

The application is for full planning permission for erection of two 2-storey office/ commercial buildings. The total floor amount of new office space under consideration is 1,353 square metres. The application site measures around 0.26 hectare in area.

The site does not have any particular policy designation other than being within the Urban Area of Newcastle as defined on the Local Development Framework Proposals Map.

**The statutory 13 week period for the determination of this application expires on the 17<sup>th</sup> April 2018.**

### **RECOMMENDATION**

**PERMIT subject to conditions relating to:-**

- 1. Time limit**
- 2. Plans**
- 3. The protection of existing trees to BS5837:2012 during construction.**
- 4. Approval and implementation of a detailed landscaping scheme.**
- 5. The implementation of approved parking and turning areas.**
- 6. Approval and implementation of cycle parking details.**
- 7. The approval and implementation of a Construction Management Statement.**
- 8. Site contamination.**
- 9. Construction and groundworks activities which have the potential to disturb burial services in the adjacent Silverdale Cemetery shall cease for the duration of the service.**
- 10. Prior approval of lighting.**
- 11. Revised bin storage detail (to allow greater levels of accessibility).**

### **Reason for Recommendation**

The application site, within Silverdale Business Park, is currently undeveloped and has been in its present state for over ten years. The proposal gives the opportunity for the Council to support development that will assist in facilitating job creation in the area. The proposal will have a positive impact on local employment and economic growth. There are no material factors which count against the application made.

### **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 a sustainable form of development and no amendments or revisions have been necessary.

### **Key Issues**

1.1 The proposed scheme is for the construction of 2 blocks of 2-storey offices. Units 2 & 3 (combined into one building) have a gross floor area of 784sqm, while unit 4 has a floor area of 569sqm. The total amount of office floor space under consideration is 1,353sqm. Car parking is also proposed.

1.2 Unit 1 or "Phase 1" of the development was permitted under planning permission 10/00725/FUL and is a two storey building providing approximately 570 square metres of B1 office floor space. Unit 1 was built out a number of years ago and is now occupied by the

applicant (Fleet Operations Ltd) who is now seeking to complete "Phase 2" in order to expand.

1.3 The application site is situated at the Silverdale Business Park, Maries Way, off Cemetery Road in Silverdale. The site currently comprises vacant land of approximately 0.26 hectares in size which is located adjacent to the cemetery site on Cemetery Road which lies to the south. The key issues to consider in the determination of the application are:

1. Is the principle of allowing B1 office development in this location acceptable?
2. Is the impact of the development on the form and character of the area acceptable?
3. Is the impact on highway safety and access to the remainder of the Business Park acceptable?

#### 2.0 Is the principle of allowing B1 office development in this location acceptable?

2.1 The Council has already given consent to two preceding 2, two storey office schemes on this site as "Phase 2". Both have now lapsed (reference number's 10/00759/FUL, amended by 11/00405/FUL). No changes are proposed to the last previously-consented scheme.

2.2 The main change in planning policy to occur since office development was considered on this site is the introduction of the National Planning Policy Framework (the Framework) which was published in 2012. The Framework advocates the building of a strong competitive economy and states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. A new draft Framework published March this year for consultation does not make any notable changes in this regard. The document continues to give significant weight to proposals which linked to economic development. Other more detailed elements of that advice are also not dissimilar with respect to how the principle of office development is gauged.

2.3 The existing Framework defines B1 office development (or a B1(a) use) as a "main town centre use". It also advises that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. When assessing applications for office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 square metres).

2.4 The original 1996 outline planning consent for Silverdale Business Park (for the internal road network and serviced plots), gave consent for B1 and B2 uses on this site as being appropriate uses. The LPA's view of the principle of office development on this site in 2008, in the context of the then extant Planning Policy Guidance Note No.4, was that whilst such a development might be considered to be another example of out of centre office development, with the implications that such developments have for the town centre, it was of relatively limited scale and recognising the job creation aspect it was not considered that refusal on such grounds could be sustained. A similar view was taken in 2010/11, although now in the context of Planning Policy Statement No.4 (Planning for Sustainable Economic Development) which introduced the concept of the need to apply a sequential test for main town centre use proposals.

2.5 Given that the principle of B1 uses including B1(a) use for office purposes has already been accepted including as recently as 2010/11 and there has been no material policy change in the interim it considered unnecessary to require the sequential test to be applied now. In terms of any "impact assessment" the scale of the development is such that it falls

below the national threshold for such assessments, which may change anyway should proposals in the Draft NPPF, which is out for consultation, be adopted.

2.6 The site does lie within a Regeneration Area identified by the Core Spatial Strategy and there would be no conflict with wider economic and physical regeneration strategies of the Council. Indeed it is supportive of such strategies.

2.7 The application site is currently undeveloped and has been in its present state for over ten years. The proposal gives the opportunity for the Council to support development that will assist in facilitating job creation in the area. The proposal would have a positive impact on local employment and economic growth.

### 3.0 Is the design and appearance of the development acceptable?

3.1 Paragraph 56 of the NPPF 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.

3.2 Policy CSP1 of the Core Strategy sets out the design criteria to which development will be assessed against which include that development positively contributes to an area's identity in terms of scale, density, layout, use of appropriate material for buildings surfaces and accesses. The Council's Urban Design Supplementary Planning Document gives further detail of how the development should be assessed above the broad guidance contained within Policy CSP1. The Urban Design Guidance SPD sets out detailed tests to complement CSP1.

3.3 The Council have already given approval to the design proposed and there are no local or national policy changes evident to reach a different conclusion on that. Subject to the agreement and implementation of an attractive landscaping scheme there are no objections to the visual appearance of the development.

### 4.0 The impact of the development on highway safety and access to the remainder of the Business Park

4.1 Paragraph 32 of the existing Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The existing Framework states "Local Planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network." In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets. This position is reflected in the draft NPPF which indicates, at paragraph 107, that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary that they are necessary for managing the local road network.

4.2 Local Plan Policy T16 states that development which provides significantly less parking than the maximum specified levels should not be permitted where this would create or aggravate a local on street parking or traffic problem. The policy also indicates that even in such a scenario development may be permitted if such problems can be overcome by measures to improve non-car modes of travel to the site and/or measures to control parking and waiting. Such a policy is consistent with the Framework

4.3 Maries Way is a cul-de-sac. There is a turning head at the western end of the road and a priority junction with Cemetery Road at the eastern end. There are no parking restrictions on Maries Way or Cemetery Road and following a site visit it was noted that a number of vehicles were parked on both sides of the Maries Way – reasonably assumed to be associated with the existing businesses in this location.

4.4 On site car parking will be provided as part of the development comprising of 33 spaces allocated to the offices, where NLP policy T16 suggests a maximum figure of 47 spaces. The Highway Authority have not objected to the proposal, although they do emphasise that this is only on the basis that the car park for the whole development (some 64 spaces) is used on a communal/ shared basis and individual spaces are not allocated to particular units. The reason for this is to ensure the efficient use of the whole car park. Notwithstanding that consent has already been granted for the adjoining development without a condition requiring this, it is considered that by a condition this “communal” car parking arrangement can be secured for the whole site, and this approach is recommended.

4.5 The industrial estate is located within relatively easy reach of the main urban residential areas in the locality where workers are likely to travel from and is also well served by public footpaths and indeed the bus system operating in the vicinity.

4.6 There are no bus stops on Cemetery Road itself, however the closest bus stop to the application site is located approximately 400m to the north west on Silverdale Road, 5 minutes away by foot. The stop is serviced by bus routes which provide direct access to Hanley, Congleton and Newcastle. Buses currently run on these routes at a frequency of approximately every 10 – 20 minutes.

4.7 There also are other bus stops to the north of the site on Silverdale Road and Church Lane and also to the south of the site on Keele Road – all which are within a 10 -15 minute walk from the site. The site is therefore reasonably well served by bus services and offers a genuine choice for visitors to the site to travel by bus. As an alternative to using the highway network it also could be accessed using the Greenway that runs between Silverdale and the town centre. Cycle parking on site, although not indicated on the submitted plan, can be achieved by a condition imposed on any consent granted. The development, even when considered as a single whole, is not of a size according to Department of Transport guidance which would justify a requirement to provide a Travel Plan framework unlike the 2007 proposal, and this view is shared by the Highway Authority.

#### Other matters

Members should note that application 11/00405/FUL as the last previously approved scheme on the site was subject to a section 106 obligation securing a financial contribution of £37,909 towards Newcastle (urban) Transport and Development Strategy (known as NTADS). The Council is no longer seeking such contributions and it could therefore not now justify doing so in this case.

## Appendix

### **Policies and Proposals in the Approved Development Plan relevant to the 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 for 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

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

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

#### Other Material Considerations

##### National Planning Policy

[National Planning Policy Framework](#) (March 2012)

[Draft revised National Planning Policy Framework  
Planning Practice Guidance](#) (March 2014)

[Planning Update March 2015](#) including on car parking

Supplementary Planning Guidance/Documents (SPG/SPD)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document](#) (2010)

[Developer contributions SPD](#) (September 2007)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

### **Relevant Planning History**

11/00405/FUL	Variation of condition 2 of planning permission ref 10/00759/FUL (for a three 2-storey office/ commercial development buildings (Phase 2)) to substitute previously approved drawings with revised drawings – showing Units 2 and 3 as a single unit and repositioning of Unit 4	Permitted 2011
10/00759/FUL	Three 2 storey office/commercial development buildings (Phase 2)	Permitted 2011
10/00725/FUL	Proposed 2 storey office/commercial development (Phase 1)	Permitted 2010
10/00048/FUL	Proposed 2 storey office/commercial development	Refused 2010
07/00964/FUL	Erection of twelve B1 office units with associated parking and ancillary accommodation and works	Refused 2008
96/00302/OUT	Erection of industrial buildings for class B1 and B2 uses and installation of new roads	Permitted 1996

(There have been several other applications for different types of development on the site but none are relevant to the current application).

## **Views of Consultees**

The **Highway Authority** have no objections to the proposal subject to conditions relating to:

1. The implementation of parking and turning areas.
2. Approval and implementation of cycle parking details.
3. The approval and implementation of a Construction Management Statement.

**Silverdale Parish Council** have no comments to make.

**Landscape Development Section** have no objections subject to:-

1. The protection of existing trees to BS5837:2012 for the construction phase of the development.
2. Permission should also be subject to submission of a detailed landscaping scheme. This should be in line with that approved for application 10/00759/FUL.

**Waste Management** comments that the building appears to have a bin store to the right of the main entrance. The plan shows this to be completely surrounded by car park spaces, with no access/exit point to get bins out to a collection vehicle. An example of a functional design which actually allows the bins to be emptied would be the arrangements at the bin store at Unit 1 on this site, where there's a gap between the surrounding car park spaces through which bins can be brought in and out for servicing.

The **Local Flood Risk Authority** comment that there is an ordinary watercourse adjacent to the North Eastern site boundary and the surface water flood map indicates potential ponding around the site. However it appears that the site itself is raised above surrounding levels and is shown to be at low risk. The applicant is advised to ensure that finished floor levels are raised sufficiently above surrounding ground levels to mitigate any residual flood risk

The **Environmental Health Division** recommend that contamination reports are updated for the proposal and that conditions are applied relating to:-

1. Site contamination.
2. Construction and groundworks activities which have the potential to disturb burial services in the adjacent Silverdale Cemetery shall cease for the duration of the service.
3. Prior approval of lighting.

The County Council as the **Mineral and Waste Planning Authority** has no comments.

## **Representations**

None received.

## **Applicants/ Agents submission**

The requisite plans and application forms have been submitted along with a Design and Access Statement. The submitted information is available at the Guildhall and on the Council's website

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/18/00008/FUL>

## **Background Papers**

Planning File  
Planning Documents referred to

## **Date Report Prepared**

9<sup>th</sup> March 2018.