

COMPOUND C AND COMPOUND E, LYMEDALE CROSS
CAISSON IM PROPERTIES

18/00997/FUL

The application seeks full planning permission for a warehouse unit and 7 no. business starter units (Use Classes B1, B2 & B8), with a combined gross internal floor area of 4,192 square metres, split over two sites – Site A and Site B.

The sites are located on the Lymedale Cross Industrial/Business Park in the urban area of Cross Heath, Newcastle, as indicated on the Local Development Framework Proposals Map.

The application sites measure 1.1 hectares in size combined.

Vehicle access to the two sites will be via the existing industrial estate access onto Lower Milehouse Lane.

The 13 week period for the determination of this application expired on the 30th July but the applicant has agreed a series of extensions of time to the statutory determination period, the latest being to the 13th December 2019 .

RECOMMENDATIONS

A. Subject to the applicant first entering into a Section 106 obligation by the 8th February 2020 to secure a contribution sum of £2,407 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. Facing and roofing materials – including colour
4. Boundary treatments for Site A
5. Revised Travel Plan Framework
6. Provision of access, parking, turning and servicing areas
7. Details and provision of access, layout and signage of the Overspill Parking Area
8. Cycle storage provision
9. Submission and approval of a Construction Management Plan (CMP)
10. Provision of replacement 65 space car park adjacent to Site B
11. Prior approval of external lighting
12. Electric vehicle charging provision
13. Prior approval of noise impacts from plant and machinery
14. Prior approval of noise impacts from HGV loading and unloading areas
15. Land contamination investigations and mitigation measures
16. Construction and demolition hours
17. Submission and approval of Surface Water Drainage Strategy

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. The design of the proposed buildings 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 visual amenity of the area. Measures to mitigate against the appearance of the proposed buildings, their impact on highways safety and the impact on neighbouring residential properties are required. Subject to conditions 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 the planning application

Officers have requested further information to be submitted during the consideration of the planning application to address concerns. Adequate information has now been submitted and the proposed development is considered to be a highly sustainable form of development in accordance with the National Planning Policy Framework.

Key Issues

1.1 The application seeks full planning permission for a warehouse unit and 7 no. business starter units (Use Classes B1, B2 & B8). The combined gross internal floor area of the proposed buildings is 4,192m².

1.2 The application is split over two sites – Site A and Site B, which have a combined size of 1.1 hectares on the Lymedale Cross Industrial/Business Park in Cross Heath, Newcastle.

1.3 Vehicle access to the site will be via the existing industrial estate access off Lower Milehouse Lane.

1.4 The key issues in the determination of this planning application are considered to be;

- Principle of the proposed development,
- Design and appearance,
- Impact on the amenity of the area and neighbouring residential properties, and
- Car parking and the impact on highway safety.

2.0 Principle of the proposed development

2.1 Paragraph 80 of the National Planning Policy Framework (NPPF) states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

2.2 At paragraph 82 it indicates that planning decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

2.3 Policy SP1 of the Core Spatial Strategy indicates that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling. It also states that employment provision will be focused towards sites accessible to and within the North Staffordshire Regeneration Zone. Policy SP2 of the CSS also indicates that economic development should capitalise on North Staffordshire's potentially strong geographical position, its people and its productive asset base.

2.4 The application site is spread over two sites, Site A and Site B, within the existing and established Lymedale Cross Industrial/Business Park which is accessed off Lower Milehouse Lane.

2.5 Site A is a vacant, hard surfaced area of land situated between existing portal frame warehouse/manufacturing units adjacent to the southern boundary of the industrial estate. The proposal is to provide a new B1, B2, or B8 portal frame unit with ancillary offices on a mezzanine level.

2.6 Site B is a hard surfaced car parking area and the proposal is to provide 7 starter units on the land. The existing car parking spaces will be repositioned within the site. The proposed starter units will be promoted for flexible uses that will increase opportunities for business start-ups.

2.7 The proposed development would provide further business and employment opportunities on an established industrial estate in a sustainable location. It would also promote sustainable economic growth in accordance with policy SP1 of the CSS and the guidance of the NPPF. The principle of this application should therefore be supported.

3.0 Design and appearance

3.1 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.

3.2 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.

3.3 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.

3.4 As discussed the application site comprises two areas of land within the industrial/business park. Site A is adjacent to the southern boundary and the proposed building would have a floor area of 2,766 square metres and a height of 12.6 metres. It would therefore be clearly visible in views from the south. However, it would have a modern industrial portal frame appearance, with profiled metal cladding on its elevations and it would be seen within the context of other buildings of a similar colour and appearance within the industrial/ business park.

3.5 The proposed starter units building is located further into the industrial/business park and would have a footprint of 1,547 square metres and an overall height of 8.4 metres. It would have a modern industrial portal frame appearance, with profiled metal cladding on its elevations and it would be seen within the context of other buildings of a similar colour and appearance within the industrial/business park. It would be visible in views from the east but it would have a backdrop of existing larger buildings.

3.6 The proposed buildings and their associated car parking and servicing areas would be visible from the surrounding landscape but their location on an established industrial/business park is an appropriate location for these types of development. They would have a functional appearance that would be similar to other buildings within the industrial/business park and any associated harm caused by the design would not be significant. However, it has to be acknowledged that due to the position of Site A on the edge of the site, close to residential properties on the southern boundary, the colour of facing materials could help to mitigate the impact of this building.

3.7 The existing industrial/business park has a range of style, size and age of industrial buildings. The more modern buildings are more visually significant and their external finish, with vast areas of metal profiled sheeting, have been broken up with colour and patterns. No such details have been proposed in this instance but the applicant has been advised that the approach taken on the more modern buildings within the estate is supported by your officers and the applicant has been advised to submit further details for consideration prior to a decision being made.

3.8 As discussed, the proposed building on Site A would be large and visible in views from the south. There is no opportunity for soft landscaping on the southern boundary of this site but there was

a small landscape buffer that was incorporated into the design of the neighbouring residential development for 276 dwellings on Land off Wilmot Drive. An acoustic fence of at least 3 metres in height is likely to be required on this boundary but no significant concerns are raised in this respect.

3.9 Overall, the proposed development would have an acceptable design, subject to details being submitted for its colour and finish and it would not result in significant harm to the visual amenity of the area. It is therefore considered to comply with Policy CSP1 of the CSS and the guidance and requirements of the NPPF.

4.0 Impact on the amenity of the area and neighbouring residential properties

4.1 Paragraph 127 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.2 The NPPF further states at paragraph 180 that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. The aim is to mitigate and reduce the potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

4.3 The proposed development is located on an existing and established industrial/business park. However, Site A is adjacent to a residential development of 276 dwellings on Land off Wilmot Drive which was granted planning permission in May 2018 and is currently under construction (reference 17/00281/FUL). This is beyond the southern boundary of the site and the proposed building would be in close proximity to dwellings approved under that development. Site B is in close proximity to a very small number of existing properties on Meadow Lane.

4.4 The proposed building on Site A has its loading docks and servicing yard adjacent to the southern boundary and adverse noise from HGV movements, loading and unloading of HGV's will create noise and disturbance throughout the day and night. This has resulted in the Environmental Health Division (EHD) raising concerns about the potential noise impact of the proposed development on neighbouring residential properties and is confirmed by the applicant's noise assessment. Therefore, mitigation measures will be required to minimise the impact of the proposed development on neighbouring occupiers. EHD are satisfied that mitigation measures can be secured by condition but they are likely to include an acoustic fence along the southern boundary between Site A and the Wilmot Drive development. The height will need to be confirmed by a specific assessment of activities associated with the HGV loading/unloading dock. No significant concerns have been raised in relation to the proposed building on Site B.

4.5 Subject to the recommended noise conditions advised by EHD, as well as a condition to secure external lighting, it is considered that mitigation measures can be secured to ensure that no significant harm is caused to neighbouring residential amenity levels and their quality of life. The proposed development would therefore be in accordance with the guidance and requirements of the NPPF.

5.0 Is the proposal acceptable in terms of highway safety?

5.1 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.

5.2 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.

5.3 Vehicle access to the industrial/business park is via a single point of access off Lower Milehouse Lane and the two proposed buildings would also be served off this access.

5.4 The proposed buildings would create an additional 4,192 square metres of B1, B2, or B8 floor space within the industrial/business park.

5.5 A Transport Statement (TS) has been submitted to support the application, which sets out that additional vehicle trips on the performance of the local highway network will not be significant. It also sets out that 21 parking spaces are proposed for Site A and 21 spaces for Site B. Appropriate servicing areas will also be provided.

5.6 A Travel Plan also accompanies the application, which seeks to encourage non-car use and car sharing for future employees of the proposed buildings.

5.7 The Highways Authority (HA) has raised no objections subject to conditions. In particular they have requested a revised Travel Plan which seeks greater detail and a timetable for its implementation. A Travel Plan monitoring fee of £2,407 is also requested. A condition to secure details of the access, layout and signage of an overspill parking area which shall be retained for the life of the development has also been requested.

5.8 In consideration of the applicant's submitted TS and the views of the HA it is accepted that the proposed development is unlikely to lead to significant highway safety concerns. It is accepted that the additional trip generation of the scheme would not be significant and the location of the application sites within a sustainable urban area would encourage walking, cycling and the use of public transport. A travel plan, which will be secured via a S106 obligation and a Grampian condition, would also encourage future employees to use non-car modes of travel to further minimise the impact of the development on the highway network, as well as car parking demand within the estate/business park.

6. Other matters

6.1 The Environmental Health Division (EHD) has advised a number of conditions, additional to the ones set out in paragraph 4.5, which set out the need for contaminated land conditions and electric vehicle charging provision.

6.2 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.

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

6.4 The application is supported by a Flood Risk Assessment (FRA) and the Lead Local Flood Authority (LLFA) has raised no objections to the application but standing advice should be considered. The standing advice and the submitted FRA recommend a drainage strategy in line with SuDS best practice and Staffordshire County Council's SuDS handbook. This can be secured by condition.

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

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

Policy T16: Development – General Parking Requirements

Other Material Considerations include:

[National Planning Policy](#)

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

[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

06/00906/FUL	Erection of eight industrial units, 2 office units, car parking, modified access and signage feature - Permitted
06/00906/EXTN	Extension to the time limit to implement planning permission (06/00906/FUL) for erection of eight industrial units, 2 office units, gatehouse, car parking, modified access and signage feature - Permitted

Views of Consultees

The **Highways Authority** raises no objections subject to conditions which secure the following matters;

- Access, parking, servicing and turning provided prior to occupation of the development,
- Details and provision of access, layout and signage of the Overspill Parking Area,
- Cycle storage provision,
- Submission and approval of a revised Travel Plan, and subsequent implementation,
- Submission and approval of a Construction Management Plan (CMP), and
- Provision of replacement 65 space car park adjacent to Site B.

They have also requested a S106 obligation for a travel plan monitoring fee of £2,407.

The **Environmental Health Division** raises no objections subject a series of conditions that secure matters relating to the following;

- Construction hours restriction
- Prior approval of external lighting,
- Electric vehicle charging provision,
- Prior approval noise impacts from building plant and machinery,

- Prior approval noise impacts from HGV loading/unloading dock,
- Land contamination investigations and mitigation measures

Staffordshire County Council as the **Lead Local Flood Authority** raises no objections.

The **Environment Agency** raises no objections.

The Council's **Waste Management Section** advise that the site users/managers will need to arrange for suitable containers, licensed waste carriers and appropriate collection frequencies.

The Council's **Economic Regeneration Section** indicate that they support the application as it brings new investment and 60 plus new jobs into an area of need, on a site which has been prepared for this purpose including the provision of small business units, which potentially allows for the creation of new businesses.

Comments were also invited from **Greater Chesterton LAP** and in the absence of any comments from them by the due date it must be assumed that they have no observations to make upon the application.

Representations

None received.

Applicant's/Agent's submission

The application is accompanied by a Planning Statement, Transport Statement, Travel Plan Framework, Noise Assessment, Flood Risk Assessment and Phase 1 Environmental Report.

All of the application documents are available for inspection at Castle House and on <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/18/00997/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

14th November 2019