of information and revised plan this proposal is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

The application seeks planning permission for the formation of a vehicle distribution and storage compound and the erection of a building to be used as storage and vehicle preparation, with offices and facilities.

The site lies within the Kidsgrove Urban Area on the Local Development Framework Proposals Map.

The key issues for consideration in the determination of this application are:

- Is the principle of development acceptable?
- Would there be any adverse impact on residential amenity?
- Would the development be acceptable in terms of the impact on the form and character of the area?
- Would the proposed development have any significant adverse impact on the trees on the site or the adjacent land?
- Would the proposed development have any adverse impact upon highway safety?
- Other issues

Is the principle of development acceptable?

The site was previously in use as warehousing and offices. The buildings were demolished several years ago and the site has remained vacant. Planning permission has been granted for both a food store and commercial development (Refs. 10/00080/OUT & 14/00363/REM) and residential development for up to 139 dwellings (Ref. 13/00625/OUT). Neither consent has been taken up.

The site is located close to the A34 and the A500 with its links to the M6 motorway and it is considered to be in a sustainable location. Given the previous use of the site and subject to the detail of the scheme being acceptable, it is not considered that an objection could be sustained to the use proposed.

Would there be any adverse impact on residential amenity?

Planning permission has been granted for 171 dwellings on the land to the north and east of the application site (Refs. 12/00127/OUT & 14/00562/REM), that site is being developed (by Taylor Wimpey) and houses are to be sited immediately adjacent to the eastern boundary of the site. The Environmental Health Division initially had concerns regarding the potential noise impacts of the preparation bay, HGV and other vehicle movements within the site and the HGV wash. The HGV wash in particular would be sited adjacent to the eastern boundary of the site very close to the proposed dwellings.

A Noise Impact Assessment has been submitted which states that the compound would be operational daily between 0700 and 2200 hours, 7 days a week. 20 to 25 transporter visits are anticipated each day which equates to 3 transporter movements per hour on average. The Report provides an assessment of noise relating to transporter loading and unloading activities and concludes that no adverse impact would arise from these activities during the proposed operating hours.

The Assessment does not consider the potential noise impacts from the preparation bays however the applicant has confirmed that the site will be for new cars only and therefore there will be no valeting or minor repairs carried out within the preparation bays, only inspection and checking of vehicles prior to dispatch. There is no assessment of the HGV wash, rather it is simply stated that given the small frequency and limited duration of the wash cycles, the potential noise impact should be considered negligible. Environmental Health states that while there is no assessment of the HGV wash, the applicant has confirmed that it will be a fixed jet wash, rather than a tracked roller and high pressure jet system and that it will be used only intermittently, for a short duration and between the hours of 0800 and 1700 hours. The Environmental Health Division has advised that given the proximity of the jet wash to the adjacent residential properties, it is loud enough to have an adverse impact upon those dwellings but they are satisfied that appropriate mitigation can be put in place to ensure that any impact would be reduced to an acceptable level. They raise no objections therefore

subject to the imposition of conditions including a requirement for the prior approval of measures to mitigate against noise and spray from the washing activity.

There are residential properties to the south of the site and one letter of objection has been received expressing concern amongst other things regarding the impact of disturbance from security lighting. The Environmental Health Division has recommended a condition requiring details of external lighting.

Subject to conditions therefore, it is not considered that an objection could be sustained on the grounds of impact on residential amenity.

Would the development be acceptable in terms of the impact on the form and character of the area?

The proposed development comprises a storage compound for 1106 vehicles with a building for vehicle preparation, offices and associated facilities. The building would be sited to the east of the site and would measure 33m x 20.5m in plan with a maximum height of 5.5m. The materials would comprise grey profiled cladding.

The building would be sited to the rear of an electricity sub-station and visibility from the highway which is at a higher level would be limited. Whilst a very significant number of vehicles would be stored on the site, the area comprises a mix of commercial and residential uses with industrial development to the west and a car sales business to the east. There are existing trees on the western, northern and north-eastern boundaries of the site which will be retained and additional landscaping is proposed within a landscape buffer around the perimeter of the site. Until recently there were trees and hedgerow on the southern boundary of the site but they have been recently cleared. There is a relatively wide area along the site frontage which provides an opportunity for substantial landscaping which would help to screen the development from the highway, if not from the elevated housing area off Coalpit Hill, Talke. In the context of the development in the surrounding area and subject to conditions requiring additional landscaping, it is considered that the development would be acceptable in terms of its impact on the form and character of the area.

Would the proposed development have any significant adverse impact on the trees on the site or the adjacent land?

To the east of the site there is an area of scrub vegetation and occasional trees and to the west there is a narrow band of mostly native trees alongside the boundary. To the north there is a larger woodland area of mainly native species which forms an attractive natural buffer. Trees just outside the western boundary of the site are affected by Tree Preservation Order T166 (2015). A Tree Survey has been submitted along with a revised plan indicating a landscape buffer zone to the perimeter of the site to strengthen the existing landscaping. The Landscape Development Section (LDS) is concerned that the additional space allowed for the retention and enhancement of the boundary trees is minimal but there is existing landscaping and it is considered that sufficient space will be available to provide some additional planting, albeit relatively limited.

Whilst the LDS considers that internal landscaping should be provided to break up the car parking, it is acknowledged that this is a commercial development site and it is considered that the additional landscaping on the boundaries would be sufficient to help to screen and soften the visual impact of the development.

The LDS has recommended a number of conditions in order to ensure that some of the detail that is currently lacking in the application is provided. Subject to those conditions, it is not considered that an objection could be sustained on the grounds of impact on landscaping.

Would the proposed development have any adverse impact upon highway safety?

The application is accompanied by a Transport Statement. The existing access on Linley Road would be widened and improved with large radius kerbs for car transporters (the existing access having virtually none). Within the site a large manoeuvring area for transporters and other large service vehicles is proposed to the north of the car storage area. A swept path analysis has confirmed that the proposed access can accommodate car transporters. The Statement concludes that the proposals are satisfactory in transportation terms.

A letter of objection has been received from a nearby resident expressing concern about traffic impact on the A50, and disturbance to neighbouring residents from extra traffic. The Transport Statement has demonstrated that the traffic generation during the peak hours would be less than that for the previous use of the site or for the permitted residential development and the Highway Authority has no objections subject to the imposition of conditions. On the basis of the above, it is not considered that an objection could be sustained on highway safety grounds.

Other Issues

Since the comments of the Crime Prevention Design Advisor were received the applicant's agent has advised that the site will be secured by a palisade fence and that there will be a comprehensive CCTV system installed. The site also has a gatehouse which will oversee all vehicles and personnel entering the site. In light of this information it is considered that the site will be suitably secured and appropriate crime prevention measures adopted. A condition could be imposed to ensure such measures are provided.

Staffordshire County Council as Lead Local Flood Authority (LLFA) has requested a drainage design to demonstrate that there is a sufficient safe means of disposing of surface water and that the flood risk to any third party is not increased as a result of the proposed development.

The applicant has submitted a Conceptual Drainage Layout which has been forwarded to the LLFA for their comments. Their further comments will be reported to Members once received.

APPENDIX

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 CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

National Planning Policy

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014)

Relevant Planning History

- 10/00080/OUT Outline planning permission for 14 units providing some 8728 square metres of units for commercial business use (Class B1, B2 & B8) and an A1 retail foodstore of some 1,356 square metres Approved (on appeal)
- 13/00625/OUT Outline planning permission for the erection of up to 139 dwellings and associated works Approved, but no subsequent application for approval of its reserved matters
- 14/00362/FUL Variation of conditions of planning permission 10/00080/OUT as follows:-
Condition 5 regarding revised right hand turning facility and access works; Condition 18 to allow gross retail floorspace up to 1,384 square metres; and Condition 20 to require that at least 80% of the net sales floorspace is devoted to the retailing of convenience goods. In addition the removal of condition 19 which prevents the retail floorspace from being operated by Tesco, Sainsbury's, Asda or Morrison's; and Condition 21 which requires that a minimum of 2,434 square metres of floorspace for business, industrial or storage be made available before the foodstore is available for letting or sale Approved
- 14/00363/REM Approval of access, appearance, landscaping, layout and scale details relating to 10/00080/OUT for commercial business uses (Class B1, B2 and B8) and small/medium sized A1 retail foodstore Approved, but not implemented
- 14/00432/FUL Construction of a petrol filling station to include installation of fuel storage tanks, associated pipework, overhead canopy, forecourt surfacing, pumps and other associated works Approved but not implemented

Views of Consultees

The **Highway Authority** has no objections subject to conditions regarding the widening and improvements to the existing site access, provision of the access road, parking, servicing and turning

areas, approval of details of surfacing materials and delineation of parking bays, servicing and loading areas, provision of cycle parking and the siting of the security barrier.

The **Coal Authority** states that the application does not fall within the defined Development High Risk Area.

United Utilities has no objections subject to conditions regarding foul water, surface water and management and maintenance of sustainable drainage systems.

The **Landscape Development Section** is disappointed that additional information has not been provided and that landscaping mitigation falls considerably short of that which was requested. Internal landscaping to break up the vast visual expanses of car parking has not been provided, and the additional space allowed for the retention enhancement of the remaining boundary trees is minimal. The lack of a plan to show the extent of the existing concrete pad makes the impact upon retained trees difficult to establish. Levels information has not been provided and it is likely that the 2m buffer adjacent to the eastern boundary is likely to be insufficient to allow retention of adjacent category C trees which do not belong to the developer. The position of the HGV wash will have an impact upon the canopies of Trees in Group 2, which will need to be pruned to allow vehicle access.

Should the application be approved then conditions are recommended requiring tree protection, retention of Category A and B trees and tree groups shown as retained, a Construction Method Statement, hard and soft landscaping proposals, boundary treatments, a management and maintenance plan for the long term retention and enhancement of existing and new woodland planting, details of the position of utility apparatus and a schedule of works to retained trees e.g. facilitation pruning works.

The **Environmental Health Division** has now no objections subject to conditions regarding opening hours, details of external lighting and control of noise and spray from the HGV wash.

The **Staffordshire County Council Flood Risk Team** states that the application needs to include a drainage design to demonstrate that there is a sufficient safe means of disposing of surface water. It should also demonstrate that the site is safe for the 1:100 year plus climate change storm event, and that the flood risk to any third party is not increased as a result of the proposed development.

Kidsgrove Town Council identified that any extra vehicles may cause access problems into Coppice Road.

A summary of the comments of the **Crime Prevention Design Advisor** are as follows:

- Concerned regarding the paucity of information accompanying the application, particularly the complete lack of comment regarding issues of security for a site that is likely to stock vehicles worth in excess of £1m
- There appears to be no fencing or gating to the front of the site and the robustness of the western boundary is unknown
- Would have expected the provision of monitored CCTV
- The administration and preparation building will be a further potential target for theft or damage
- It is recommended that the Committee satisfy itself that appropriate designing out crime/security measures will be in place to adequately protect the site at all times

Representations

One letter of objection has been received raising concerns regarding impact on the existing congestion on the adjacent highway, impact on neighbours due to disturbance from extra traffic and security lighting, and impact on trees.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Tree Survey Report
- Noise Assessment
- Transport Assessment

All of these documents are available for inspection at the Guildhall and as associated documents to the application in the Planning Section of the Council's website via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00367/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

3rd August 2016