

APPLICATION NO:	20/00238/FUL
LOCATION:	Units 2 & 3, Land Off Gorsey Lane, Widnes
PROPOSAL:	Proposed development consisting of two industrial and warehousing units for B1, B2 and B8 uses with associated landscaping, service yards and car parking
WARD:	Halton View
PARISH:	None
AGENT(S)/APPLICANT(S):	Commercial Development Projects Ltd.
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2019) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013) Joint Merseyside and Halton Waste Local Plan (2013)
DEPARTURE:	No
REPRESENTATIONS:	None
KEY ISSUES:	Principle of development, regeneration and employment, drainage, Noise, contaminated land and highway issues
RECOMMENDATION:	Approve
SITE MAP:	<p>The site map illustrates the proposed development layout. It features two main industrial/warehouse units, one shaded in grey and the other in yellow. Surrounding these units are designated areas for landscaping (green), service yards (light blue), and car parking (grey hatched). The site is bounded by Gorsey Lane to the north and Hill Green to the east. A north arrow is positioned to the left of the site. The map also shows existing buildings and infrastructure in the surrounding area.</p>

1. APPLICATION SITE

1.1 The Site

The site subject of the application measures approximately 7.98 hectares and forms part of a wider brownfield site, formerly occupied by the Bayer Croppscience chemical works, which has now been demolished. The site is located within the industrial and commercial area of and accessed from Gorse Lane.

1.2 Planning History

Application ref. 17/00345/FUL was previously approved for the remediation of the wider site which was validated by condition discharge application ref. 18/00385/COND. Since it has been remediated a new road, improvements to existing carriageway to create a right turn lane and extension of existing cycleway provision has been constructed from Gorse Lane under planning permission ref. 17/00274/FUL to enable access to future development.

The plot to the north of the application site has had planning permission approved under application 19/00240/FUL for a similar development to what is proposed: industrial unit with use classes B1, B2 and B8 with associated external lighting, electricity substation, service yard and car parking

2. THE APPLICATION

2.1 The Proposal

Permission is sought for the proposed development consisting of two industrial and warehousing units for B1, B2 and B8 uses with associated landscaping, service yards and car parking.

2.2 Documentation

The application is supported by the following documents:

- Design And Access Statement July 2020
- Planning Supporting Statement July 2020
- Transport Statement Project No:16-1166 Document No:T001 Issue 1 June 2020
- Travel Plan Project No:16-1166 Document No:T001 Issue 2 July 2020
- Noise Impact Assessment Ref: NIA/9203/20/9240/v1/Gorse Lane (Phase 2) July 2020
- Drainage & Flood Risk Statement
- Remediation Summary Statement July 2020
- BREEAM New Construction 2018 Pre-Assessment Report Project Number 556 July 2020

3. POLICY CONTEXT

3.1 National Planning Policy Framework (2019)

The National Planning Policy Framework (NPPF) was published in July 2019 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.

3.2 Halton Unitary Development Plan (UDP) (2005)

The following policies within the adopted Unitary Development Plan are considered to be of particular relevance:

- BE1 General Requirements for Development
- BE2 Quality of Design
- BE3 Environmental Priority Areas
- PR2 Noise Nuisance
- 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

3.3 Halton Core Strategy (2013)

The following policies contained within the Core Strategy are of particular 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

3.4 Joint Merseyside and Halton Waste Local Plan (2013)

The following policies, contained within the Joint Merseyside and Halton Waste Local Plan are of relevance:

- WM8 Waste Prevention and Resource Management;
- WM9 Sustainable Waste Management Design and Layout of New Development.

3.5 Supplementary Planning Documents (SPD)

- Designing for Community Safety Supplementary Planning Document
- Design of New Industrial and Commercial Development SPD

4. CONSULTATIONS

- **United Utilities**
Objection
- **Environment Agency**
No objection
- **HBC Highways Authority**
Support the proposed development
- **HBC Environmental Protection**
No objection
- **HBC Contaminated Land**
No comments received at time of writing report
- **Lead Local Flood Authority**
No comments received at time of writing report
- **HBC Major Projects**
No comments to make
- **HBC Halton View Ward Councillors**
No comments received

5. REPRESENTATIONS

The application was advertised by a press advert in the Widnes & Runcorn Weekly News on 13.08.20, a site notice posted on 06.08.20 and 77 neighbour notification letters sent on 06.08.20. No representations have been received from the publicity given to the application.

6. ASSESSMENT

6.1 Proposed Development

The proposal is a full planning application for two modern industrial units for B1, B2 and B8 uses together with the associated landscaping, service yards and car parking.

The proposed two units will be of steel frame construction. Unit 2 will be the larger of the two units measuring approximately 18m to the ridge. The gross internal area of the unit will be 23,922sq m. It is proposed there will be a total of 246 parking spaces including 10 disabled spaces and ten with Electric Vehicle Charging Points. A dedicated area for cycle parking is also proposed with 48 sheltered cycle spaces and 24 motorcycle spaces. There is a service yard with access to 20 loading docks and four level access loading bays.

Unit 3 would measure approximately 13m to the ridge and have a gross internal area of 5,016sq m. It is proposed there will be a total of 87 parking spaces including 2 disabled spaces plus 10 including Electric Vehicle Charging Points. A dedicated area for cycle parking is also proposed with 12 sheltered cycle spaces and 6 motorcycle spaces. There is a service yard with access to three loading docks and two level access loading bays.

6.2 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 the development can be considered appropriate in principle. The site also falls within an Environmental Priority Area in the Halton Unitary Development Plan. Matters of design and character are covered elsewhere within this report. The proposed is however considered to be of a quality of design that enhances the character of the area and offer a high quality of design in terms of landscaping, boundary treatments and facing materials in accordance with the provisions of Policy BE3.

6.3 Design and Character

In terms of the external appearance of the industrial buildings, these are relatively high quality of similar style and character to previous developments by the same developer, including that previously approved on the adjoining plot. Materials and colour will be consistent with those used for this type of development and other developments by the same developer within the borough. The elevations of the building will be broken up by vehicle docks, windows and fire exits.

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

6.4 Highway Considerations

The application is supported by the following documents:

- Transport Statement Project No:16-1166 Document No:T001 Issue 1 June 2020
- Travel Plan Project No:16-1166 Document No:T001 Issue 2 July 20

The Council's Highway Authority have reviewed the submitted information and have commented as follows:

The Highway Authority support the proposed use of the site for a development of this type and scale.

Consideration has been given to the comprehensive Transport Assessment submitted to support the application and it is the Highway Officers opinion that the existing junctions and network would not be adversely effected by a development of this scale. The Transport Assessment factors in previously committed development on the site namely 19/00240/FUL.

Car parking is considered to be provided to a suitable level with consideration given to accessible sized spaces and disabled bays. Due to the size of the units we have considered office space as ancillary to the main business and a sliding scale for parking based on the main B2/B8 use has been used to calculate provision levels.

Should the applicant wish to bring the units into use as a more intensive B1 use we would have concerns over potential parking issues due to the higher demand generated by office use. We would ask the planning officer to review this and apply suitable restrictions, potentially capping the permitted floor space for the B1 use.

Provision of car parking spaces to charge electric vehicles is welcomed but additional details of the exact specification of charge points should be provided for approval. This additional information could be conditioned or agreed prior to any decision.

Pedestrian access to the site is currently only available to the South of the site off Gorsey Lane but plans also show a path connecting Fiddlers Ferry Road. This Northern link was to be delivered prior to occupation of unit 1 (19/00240/ful) to improve access for non-motorised users and to provide links to the nearest bus services. It is noted that this path has yet to be completed and a pre-occupation condition to secure said link should be applied to any decision relating to the current application. We would modify the condition to state that the path should be constructed and open for use prior to the occupation of Unit 2.

We would request the standard conditions to be applied including CEMP, specification of EV charging, specification of cycle storage, off site highway works.

Implementation of the improved pedestrian and cycle links can be secure by condition. The proposal is considered to be acceptable and compliant with Policies BE1, TP6, TP7, TP12 and TP17 of the Halton Unitary Development Plan.

6.5 Ecology

No ecological information has been submitted with the application. Whilst the site is considered to be of limited potential with respect to ecology any trees or other vegetation that are to be removed should be checked for bats and/ or should 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.

6.6 Flood Risk and Drainage

The application has been supported by a Drainage & Flood Risk Statement. The information has been reviewed by United Utilities who have raised concerns and issued an objection to the proposed development. Those include allowable drainage discharge rates and potential conflict with United Utilities apparatus. The applicant has provided a response to this objection confirming that the proposed discharge rates are within limits previously approved by United Utilities and that apparatus has been fully surveyed and accommodated within the scheme. This has been sent to United Utilities for further comment. Comments are awaited from the Lead Local Flood Authority and it is anticipated that the above mentioned issues/concerns will have been addressed by Committee Meeting. These are considered technical matters capable of resolution and Members will be updated accordingly.

6.7 Noise and Amenity

The application is supported by a Noise Impact Assessment. The Council's Environmental Health Officer has reviewed this and has commented as follows:

The applicant has provided a noise report in support of the application. The report looks at the location of the development in relation to the nearest residential properties, the measured background noise levels and the estimated noise levels from the proposed units. A BS4142 assessment is used to calculate the likely impact on the background noise levels at the nearest residential properties.

The nearest residential properties are at French Street, 225m from the proposed development. Measurements were taken during both daytime and night time periods to establish the pre-existing noise levels. The applicant has predicted the noise levels generated within the proposed units based on technical knowledge and the category of planning applied for. Using these figures and assuming that all the noise is generated inside the units, the mitigating value of the building fabric is calculated. This figure together with distance attenuation and taking into account the type of noise that might be generated by the units is then applied.

The result is a prediction that the noise generated by the units will be 13dB below existing background levels once operational. Whilst there is some margin of error within these figures concerns would not be raised from an acoustic perspective unless the levels were approaching background.

On the basis of the information provided which has been carried out in accordance with the BS4142 methodologies and based on robust assumptions, the development will not have a detrimental impact on the nearest residential properties. This is mostly due to the nature of the immediate area and the distance from the units to the nearest residential properties.

Environmental Health would not therefore raise any objections to the proposed development and would not recommend any conditions.

6.8 Contaminated Land

The wider site has already been remediated under planning permission reference 17/00345/FUL and validation by discharge of condition reference 18/00385/COND. The application is supported by a Remediation Summary Statement which sets out the remediation that has taken place referencing the previous application documents.

The Environment Agency has confirmed that they are satisfied with the information submitted and that no further works are required in respect of controlled waters, however have requested planning conditions are included with any planning permission to ensure controlled waters are adequately protected during the development of the site.

Comments are awaited from the Council's Contaminated Land Officer, Members will be updated accordingly at Committee.

6.9 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 submitted a BREEAM pre-assessment report which demonstrates that based on the measures recommended within the report the development could achieve a rating of 'very good' without compromising the viability of the scheme. It is considered that these measures can be secured by planning condition.

7. CONCLUSIONS

The application seeks permission for the construction of two industrial units 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. The quality of design that enhances the character of the area and offers a high quality of design in terms of landscaping, boundary treatments and facing materials is considered to accord with the provisions of Policy BE3.

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 drainage and any other issues raised as a result of the original submission

can be adequately addressed and that any outstanding issues can be resolved by way of oral update and appropriately worded planning conditions.

8. RECOMMENDATION

The application is recommended for approval subject to conditions and subject to drainage issues discussed above being resolved.

9. CONDITIONS

- Time
- Approved Plans
- Use Restriction
- Materials
- Landscaping
- Boundary Treatments
- Vehicle access, parking and servicing construction prior to occupation
- Cycle parking details
- Electric Vehicle Charging Details
- Drainage
- Site and finished floor levels
- Site Waste Management Plan
- Operational Waste Management Plan
- Implementation of measures recommended within BREEAM Pre-assessment report
- Grampian style condition requiring off-site pedestrian/ cycle crossing improvements and connection within the development
- Tree protection for retained trees
- External lighting

10. INFORMATIVES

- United Utilities
- Environment Agency
- Highways

11. BACKGROUND PAPERS

The submitted planning applications are background papers to the report. Other background papers specifically mentioned and listed within the report are open to inspection at the Council's premises at Municipal Building, Kingsway, Widnes, WA8 7QF in accordance with Section 100D of the Local Government Act 1972

12. SUSTAINABILITY STATEMENT

As required by:

- The National Planning Policy Framework (2019);
- 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.