

The application is for full planning permission for a proposed external storage area with a mobile gantry crane and new vehicular access onto Apedale Road

The application site is located within the urban area of Newcastle-under-Lyme and within the area covered by saved Local Plan Policy E9 (relating to employment uses) as indicated on the Local Development Framework Proposals Map. It lies adjacent to but is not within the Green Belt

The site is accessed off Apedale Road, an unadopted private highway at this point.

The 13 week period for the determination of this application expires on 15 November 2013

RECOMMENDATION

1) Subject to consideration being given to any further comments received from the Landscape Development Section and no adverse comments being received from the County Council as the Mineral Authority which cannot be dealt with by appropriate condition(s),

Permit the application, subject to conditions relating to the following matters:

- 1. Standard Time limit**
- 2. Approved plans/drawings/documents**
- 3. Landscaping Scheme**
- 4. Approval of the recessive colour to be used on the gantry crane**
- 5. Approval of the parked position of gantry crane**
- 6. Development in accordance with recommendation of the Ecological Appraisal**
- 7. Approval of any external lighting scheme**
- 8. Development in accordance with the submitted Flood Risk Assessment**
- 9. Approval of a sustainable surface water drainage scheme.**
- 10. Approval of a litter picking and weed control management plan**

2) Should adverse comments be subsequently received before the deadline from the Minerals Planning Authority that cannot be addressed by conditions considered appropriate by the Head of Planning, the application would be brought back to the Committee for reconsideration.

Reason for Recommendation

The principle of employment use on this site has been established with its inclusion in policy E9 of the Local Plan and the established employment uses of the surrounding sites. Suitable mitigation measures have been submitted which reduce the visual impact of the proposal on the surrounding area, including Apedale Country Park. These mitigation measures can be secured and maintained in operation through the imposition of conditions, the development accords with the provisions of the development plan and there are no other material planning considerations that would justify refusing the proposed development.

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

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development is carried out in an acceptable and appropriate manner and has followed the guidance in paragraphs 186-187 of the National Planning Policy Framework on the approach to be adopted.

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)

Strategic Aim 5 (SA5): To foster and diversify the employment base of all parts of the plan area, both urban and rural, including development of new types of work and working lifestyles, and supporting the office development sector, new technologies and business capitalising on the inherent advantages of North Staffordshire.

Strategic Aim 16 (SA16): To eliminate poor quality development and establish a culture of excellence in built design by developing design skills and understanding, by requiring good, safe design as a universal baseline and distinctive design excellence in all development proposals, and by promoting procurement methods which facilitate the delivery of good design.

Policy SP1: Spatial Principles of Targeted Regeneration
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

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy E9 (2): Renewal of Planning Permissions for employment uses
Policy T16: Development – General Parking Requirements
Policy T18: Development – Servicing Requirements

Other material considerations include:

National Planning Policy Framework (NPPF) (March 2012)

Supplementary Planning Guidance

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

Relevant Planning History

1989 N18652 Permit – Outline planning permission for light industrial and warehouse units (since lapsed).

There have been a number of planning applications which relate to the applicant's adjoining site for the existing business use over the last 8 years including for a gantry crane, storage building, office building and manufacturing building.

Views of Consultees

The **Landscape Development Section** has initially objected to the proposal being of the opinion that insufficient space has been allocated for landscaping.

The **Environment Agency** has initially objected to the proposal on the grounds that there is insufficient information to demonstrate that the risk of pollution to 'controlled waters' is acceptable, given the likely contamination of the site given its past use for landfill purposes. They also provide comments on how the applicant may overcome the objection.

Following the submission of additional information the Environment Agency have now removed their initial objection relating the risk of pollution to control water, noting that the nature of the landfill has now been identified, the risks to 'controlled water' receptors are low and such risks will be further reduced by the impermeable hardstanding proposed as part of the development. They are recommending that any permission is accompanied by planning conditions relating to flood risk control.

The **Highway Authority** has no objections to the proposal. The Highway Authority have verbally indicated that the proposal would not generate an increase in vehicle movement that would require the applicant to make a contribution to the Newcastle (urban) Transport and Development Strategy (NTADS)

The **Environmental Health Division** has no objections subject to control over external lighting.

The views of the County Council as the **Mineral Planning Authority** will be reported.

The views of the **Greater Chesterton Locality Action Partnership** and **Staffordshire Wildlife Trust** have been sought, and as the date by which any comments were sought has passed without comment, they must be assumed to have no observations to make upon this application.

Representations

None received

Applicant/agent's submission

The application is supported by

- Design and Access Statement
- Noise Assessment Report
- Flood Risk Assessment and Drainage Strategy
- Ecological Appraisal
- Details from the applicant relating the transport haul route from and to the site
- Phase 1 Geo-environmental Report (submitted in response to the Environment Agency objection)
- Photograph of the proposed mobile gantry crane and the site from Apedale Road.
- Amended plans/details received in light of the concerns raised by the Landscape Development Section.

The full versions of these documents are available for inspection at the Guildhall, and on www.newcastle-staffs.gov.uk/planning/thorpprecast

KEY ISSUES

This application seeks full planning permission for proposed external storage areas with a mobile gantry crane and new vehicular access.

This application would be an extension to the applicant's existing business which currently takes place on a site to the north of and adjoining this application site. The business involves the manufacturing of large precast concrete products for the building industry. The application details indicate the existing business employs approximately 70 persons and if permitted the proposal would allow 4 additional persons to be employed as well safeguarding the existing jobs.

The proposed storage areas comprise a concrete pad measuring 46 metres by 108 metres, this pad would have crane rails set within it to enable the proposed mobile gantry crane to run up and down the pad. This area would serve as storage for finished concrete products awaiting delivery. A further area for general storage is being proposed which would have a hardcore surface. The third area being proposed is for lorry/trailer parking again with a hardcore surface.

The proposed mobile gantry crane is of an "A" frame goal post" appearance measuring approximately 46 metres wide and approximately 10 metres tall and it would travel along rails set in the concrete pad as discussed above. The applicant is proposing to finish the upper part of the crane in a recessive colour.

A new vehicular access is being proposed to the site off Apedale Road, and the existing access further to the west along Apedale Road opposite the Country Park would be permanently closed off.

Additional car parking area is being proposed on the site adjacent to the vehicular access to be permanently closed.

A small electricity supply cabinet/building is proposed adjacent to the proposed general storage area.

A landscaped mound is being proposed around the perimeter of the site.

The site is identified on the Local Development Framework proposal map as subject to saved Local Plan policy E9 (2) which relates to the renewal of planning permissions for employment development. This policy generally supports employment uses of the identified site, however, specifically to this area it requires that any viable reserves of Etruria Marl are safeguarded and a nature conservation study should be undertaken.

Therefore, the main issues to consider with this application are:

The safeguarding of mineral reserves and ecological protection as required by LP Policy E9

As stated above the requirement of the principle of employment uses on this site are dependant on safeguarding any viable reserves of Etruria Marl and a nature conservation study is undertaken.

At the time of writing the views of the County Council as the Mineral Planning Authority are unknown; however, verbally they have indicated they are unlikely to raise a concern in respect of any safeguarding mineral deposits. Any formal comments received will be reported.

It should be noted that Local Plan Policy E9 (2) area extends around Rowhurst Close and Watermills Road, Members attention is drawn to previous planning applications within this policy area which been determined by the Borough Council and County Council (when considering County Matters) where this issue has not prevent planning permissions being granted for employment uses on those sites

The application is supported by an ecological appraisal, the views of the Staffordshire Wildlife Trust have been sought, and as the date by which any comments were sought has passed they must be assumed to have no observations to make upon this application.

The appraisal makes a number of recommendations and it is considered prudent to condition any permission to undertake the recommendations of the appraisal.

The visual impact of the proposal and the acceptability of the proposed mitigation measures

The site sits at the bottom of Apedale Road in the valley with Apedale Country Park rising on the other side of the valley. This topography and the crane's proximity to Apedale Road makes the application site prominent in the surrounding landscape, especially when there is less leaf cover on the existing surrounding landscape; however, from certain locations the site also has the backdrop of other industrial uses on both the applicant's current site and neighbouring sites.

The applicant's agent has produced a photomontage of the view of the site from a higher position of Apedale Road showing the gantry crane in location.

The Landscape Development Section initially has raised concerns in term of the lack of space for landscaping in certain 'visually vulnerable locations'. The applicant has sought to address these concerns and submitted amended plans showing wider landscaped mounds along the north eastern, south eastern and southern perimeters of the site. The landscaping of these mounds would comprise of a mix of lower slower growing woodland species combined with an overcanopy of mixed feathered whips. These trees will be thinned in the future to remove faster growing trees to allow the remaining slower growing trees to mature. Whilst this landscaping will take some time to establish it is considered it provides an acceptable level of landscaping to the site. Any further comments from the Landscape Development Section on the revised details will be reported.

It is proposed to paint approximately the upper two thirds of the gantry crane in a recessive colour to assist in camouflaging the structure into the surrounding backdrop. The lower part of the crane cannot

be painted in this recessive colour for health and safety reasons. It is considered prudent to condition the precise colour to be used together with a future maintenance programme.

Given this crane will not be in constant use, negotiations have taken place with the applicant in respect of the best place, in term of reducing the visual impact, for the crane to be parked when not in use for loading purposes. Taking into account the existing and proposed landscaping the most appropriate position for the crane to be parked is at the far end of the concrete pad, furthest away from the Apedale Road frontage. It is considered prudent to attach a condition relating to this matter.

Given the nature of the proposal and the topography of the surrounding area it would be impossible to fully screen the development when viewed from outside the site. Notwithstanding any revised comment from the Landscape Development Section, it is considered the applicant has employed every practical method to assist in reducing the visual impact of the proposed development and subject to appropriate conditions it is now considered acceptable in visual impact terms.

Highway matters

The proposal includes a new entrance to serve not only this development but also the existing site; the entrance would be taken off Apedale Road some 250 metres to the south west of the junction of Apedale Road with Rowhurst Close. The existing entrance which is positioned some further 170 metres along Apedale Road in close proximity to Apedale Country Park would be permanently closed off. This would reduce the amount of traffic including heavy good vehicles using a considerable section of the unmade Apedale Road and assist in approving the setting of the Country Park.

The proposals also provide additional parking area for 21 car parking spaces and a dedicated area for lorry and trailer parking.

The applicant has provided details on the existing protocol relating to the haul route used by visitors, including delivery and collections, to the site. The route advised is from the A34, via Parkhouse Road West, Audley Road, Watermills Road and Rowhurst Close – thus avoiding the centre of Chesterton. The applicant advises that hauliers are also provided with this route as a mandatory directive as a condition of supply to prevent traffic using that section of Apedale Road to the north east of its junction with Rowhurst Close. Use of that section by heavy goods vehicles of more than a certain tonnage would be contrary to a Traffic Regulation Order, and in the circumstances it does not appear necessary to seek an additional control over this aspect via a planning obligation.

The applicant finally advises their stationery will be revised to include the wording “via Watermills Road”

The Highway Authority has no objections to the proposal.

It is considered there are no sustainable reasons to refuse the proposal on highway grounds

Residential Amenity

Given the separation distances from any existing or potential proposed residential development and the other surrounding existing commercial and industrial uses, it is considered the proposal would not cause any adverse loss of residential amenity. The Environmental Health Division has not objected to the proposal and are recommending a condition relating to the approval of any external lighting scheme to prevent/ reduce light pollution.

It is considered there are no sustainable reasons to refuse the proposal on residential amenity grounds.

Background Papers

Planning file
Planning documents referred to

Date report prepared

4th September 2012