

The application seeks full planning permission for an extension to an existing warehouse and distribution building to provide an additional 7,900sqm of floorspace.

The site lies within the urban area of Newcastle on an established employment development site (Policy E3), as indicated on the Local Development Framework Proposals Map.

The statutory 13 week determination period for the application expires on 2nd December 2016

RECOMMENDATION

A. Subject to the applicant first entering by 1st December 2016 into a section 106 obligation securing a contribution sum of £2,100 towards Travel Plan monitoring, PERMIT the application subject to conditions relating to the following matters:-

- 1. Standard Time limit for commencement of development,**
- 2. Approved plans,**
- 3. Materials as per submitted plans/ match existing buildings,**
- 4. Grampian condition requiring submission, approval and implementation of a landscaping scheme for the west facing side of the bund prior to the commencement of the development**
- 5. Notwithstanding submitted site plan submission, approval and implementation of soft landscaping details within the development site,**
- 6. Provision of parking and manoeuvring areas prior to development being brought into use, subject to compliance with the above condition**
- 7. Travel Plan implementation,**
- 8. Submission and approval of an Air Quality Impact Assessment for heating system,**
- 9. Any external lighting to be as shown in the submitted Lighting Assessment Report 2860SBH and external lighting plan 2860SBH-24-01-0-1,**
- 10. Mitigation as per submitted Ecological Constraints Assessment,**
- 11. Submission and approval of further surface water drainage details,**

B. Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

Reason for recommendation

Policies of the Core Spatial Strategy support proposals for employment provision and the design of the extension would be acceptable in the context of the existing surroundings and any impact would not be adverse within the context of the site, the surrounding business park and the adjacent Country Park and areas of public open space. The application has demonstrated that the proposal represents a sustainable form of development which would comply with the guidance and requirements of the National Planning Policy Framework and should be approved.

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

Detailed pre application discussions were undertaken and further information during the planning application has been submitted to address matters. The proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

This application is for full planning permission for an extension to an existing warehouse and distribution building to provide an additional 7,900sqm of floorspace to the building which includes 1010sqm of ancillary office space. The application is a further extension to the building following a previous application granted in November 2009 for an 8,918sqm extension (DC3).

The existing vehicle and pedestrian access arrangements will be utilised off Pit Head Close/ Ore Close, within the Lymedale Industrial Estate.

Land contamination, coal mining, noise and air quality and the impact on ecology are not considered significant and any impacts can be addressed by the use of conditions. Therefore the main issues to consider in this proposal are as follows;

- Is the principle of a further extension to the building acceptable?
- Is the design of the extension acceptable?
- Loss of car parking and the impact of the proposed development on highway safety in terms of increased vehicle movements?
- Will the development have an adverse impact on TV reception in the area? and
- Surface Water Drainage matters

The principle of a further extension to the building

Paragraph 19 of the NPPF indicates that “The Government is committed to ensuring that the planning system does everything it can to support sustainable 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 application indicates that the New Look business continues to grow year on year and in particular the e-commerce aspect. There is now a demand for the business to expand and the applicant indicates that the proposed extension would ensure that the business can grow on this site which can continue to deliver quality and effectiveness which the applicant considers has been an essential part of the growth and success of the company .

The proposed extension is to accommodate a growing e-business sector which is likely, according to the applicant, to create in the region of 150-200 additional job opportunities over the next two years and will ensure the continued investment year on year by New Look at the Lymedale site.

The extension will provide an additional 6,900 square metres of warehousing and 1000 square metres of office space.

Whilst the additional office space is extensive and offices are identified as a ‘main town centre use’ in the NPPF they will, in this case, be associated with and physically part of the business operating from the site and accordingly it is not considered necessary to apply the sequential test indicated in the NPPF.

Policies of the Core Spatial Strategy support proposals for employment provision and due to the location of the extension in an established employment area with good links to the transport system it is considered that the proposal would promote sustainable economic growth in accordance with the guidance and requirements of the NPPF. The principle of this application should therefore be supported.

Is the design and impact on the visual amenity acceptable?

The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy CSP1 of the Core Spatial Strategy outlines how the design of new development is assessed which includes amongst other requirements the need to promote and respect the areas character and identity.

The proposed extension would be a large extension to the south-west of the existing large warehouse and distribution building that has been extended previously. The previous extension to the building, known as DC3, had a greater height than the original building by approximately 3 metres and the extension now proposed would also have a similar increased height of 3 metres.

The reason for the greater height is indicated to be the automation technologies and systems which are important to the successful operation of the business and its growth.

The general design of the proposed extension would have a similar appearance to the previous extension with the same palette of materials – with darker panels and eaves features. As such it is different in design from the original building with its distinctive cantilevered corners and partial use of timber cladding, but it marks a significant improvement upon the earlier warehouse developments within Lymedale.

The application is supported by a Landscape & Visual Impact Assessment (LVIA) in recognition that the extension is large and would be closer to the adjacent Apedale Country Park than existing buildings are, albeit still within an existing employment site.

The LVIA assesses a number of key viewpoints and the likely visual effects on these receptors. These include views from the Apedale Country Park/ Visitor Centre, residential properties such as Cheviot Close, public rights of way, and road users. The potential impact on these receptors is considered high due to their “sensitivity” and the size of the proposal. However, whilst the sensitivity level is classed as high the actual adverse impact level on all receptors is identified in the LVIA as low or moderate due to the existing views of Lymedale Business Park, the existing buildings and the design and location of the proposed extension. Therefore the proposals are identified in the LVIA as only having a minor adverse effect. Two visual representations of the development have been submitted, and members are recommended to have a look at these in advance of the meeting – they are within Appendix F of the LVIA.

The LVIA identifies that the existing bund and associated woodland planting directly adjacent to the south and west of the site would assist in reducing the effects of the proposed extension. If allowed to establish, the woodland along the bund would improve screening and filtering of views toward the new building, improving the long term impact and effect on all landscape and visual receptors to negligible adverse or neutral.

Your officers note that the existing bund to the southwest of the development is about 4 metres high although it reduces to nothing at the northwestern corner of the site. Tree planting previously placed on the uppermost part of the bund, and its inner face is now established. The building would be 18 metres high and particularly when seen from the Cotswold estate, the southern approach to Apedale valley, would visually project out into the Apedale Valley even though it is on the existing employment site. The development plateau is at a higher level than the floor of the Apedale Valley at this point.

The Apedale Country Park area (as shown by the designation C8 on the Local Plan Proposals Map) lies some distance to the west and north-west although the two Borough and the County Councils control significant areas of land in the vicinity including the bund and the adjoining Apedale Valley which are used for informal recreational activities. That area has, within the Local Plan, a designation as an Area of Landscape Regeneration, within which where development can be permitted, developers will be expected to use the opportunity provided by the development to make a positive contribution towards landscape regeneration (N22). Policy E3 of the Local Plan referring to the Lymedale Park extension indicates that the “extent and topography of the development area must not harm the visual quality and character of Apedale Community Country Park or the Apedale Valley as a whole” (criterion (iii)), whilst “high quality landscaping must be provided which... mitigates any visual harm to the adjoining Apedale Valley” (criterion (v)). Apedale Valley is not however the subject of any national landscape designation.

To the northwest of the site lies an area of higher land, in private ownership, with mature tree cover upon it. A Grampian condition was imposed on the 2009 approval for the DC3 extension requiring certain landscaping on the bund to be undertaken prior to that extension’s construction but if that landscaping was implemented it does not appear to have become established.

The Landscape Development Section has requested enhanced woodland planting and landscape management proposals on land within the Country Park which is outside of the area controlled by the applicant, although within the control of either the County Council or the Borough Council. It would appear that the most important existing feature (which will provide the appropriate landscape context for the development) is the above mentioned tree covered hillock on the adjacent privately owned land. There is no reason to consider this will be removed. As to the bund it is considered essential that given the height of the development and its location within the valley, significant additional tree planting on the bund is now provided. If this is done whilst the proposed extension would lead to some visual impact but it is appropriately designed due to it matching the appearance of the existing buildings and it would be seen, particularly from a more elevated position, as within the context of the existing site and wider business park. Subject to this proviso, the proposed development would therefore not result in a significant harmful impact on the visual amenity of the area.

Loss of car parking and the impact of the proposed development on highway safety in terms of increased vehicle movements?

The proposed extension would be located on part of the existing car park which would result in the loss of car parking spaces within the site.

The submitted Transport Statement indicates that the business has an existing capacity of 654 car parking spaces over the DC1, DC2 & DC3 sites. This will be reduced to 579 spaces if the proposed extension is constructed. Therefore 75 spaces would be lost at the DC2 and DC3 site and the proposed extension would create an additional floor space of 7,900 square metres. For the avoidance of doubt the parking arrangements would remain the same at DC1.

Saved Policy T16 of the Local Plan states that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on-street parking or traffic problem, and furthermore that development may be permitted where local on-street problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting in nearby streets.

The TS concludes on the basis of surveys that the existing parking demand is significantly below the capacity of the current car parks with significant "spare" capacity allowing for the times of peak demand at shift changeover times. Projecting existing travel to work characteristics an overall parking requirement is then calculated allowing for the new development, which falls comfortably below the planned provision of spaces. A Travel Plan has also been submitted to support the application and it is clear that the business supports and seeks to promote sustainable transport usage. The business operates a successful car share scheme and the site is within walking and cycling distance of residential areas and there are good links to public transport modes i.e. bus services to the wider area.

Officers have visited the site on numerous occasions and existing parking demand has been low within the car park. The Highways Authority has also raised no objections subject to conditions which secure the parking and manoeuvring areas along with the travel plan being implemented in accordance with the timetable set out in the travel plan. A travel plan monitoring fee would need to be secured via the completion of a Unilateral Undertaking.

Subject to the recommended conditions and the travel plan monitoring fee it is considered that the proposal is unlikely to exacerbate an on street car parking or highway safety implications which comply with policy T16 of the Local Plan. The proposal would also encourage sustainable transport and so would meet the guidance and requirements of the NPPF.

Will the development have an adverse impact on TV reception in the area?

During the consideration of the previous planning applications on the site the matter of television signal reception has had to be considered with a condition of the reserved matters application (app ref 05/01140/REM) requiring a television reception survey be undertaken within 2 months of the completion of the development. A further similar condition was imposed on the planning permission for the DC3 extension.

The applicant has submitted a TV reception survey with this application dated April 2016 which identifies that there are no properties located directly within the potential impact zone for satellite or terrestrial television reception. However, due to the low signal strengths in the area and the close proximity of the proposed extension to the potential impact zone a number of simple mitigation measures have been outlined. A condition which secures these mitigation measures could be imposed on the permission.

Planning conditions have to meet the six tests and Paragraph 206 of the NPPF states "Planning conditions should only be imposed where they are: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects."

It is not considered that mitigation measures for tv reception would meet the six tests in this instance. If there is any interference to tv reception simple measures can be undertaken by home owners. Therefore the proposed development would not result in significant adverse impact to the living conditions of adjacent residential properties in terms of disturbance to tv reception.

Surface Water Drainage

A Flood Risk Assessment and Surface Water Drainage Strategy was submitted with the application but the County Local Lead Flood Authority indicated that sufficient information to demonstrate an acceptable surface water drainage scheme for the site had not been provided. This resulted in further information being submitted by the applicant. This information has primarily addressed the concerns of the LLFA but further plans and details are still required. The applicant is seeking to provide this information but a condition requiring this information to be submitted for approval would be acceptable.

APPENDIX

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)

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
Policy CSP10	Planning Obligations

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy E3 - Lymedale Park Extension
Policy T16 – Development – General Parking Requirements
Policy T18 - Development and servicing requirements

Other material considerations include:

National Planning Policy Framework (March 2012)

Planning Practice Guidance (2014)

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

Relevant Planning History

In 2003 outline planning permission was granted for the erection of buildings for Class B1, B2 and B8 purposes on this site, and a wider area forming the Lymedale West extension (03/560/OUT). In addition to outline planning permission being granted, under the same application full permission was granted for the formation of plateaux, mounding and construction of access road, together with other associated engineering operations. In 2006 approval of reserved matters was given for the warehouse building (reference 05/01140/REM) on this site and that development was then built out .

A retrospective application (reference 05/01241/FUL) to amend the details of the bund around the development plateaux was permitted in 2006.

An application was then granted for a 8,918sqm extension to the existing warehouse in 2009 under reference 09/00430/FUL. That development was then built out (DC3)

Views of Consultees

The **Coal Authority** raises no objections.

The **Highways Authority** raises no objections subject to conditions which secure the parking and manoeuvring areas and the Travel Plan being implemented in accordance with the timetable as set out. They also request a Travel Plan monitoring fee of £2,200 to be secured via a S106 agreement.

The **Environmental Health Division** raises no objections subject to conditions regarding the submission and approval of an air quality assessment, and an external lighting scheme.

The **Landscape Development Section** raises no objections but they make the following comments; Young blocks of woodland planting, outside the site (within Apedale Country Park) play a significant role in screening the existing development. If allowed to mature the planting will continue to soften and screen the visual impact of the new building, and this effect will increase as the planting matures. Therefore the management and growth to maturity of this woodland is extremely important to the long term softening and screening of the new development from the open access country park beyond. Additional visual softening could be created by additional planting along the elevation that will be clearly visible from Cheviot Close and Apedale Visitor Centre. Landscaping and landscape

management proposals should be drawn up between the developer and the country park with the aim of enhancing the existing woodland planting and securing detailed proposals for its long term future management.

Staffordshire Local Lead Flood Authority indicates that in light of the existing drainage system for the car park, there will be a relatively small increase in impermeable area and the proposed addition of 40m³ storage seems appropriate, although detailed pipe network drawing and microdrainage results have not been provided. The existing surface water layout drawing shows a flow control to restrict discharge from the car park to 15l/s prior to the swale, so additional flow controls may be needed in the proposed system. The existing oil interceptors will also need to be retained. Detailed proposed pipe network drawing and accompanying microdrainage results are requested. Calculations should be provided to demonstrate that the proposed pipe network and balancing pond are capable of attenuating runoff from both extensions from the critical 100 year (+CC) storm so that it will not exceed existing runoff rates, and meets the non-statutory technical standards

The **Waste Management Section** and the **Greater Chesterton Locality Action Partnership (LAP)** have been consulted on this application and has not responded by the due date and it is assumed that they have no comments to make on the application but any comments received prior to the committee meeting will be reported.

Representations

No representations have been received to date. Any comments will be reported and taken into consideration.

Applicant/agent's submission

The application is supported by requisite plans and the following additional documents;

- Planning, design and access statement,
- Flood Risk Assessment,
- Transport Statement,
- Travel Plan,
- Coal Mining Risk Assessment,
- TV Reception Survey,
- Phase 1 Desk Study Report,
- Phase 2 Ground Investigation Report,
- Landscape and Visual Impact Assessment,
- External Lighting Assessment,
- Site Waste Management Plan,
- Ecological Constraints Assessment.

All of the application documents can be viewed at the Guildhall or using the following link.

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00712/FUL>

Background Papers

Planning File

Development Plan

Date report prepared

27th October 2016