

The application seeks full planning permission for a steel portal frame unit for employment use to be divided internally into four individual units providing a total floorspace of 1,057m<sup>2</sup>.

The application site lies within the Urban Area of Newcastle-under-Lyme and the area is covered by saved Local Plan Policy E9 (relating to employment uses), as identified on the Local Development Framework Proposals Map.

The site is accessed off Watermills Road.

**The 13 week period for the determination of this application expires on the 25<sup>th</sup> December 2019.**

### **RECOMMENDATION**

**PERMIT subject to the following conditions:**

- (i) Time limit**
- (ii) Approved plans**
- (iii) External facing materials**
- (iv) Noise assessment and mitigation**
- (v) Speakers/alarms/bells**
- (vi) Electric vehicle charging provision for onsite staff parking**
- (vii) Submission and approval of Surface Water Drainage Strategy**
- (viii) Tree protection plan**
- (ix) Landscaping Scheme**
- (x) Approval and implementation of a remediation strategy if contamination found**

### **Reason for Recommendation**

The principle of the development is established through policy and the planning history of the site and is considered acceptable. Subject to conditions it is not considered that there would be any significant adverse impact on highway safety or the amenity of the area.

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

This is considered to represent a sustainable form of development that meets the requirements of the National Planning Policy Framework 2019.

### **Key Issues**

1.1 The site lies within the urban area and is previously developed land. The immediate area is intended for industrial development, being an extension of the Rowhurst Close industrial estate. The Council's policy on this land is set out in saved Policy E9 of the Local Plan which indicates that any permission already granted for employment development is to be renewed during the plan period, broadly in the same terms as currently given, unless new factors or other material considerations indicate otherwise. In the context of that policy planning permission was granted for the development of the site for B1, B2 and B8 uses within 18 units of varying sizes. Units 1-4 and 15-18 of the 2007 permission (07/00499/FUL) amounting to 1,652 square metres of floor space have been constructed pursuant to the planning permission. A further permission was granted in 2014 for 2 steel portal frame industrial units (14/00205/FUL) which provided an additional floor area of 902m<sup>2</sup>. One of the two buildings, providing 276m<sup>2</sup>, was constructed and as the permission was lawfully implemented it remains extant.

1.2 In light of the planning history and the policy context it is considered that the principle of the

development remains acceptable. In addition, whilst the objection of the Local Lead Flood Authority regarding the absence of a flood risk assessment and adequate drainage strategy is noted given the planning history it is considered that this could be addressed through a planning condition.

1.3 Therefore the main issues now to be considered are;

- The design of the building and its visual impact on the surrounding area.
- The impact of the development on residential amenity.
- Parking and access
- Other matters

## 2.0 Design and visual impact on surrounding area

2.1 Paragraph 124 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to say at paragraph 130, that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

2.2 CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres.

2.3 The Urban Design Supplementary Planning Document indicates at Policy E3 that business development should be designed to contribute towards improving the character and quality of the area. Policy E6 further advises that boundary treatments should form an integral part of the design of proposals for business development.

2.4 The proposal seeks planning permission for a building, measuring 1,057m<sup>2</sup>, subdivided into 4 units. The building is split level to address the levels difference across the site. It has a minimum height, to ridge, of 7.08m and a maximum height of approximately 7.8m. The proposed building is steel portal framed with a simple gently sloping gabled roof to be constructed in part brickwork and part cladding.

2.5 The proposed building will be seen in the context of the existing three buildings on the site and the wider industrial estate. The scale and design of the building reflects that which has been previously permitted and constructed. The proposed building will be constructed using facing brick work on the lower section and composite cladding on the upper part of the building which will be goosewing grey - this would match the adjacent buildings.

2.6 The Landscape Development Section (LDS) has requested tree protection measures and the submission and approval of a soft landscaping scheme to further mitigate the visual impact of the development on the landscape. These can be secured by condition and are considered justified.

2.7 Overall, the proposed development would have an acceptable design that would not harm the visual amenity of the area or the wider landscape, subject to a condition which secures the facing and roofing materials. It is therefore considered to comply with policy CSP1 of the CSS and the guidance and requirements of the NPPF.

## 3.0 Residential amenity

3.1 There are no existing residential properties in close proximity to the site but the Environmental Health Division has recommended conditions which seek to minimise the environmental impact of the proposal. Such conditions were also imposed on planning permissions 07/00499/FUL and 14/00205/FUL.

3.2 However, it should also be noted that planning permission has been granted for a residential

development on a separate parcel of land off Watermills Road and whilst that permission has lapsed it is anticipated that a further application for residential development could be submitted and approved. On this basis the conditions advised by EHD are considered justified in order to further minimise the impact of the proposed development.

3.3 Given that the contaminated land conditions attached to the previous permission were satisfied they are not justified or required at this time.

#### 4.0 Access and parking

4.1 The NPPF indicates that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. At paragraph 106 the Framework states 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 for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.

4.2 Saved policy T16 of the NLP states that development which provides significantly less parking than the maximum specified levels it refers to 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.

4.3 The site is served by two accesses and it has previously been agreed that they are suitable to serve a development of a similar overall scale as is proposed and already constructed. The proposal includes an additional 27 parking spaces to the 68 spaces already provided. The parking arrangements are therefore acceptable and in accordance with policy T16 and the guidance and requirements of the NPPF.

#### 5.0 Other matters

5.1 EHD have requested that at least 10% of staff parking spaces must be provided with fully operational dedicated electric vehicle charging point(s) and an additional 10% of remaining parking spaces shall be provided with passive wiring to allow future charging point connection.

5.2 The NPPF does encourage adequate provision for electric vehicle charging points and the level requested by EHD is considered acceptable.

## 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

#### [Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy E9: Renewal of Planning Permissions for Employment Development  
Policy T16: Development – General Parking Requirements  
Policy T18: Development – Servicing Requirements

### **Other Material Considerations include:**

#### National Planning Policy

#### [National Planning Policy Framework](#) (2019)

National [Planning Practice Guidance](#) (March 2014)

#### Supplementary Planning Guidance/Documents

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

#### Relevant Planning History

In 2007 planning permission for the erection of 18 industrial units for uses falling within Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) was permitted (reference 07/00499/FUL). The permission has been partially implemented by the construction of 8 of the units within 2 of the blocks providing 1,652m<sup>2</sup> of the 4,748m<sup>2</sup> permitted.

In 2014, 2 steel portal frame industrial units were permitted under reference 14/00205/FUL on part of the site given permission under 07/00499/FUL. The buildings provided a total of 902m<sup>2</sup>. One of the two buildings, providing 276m<sup>2</sup> was constructed.

In 2018 a new vehicular entrance to the existing site was permitted, reference 18/00710/FUL.

#### Views of Consultees

The **Landscape Development Section** advise that the trees to the rear of the site form an important buffer to the adjacent agricultural land and should not be compromised by the development. Permission should be subject to the submission of a Tree Protection Plan to BS5837:2012. In addition a landscaping scheme is required.

The **Environmental Health Division** indicate that issues relating to land contamination were addressed as part of a previous action, and no further actions were, or are now, considered to be necessary. It has no objections subject to conditions relating to:

- A lighting scheme
- Noise assessment and mitigation
- Speakers/alarms/bells
- Electric vehicle charging provision for onsite staff parking

**The Environment Agency** recommend that a planning condition is included on the grant of any planning permission to ensure any significant contamination discovered during development is dealt with appropriately.

The **Lead Local Flood Authority** recommend, in the absence of a flood risk assessment and adequate drainage strategy, that planning permission should not be granted.

The County Council as **Minerals and Waste Planning Authority** makes no comment.

The views of the **Highway** Authority have been sought, but as they haven't responded by the due date it is assumed that they have no comments on the proposal.

#### Representations

None received

#### Applicant's/Agent's submission

All of the application documents are available for inspection at Castle House 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/19/00755/FUL>

#### Background Papers

Planning Policy documents referred to  
Planning files referred to

#### Date report prepared

19<sup>th</sup> November 2019