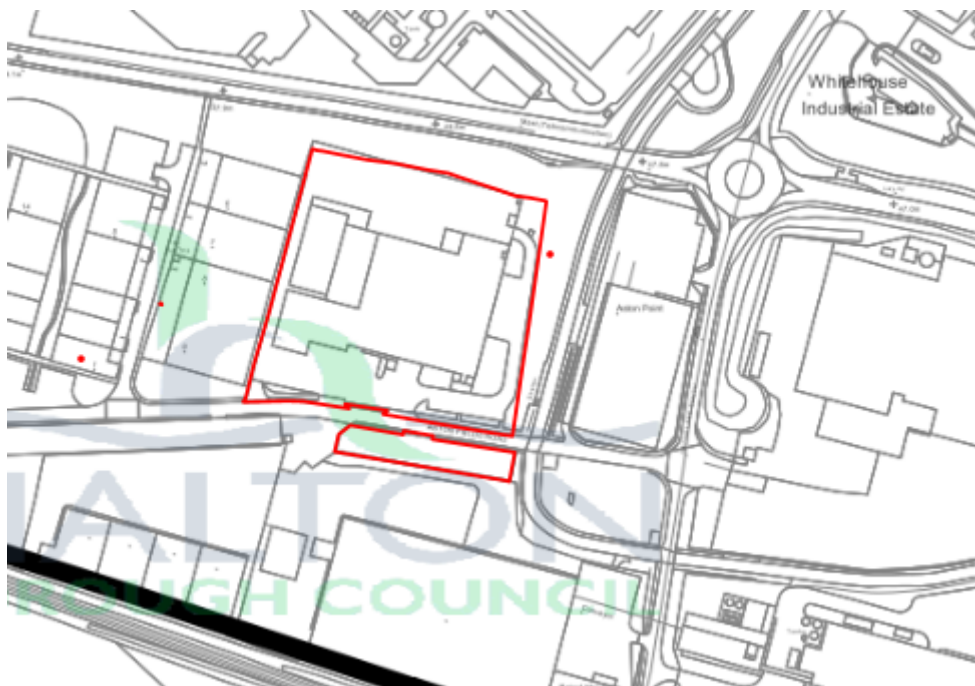


<b>APPLICATION NO:</b>	18/00434/FUL
<b>LOCATION:</b>	Land Between Aston Fields Road and Northwich Road, Runcorn
<b>PROPOSAL:</b>	Proposed construction of 9,019m2 industrial unit for use classes B1, B2 and B8
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	None
<b>AGENT(S) / APPLICANT(S):</b>	Commercial Development Projects Ltd
<b>DEVELOPMENT PLAN ALLOCATION:</b> National Planning Policy Framework (2018) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)	Primarily Employment Area
<b>DEPARTURE</b>	No
<b>REPRESENTATIONS:</b>	None
<b>KEY ISSUES:</b>	Principle of development, regeneration and employment; drainage; contaminated land and highway issues
<b>RECOMMENDATION:</b>	Approve Subject to Conditions

#### SITE MAP



## **THE APPLICATION SITE**

### **The Site**

Site of approximately 1.88 hectares being the site of the former Brakes food production facility located within the Whitehouse Industrial Estate. The site is currently accessed via 3 access points from Aston Fields Road.

### **Planning History**

Application ref. 16/00048/DEM was previously approved relating to the prior approval for demolition of the former Brakes building which had remained vacant since 2015. It was determined that prior approval was not required and that demolition has now taken place. The site is now vacant. Planning permission ref. 17/00194/FUL was previously approved for a 9200sq. metre industrial unit for B1, B2 and B8 use including a new access off the A533 Northwich Road

## **THE APPLICATION**

### **The proposal and Background**

Permission is sought for the construction of a 9,019m<sup>2</sup> industrial unit for use classes B1, B2 and B8 accessed from Aston Fields Road.

### **Documentation**

The applicant has submitted a planning application, drawings and the following reports:

Design and Access Statement

Planning Statement

Geo-Environmental Desk Study

Transport Statement

Drainage and Flood Risk Assessment

## **POLICY CONTEXT**

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published in July 2018 to set out the Government's planning policies for England and how these should be applied.

Paragraph 47 states that "planning law requires for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on application should be made as quickly as possible and within statutory timescale unless a longer period has been agreed by the applicant in writing."

Paragraph 11 and paragraph 38 state that “plans and decisions should apply a presumption in favour of sustainable development” and that local planning authorities should work in a positive and creative way, working pro-actively with applicants to secure developments that will improve economic, social and environmental conditions of their areas.

Paragraphs 80-82 states the need for planning policies and decisions to be made to create conditions in which business can invest, expand and adapt. Significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It encourages an adaptive approach to support local and inward investment to meet the strategic economic and regenerative requirements of the area.

#### Halton Unitary Development Plan (UDP) (2005)

The following Unitary Development Plan policies and policy documents are relevant to this application: -

- BE1 General Requirements for Development
- BE2 Quality of Design
- PR14 Contaminated Land
- PR6 Development and Flood Risk
- TP6 Cycling Provision as Part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking
- TP14 Transport Assessments
- TP16 Green Travel Plans
- E3 Primarily Employment Areas
- E5 New Industrial and Commercial Development

#### Halton Core Strategy Local Plan (2013)

The following policies, contained within the Core Strategy are of relevance:

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land Supply and Locational Priorities
- 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

Supplementary Planning Documents (SPD)

Designing for Community Safety Supplementary Planning Document

Design of New Industrial and Commercial Development SPD

### CONSULTATIONS

The application has been advertised via the following methods: site notices posted near to the site, press notice, and Council website. Surrounding residents and landowners have been notified by letter.

The following organisations have been consulted and any comments received have been summarised below in the assessment section of the report:

Environment Agency – No Objection

United Utilities – No objection in Principle/ Drainage Queries Raised

British Pipeline Agency - No Objection

### Council Services:

HBC Contaminated Land – No objection

HBC Highways – No Objection

Lead Local Flood Authority – No objection in Principle/ Drainage Queries Raised

### REPRESENTATIONS

None Received

### ASSESSMENT

#### Background

The application seeks permission to construct a 9,019m<sup>2</sup> industrial unit for use classes B1, B2 and B8.

The site was formerly home to Brakes food production facility which had been extended over the years and previously reported to have provided approximately 8,300sq.m. That building has since been demolished and the site now lies vacant.

Planning permission has previously been approved (17/00194/FUL) for a 9200sq. metre industrial unit for B1, B2 and B8 use at the site including creation of a new access off A533/ Northwich Road. The current application states that “that intended occupier has chosen to locate at a different site and a new potential occupier has been identified that does not require the new access onto the A533” and hence a revised submission is being made.

#### Principle of Development

The site is designated as a Primarily Employment Area in the Halton Unitary Development Plan (UDP). UDP Policy E3 provides that development falling within Use Classes B1 (Business), B2 (General Industry) and B8 (Storage and Distribution) will be permitted in such areas. As such the proposals are considered to accord with this policy and can be considered appropriate in principle.

The site also includes a small area of land which appears outside the former Brakes site fencing in the north east corner of the site currently occupied by a small area of mounding with trees. The applicant has confirmed that this land is within their ownership. For the avoidance of doubt this land is also designated as a Primarily Employment Area in the Halton Unitary Development Plan and this associated development is also considered acceptable in principle. Wider issues relating to the loss of trees and visual impact are considered later as part of the wider planning balance.

#### Design and Character

The proposal is for a modern industrial building for B1, B2 and B8 uses. The proposed building will measure approximately 13.9m to eaves and 15.7m to ridge. The ground floor industrial unit will provide a gross internal area of approximately 8,500sq.m plus approximately 500sq.m of offices at first floor.

The building will be constructed from a palette of modern horizontal and vertical cladding panels in a mix of silver and greys with contrasting black flashings. The building and wider development is considered to be of a quality appropriate to the site and wider area.

The building, HGV access, loading doors and servicing together with parking will be to the rear accessed from Aston Fields Road and the existing industrial estate. Unlike the scheme previously approved the existing trees and landscaping on adjoining land are no longer proposed to be removed and will substantially screen the development from the A553 Northwich Road frontage and adjoining busway to the east. The loss of a small area of mounding and trees from the small area of additional land in the north east corner of the site is considered to be negligible in the wider landscape context.

### Highway Considerations

The existing site is currently accessed via Aston Fields Road and operates with 3 points of vehicle access/ egress. The site links to the surrounding highway network via the roundabout at the junction of the A553 Northwich Road/ Aston Lane South. The proposed development will continue to be accessed in a similar way from Aston Fields Road.

Parking provision is made within the scheme for 159 spaces which is reliant on the overflow car park on the opposite side of Aston Fields Road being available for use for the life of the development. It is considered that this can be secured by planning condition. The site is considered to be adequately served with regards accessibility to bus routes and is served by suitable pedestrian links.

Minor amendment have been made to the scheme to provide secure, covered cycle parking, improve disabled parking provision in line with comments by the Council's Highways Officer. Provision for Electric Vehicle charging provision can be secured by suitably worded planning condition.

On that basis the Council's Highways Engineer has confirmed that no objections are raised to the scheme subject to conditions included within the recommendation section of this report. It is therefore considered that no significant transport or highway safety issues are raised capable of sustaining a refusal of planning permission and is acceptable based on NPPF, UDP and Core Strategy Policy.

### Ecology

No ecological information has been submitted with the application. Whilst the site of the demolished building is considered to be of limited potential with respect to ecology. Any trees that are to be removed should be checked for bats and that all works comply with current bird nesting legislation. It is considered that this is covered by other legislation and the applicant can be reminded of their duties in this regard by way of informative attached to any planning permission.

### Flood Risk and Drainage

The application site is identified as lying within Flood Risk Zone 1. In accordance with national and local policy the proposed development is therefore considered to be located within an area of low flood risk.

Due in part to existing underlying ground contamination issues the report advises that it is unlikely that any form of filtration or SuDS scheme are likely to be appropriate. The application therefore states that it is intended that the site will be drained to existing foul and surface water systems with attenuation to restrict discharge to a rate of 70 per cent of the previous discharge rate to account for climate change. A drainage scheme based on those principles can be secured by planning condition.

United Utilities has confirmed that they raise no objections in principle but have requested additional evidence or recalculation in relation to discharge rates. The applicant has been advised of this request and Members will be updated of their response and/ or subsequent comment by United Utilities. They have recommended

that conditions requiring foul and surface water to be drained on separate systems and submission and agreement of a surface water drainage scheme are attached to any planning permission. These are included in the recommended conditions at the end of this report.

The Lead Local Flood Authority (LLFA) has also raised queries with regard to proposed discharge rates. A detailed response is awaited from the applicant. Members will be updated orally.

#### Contaminated Land

The application is supported by a Geoenvironmental Desk Study Report. Based on advice from the earlier grant of planning permission, the Council's Contaminated Land Officer confirmed that the report presents a detailed review of the available information for the site and formulates an initial conceptual site model based on that review. The site is assessed as low to moderate risk as a consequence of the previous industrial development and the potential for contaminated made ground. The Council's Contaminated Land Officer has confirmed that his advice remains the same.

The report recommends that further site investigation is required to fully characterise the site and assess the actual level of risk and to determine whether any remedial measures are required.

The Environment Agency has confirmed that they raise no objection in principle to the proposed development as they consider the controlled waters at the site to be of low sensitivity but refer the applicant to standing advice. The Council's Contaminated Land Officer has also confirmed that he raises no objection to the application, but recommends that, if the application is to be approved, it is conditioned to require site investigation, risk assessment and if necessary a remediation strategy with supporting verification reporting. It is considered that this can be secured by suitably wording planning condition.

#### Waste, Sustainable Development and Climate Change.

The proposal involves construction activities and policy WM8 of the Joint Merseyside and Halton Waste Local Plan (WLP) applies. This policy requires the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition.

The applicant has not provided information with respect to provision of on-site waste storage and management to demonstrate compliance with policy WM9 of the Joint Merseyside and Halton Waste Local Plan. It is considered that this can be secured by a suitably worded condition.

Halton Core Strategy Local Plan Policy CS19 (Sustainable Development and Climate Change) seeks to encourage BREEAM Excellent standard from 2013. The applicant

has been requested to provide a sustainability statement and their response is awaited. Members will be updated orally.

### Conclusions

The application seeks permission for the construction of a 9,019m<sup>2</sup> industrial unit for use classes B1, B2 and B8. Core Strategy Policy CS2 and NPPF paragraphs 11 and 38 set out the presumption in favour of sustainable development whereby applications that are consistent with national and up-to-date local policy should be approved without delay.

The use of the site for B1, B2 and B8 development in accordance with UDP Policy E3 securing valuable employment opportunities is therefore considered to be an appropriate use for the site.

It is considered that the redevelopment of such a vacant site for a good quality industrial building and offering potential employment opportunities should be welcomed. The proposals are considered to be of a quality suited to the site and in keeping with the area and adjoining developments. It is considered that highway and other issues raised as a result of the original submission have been adequately addressed and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

### RECOMMENDATION

That the application is approved subject to:-

Conditions relating to the following:

1. Standard 3 year timescale for commencement of development
2. Specifying approved and amended plans
3. Requiring submission and agreement of a Construction Environmental Management Plan to include wheel wash and construction hours
4. Materials condition(s), requiring external finishing materials be carried out as approved (BE2)
5. Landscaping condition, requiring submission and approval both hard and soft landscaping. (BE1/2)
6. Boundary treatment condition(s) requiring fencing etc. be carried out as approved (BE2)
7. Vehicle access, parking, servicing etc to be constructed prior to occupation of properties/ commencement of use. (BE1)
8. Requiring submission and agreement of cycle parking details (TP6)
9. Requiring submission and agreement of electric vehicle parking and charging point(s) details (NPPF)
10. Requiring retention of the approved overflow car park for the life of the use (TP12)
11. Conditions relating to further detailed site investigation/ mitigation/ verification (PR14/15)
12. Conditions relating to/ requiring submission and agreement of detailed foul surface water/ highway drainage scheme including attenuation (BE1/ PR5)



13. Requiring submission and agreement of a green travel plan. (TP16)
14. Requiring submission and agreement of site and finished floor levels. (BE1)
15. Submission and agreement of Site Waste Management Plan (WM8)
16. Submission and agreement of an Operational Waste Management Plan (WM9)
17. Requiring submission and agreement of a car park management plan (TP12)

#### SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) Order 2015; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015.

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.