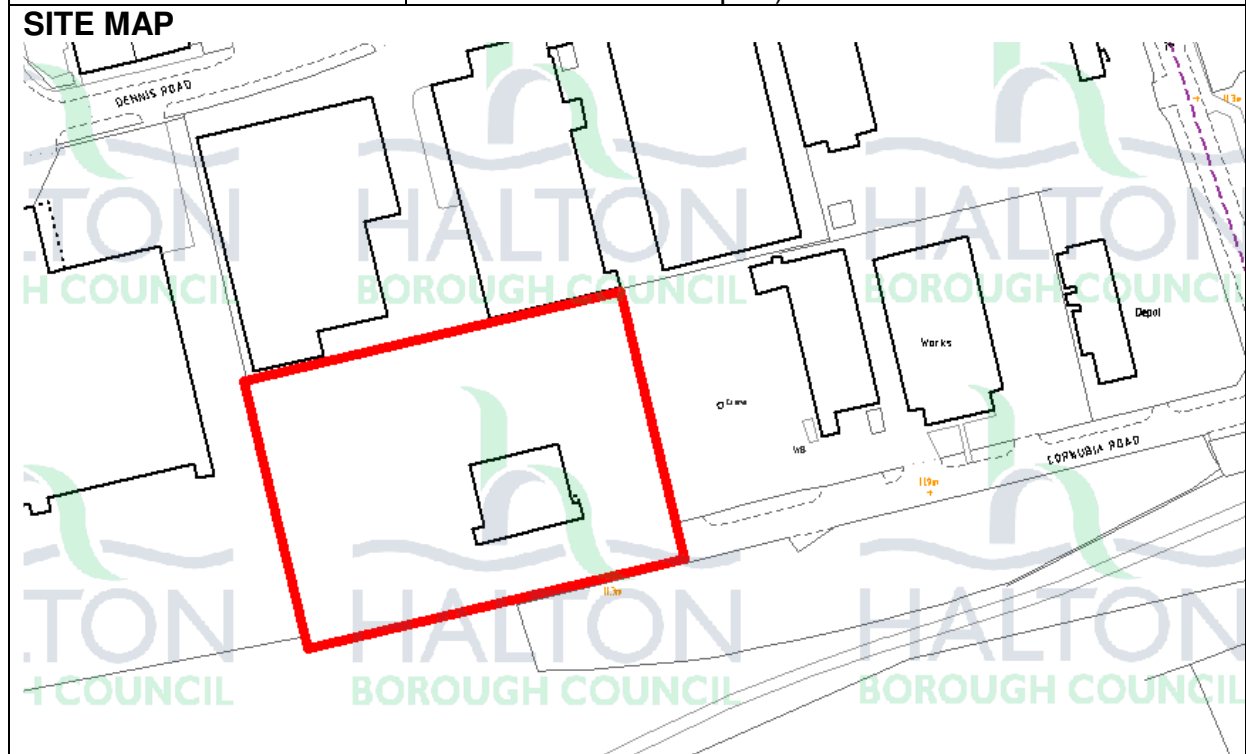


APPLICATION NO:	15/00014/OUT
LOCATION:	Cornubia Road
PROPOSAL:	Proposed industrial building
WARD:	Riverside
PARISH:	N/A
CASE OFFICER:	Rob Cooper
AGENT(S) / APPLICANT(S):	Clark Transport Ltd
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)
DEPARTURE REPRESENTATIONS:	No
KEY ISSUES:	Access and Parking Contaminated Land
RECOMMENDATION:	Request for delegated authority (outstanding contaminated land report)



1. APPLICATION SITE

1.1 The Site and Surroundings

The application site is located at the former Clarke Transport Ltd, on Cornubia Road, Widnes the site is located approximately 700m south east of Widnes town centre. The site covers an area of 0.7 hectares, and is bounded to all sides by other industrial/employment sites.

1.2 Planning History

The only relevant planning history is permission 98/00658/FUL which was granted for a 2.4m high fence.

2. THE APPLICATION

The application is for a new industrial development for general industrial use (B2).

2.1 Documentation

The application has been submitted with the requisite planning application form, a complete set of plans and supporting information including a design and access statement.

3. POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

Unitary Development Plan (2005)

The site is allocated as Primarily Employment land in the Halton Unitary Development Plan (UDP) and the key policies, which relate to the development, are:

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE22 Boundary Walls and Fences
- PR5 Water Quality
- PR14 Contaminated Land
- PR16 Development and Flood Risk
- TP6 Cycle Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments
- TP15 Accessibility to New Development

TP17 Safe Travel for All
PR14 Contaminated Land

Halton Core Strategy Local Plan (2013)

The Core Strategy provides the overarching strategy for the future development of the Borough, in this particular case the following policies are of relevance:

CS2 Presumption in Favour of Sustainable Development
CS4
CS7 Infrastructure Provision
CS15 Sustainable Transport
CS18 High Quality Design
CS19 Sustainable Development and Climate Change
CS23 Managing Pollution and Risk

Joint Waste Local Plan 2013

WM8 Waste Prevention and Resource Management
WM9 Sustainable Waste Management Design and Layout for New Development

4. CONSULTATION AND REPRESENTATION

The application has been advertised by means of a site notice, press notice and neighbouring properties have been consulted via letter. Consultation has been undertaken internally with the Highways Division, and Contaminated Land Officer. Any comments received internally have been incorporated into the assessment below.

5. ASSESSMENT

Planning Policy

The site is designated as primarily employment in the Halton Unitary Development Plan, policy E3 is therefore of relevance to the proposed development. Policy E3 allows for new employment development including B1, B2 and B8 uses as well as suitable industrial sui generis uses. In this particular case the application is for a new industrial development for general industrial use (B2), the proposed use is therefore considered to be acceptable in principle.

Other relevant policies in the Unitary Development Plan (UDP) include BE1 'General Requirements for Development', BE2 Quality of Design, E5 'New Commercial and Industrial Development' and PR14 'Contaminated Land'. Core Strategy Policy CS23 'Managing Pollution and Risk' is also of relevance. These policies have been addressed in the relevant sections below.

Design and Layout

The applicant has provided a purely indicative layout drawing no 01 Rev A, illustrating how they envisage the proposed new industrial building and associated access, car parking and service areas to be laid out. The indicative layout demonstrates the scale of the development (1743m² of gross industrial floor space) can be accommodated within the site and provide a suitable access and parking provision.

The applicant has provided indicative elevations of the building, however the final detailed design and appearance and materials would be agreed at the reserved matters stage. The information provided demonstrates that a well designed building would be achieved that would comply with Policies BE2 and E5 of the UDP and CS4 of the Core Strategy.

Highway Safety

When the application was originally submitted it was seeking permission for 3140m², but the scheme provided car parking spaces significantly below the Council adopted car parking standard of 1 space per 50 square meters of gross floor space. The layout and locations of the building also created issues with access and visibility within the site.

The indicative layout has now been amended reducing the floor space from 3140m² to 1743 m², and now provides a satisfactory number of car parking spaces. Furthermore, the removal of the second building has allowed for a more open aspect into the site improving inter-visibility between vehicles entering and leaving the site. This application is in outline with all matter reserved, therefore the final access and layout details will not be finalised until a future reserved matters application is submitted.

Flood Risk and Drainage

The site is located within a flood risk zone 1; therefore a flood risk assessment is not required. The site is not within an area of critical drainage or an area prone to surface water flooding. It is therefore reasonable for drainage details to be provided post decision, a suitable condition is therefore recommended.

Contaminated Land

The application site is located within an area of potentially contaminated land that is identified in the Council's contaminated land register. This is predominately due to the long history of industrial uses in the area.

Policy CS23 of the Core Strategy Local Plan states that prior to development on potentially contaminated land or unstable land, sites should be investigated to ascertain the extent of any contamination and possible risks to future uses. Development will only be permitted where the land has, or will be made suitable for the proposed use. To ensure that the land can be made suitable for the proposed use, it is essential that the applicant provides at least a phase one contaminated land report to allow the Council to consider the relevant issues. Policy PR14 of the Unitary Development Plan States that before determining any planning application for development on or adjacent to land which is known or suspected to be contaminated, the applicant will be required to satisfy the following criteria:

- a. Submit details to assess the nature and degree of contamination (type degree and extent of contamination).
- b. Identify remedial measures required to deal with any hazard to safeguard future development and neighbouring uses.
- c. Submit details of a program of implementation for the completion of mitigation measures to be agreed with the Council.

In this instance the applicant has yet to submit any of the above details for the Local Planning Authority to consider. However, this is now the only outstanding matter preventing the approval of this application as all other matters are considered satisfactory. Officers are therefore requesting delegated authority to determine this application (in consultation with the Chair or Vice-Chair), provided the applicant submits information in relation to contaminated land and this is considered to be satisfactory. If the applicant does not submit these details within a reasonable amount of time then the application would be refused for non-compliance with Policy PR14 of the Unitary Development Plan, CS23 of the Core Strategy Local Plan and paragraphs 120, 121 and 122 of the National Planning Policy Framework.

6. SUMMARY AND CONCLUSIONS

In conclusion, the proposed development will provide significant investment in this currently vacant plot that is identified as employment land. The proposal would therefore provide additional employment opportunities within the local area.

The application demonstrates that the principle of employment use is acceptable and complies with Policy E3 of the UDP. The scale of the industrial development is appropriate, demonstrating that subject to the future approval of reserved matters, suitable access and parking can be achieved in accordance with BE1 and TP12, and a well design building in accordance with policies BE1 and E5 can be achieved on the site.

The only outstanding matter is the submission of a suitable contaminated land report in accordance with policies PR14 and CS23. In this particular instance it is felt that the applicant should be given a reasonable time extension to provide this information, before the application is determined.

It is on this basis that members are asked to delegate the final decision to the Operational Director – Planning, Policy and Transportation in consultation with the Chair or Vice-Chair, to enable applicant to submit and for officers to consider an appropriate contaminated land report for this site.

7. RECOMMENDATIONS

- a) It is therefore requested that the delegated powers are given to the Operational Director – Policy, Planning & Transportation in consultation with the Chair or Vice Chair of the Development Control Committee to make the decision once the applicant has provided a satisfactory contaminated land report.
- b) Once the LPA have received this report that the application be approved subject to the following conditions:-
 1. Standard outline conditions for the submission of reserved matters applications x 3 conditions (BE1)

2. Plans condition listing relevant drawings i.e. site location / red edge (BE1 and TP17)
 3. Prior to commencement the submission of a reserved matters proposal which incorporates a full proposal for drainage of the site (BE1)
 4. Prior to commencement submission of existing and proposed levels (BE1)
 5. Prior to commencement submission of materials (BE1 and CS11)
 6. Prior to commencement submission of hard and soft landscaping (BE1)
 7. Prior to commencement submission of a construction / traffic management plan which will include wheel cleansing details (TP17)
 8. Prior to commencement details of boundary treatment (BE22)
 9. Condition relating to any further site investigations required, implementation of remediation strategy and verification (PR14 and CS23)
- c) If a satisfactory contaminated land report is not received within a reasonable time scale, the application will be refused for non-compliance with the National Planning Policy Framework, policy PR14 'Contaminated Land' of the Unitary Development Plan and CS23 'Pollution and Risk' of the Core Strategy.

SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.