
Report of the Head of Strategic Investment

STRATEGIC PLANNING COMMITTEE

Date: 07-Sep-2017

Subject: Planning Application 2017/92237 Erection of extension to warehouse and formation of car parking area J Roberts Bronze Components, St Peg Lane, Cleckheaton, BD19 3SL

APPLICANT

Rob Salisbury, FW Birkett
Ltd

DATE VALID

29-Jun-2017

TARGET DATE

24-Aug-2017

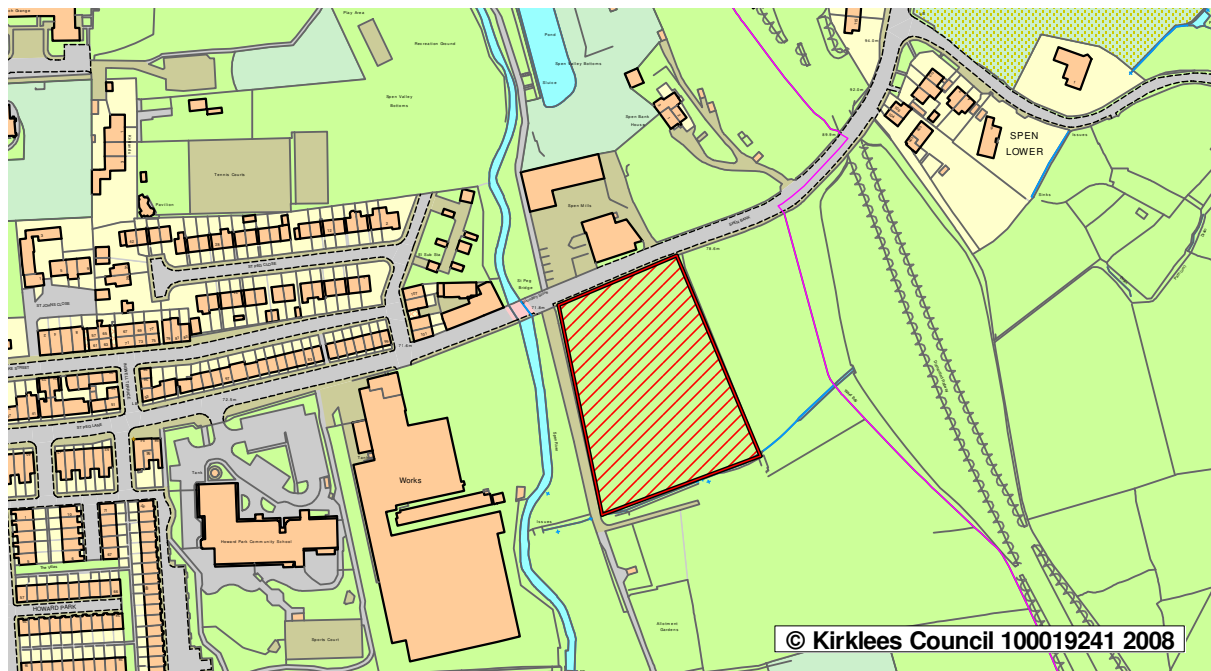
EXTENSION EXPIRY DATE

14-Sep-2017

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<http://www.kirklees.gov.uk/beta/planning-applications/pdf/public-speaking-committee.pdf>

LOCATION PLAN



Map not to scale – for identification purposes only

Electoral Wards Affected: Cleckheaton Ward

Yes

Ward Members consulted

RECOMMENDATION:

DELEGATE approval of the application and the issuing of the decision notice to the Head of Strategic Investment in order to secure details of an improved access and to complete the list of conditions including those contained within this report.

1.0 INTRODUCTION:

- 1.1 The application seeks permission for the erection of an extension to the warehouse at J Roberts Bronze Components and the formation of a car parking area. The principle of development is considered to be acceptable, subject to conditions drainage issues and ecological matters are addressed. There would be no detrimental impact on amenity.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site comprises J Roberts Bronze Components located off St Peg Lane at Cleckheaton. J Roberts manufactures precision components and within the site is a single building which comprises a manufacturing area, warehouse and office. To the west of the building is an area of hardstanding. There are mature trees along the northern and eastern boundary of the site. The site is unallocated on the Kirklees Unitary Development Plan.

3.0 PROPOSAL:

- 3.1 The application seeks permission for the erection of an extension to the warehouse and the formation of a car parking area.
- 3.2 The extension would have a footprint of 27m by 11m with a gross floor area of 297m². The extension would be accessed through a new opening in the existing southern elevation. The extension and alteration to the industrial unit is required to form a prefabricated storage building for the warehousing of goods
- 3.3 The car parking area would be located to the east of the factory and comprise 61 spaces which would have a permeable hard standing surface. The car park would be accessed to the rear of the extension by a new concrete access road.

4.0 RELEVANT PLANNING HISTORY:

4.1 None

5.0 HISTORY OF NEGOTIATIONS:

5.1 Officers have negotiated with the applicant to secure:

- An Ecological Appraisal
- Details of proposed drainage
- Revised access details

6.0 PLANNING POLICY:

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kirklees currently comprises the saved policies within the Kirklees Unitary Development Plan (Saved 2007). The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

Kirklees Unitary Development Plan (UDP) Saved Policies 2007:

6.2 BE1 – Design principles
BE2 – Quality of design
B5 – Extension of business premises
T10 – Highway Services
G6 – Land contamination

National Planning Guidance:

6.3 NPPF 1 - Building a strong competitive economy
NPPF 7 - Requiring Good Design
NPPF 10 - Meeting the challenge of climate change, flooding and coastal change
NPPF 11 - Conserving and Enhancing the Natural Environment

Local Plan

PLP8 – Safeguarding employment land and premises
PLP 9 – Supporting skilled and flexible communities and workforce
PLP 22 – Parking

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by neighbour letter and site notice with the publicity expiring 4th August 2017. No representations have been received.

8.0 CONSULTATION RESPONSES:

8.1 Statutory:

K.C Highway Services – No objections in principle, have requested details of an improved access

K.C Flood Management – No objections

The Coal Authority – No objections

8.2 Non-statutory:

K.C Environmental Services – No objections

K.C Ecologist – No objections

9.0 MAIN ISSUES

- Principle of development
- Urban design issues
- Residential amenity
- Highway issues
- Drainage issues
- Representations
- Other matters

10.0 APPRAISAL

Principle of development

10.1 The site is located on land which is without notation on the Unitary Development Plan (UDP) Proposals Map and policy D2 of the UDP is relevant. This states that planning permission will be granted provided that a specific set of considerations are not prejudiced. These considerations include highway safety, residential amenity, visual amenity, the character of the surroundings and the avoidance of overdevelopment. The principle of development is acceptable provided that these considerations are not unduly prejudiced.

10.2 Policy B5 of the UDP stipulates that proposals for extensions to business premises will be permitted provided the amenity of occupiers of neighbouring properties, visual amenity and highway safety are safeguarded.

10.3 At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development where local planning authorities should positively seek opportunities to meet the development needs of their area. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of

business and support an economy fit for the 21st century. The proposed extension to the existing warehouse will allow this business to successfully expand, and it will create an additional 15 jobs at this site which is a significant positive outcome and one which is given great weight in the planning balance. The proposal to expand will ensure the retention of the business on this site within the District and the principle of development is acceptable on this existing industrial site in accordance with the NPPF.

Urban Design issues

- 10.4 Policies BE1 and BE2 of the UDP are considerations in relation to design, materials and layout. The proposed extension to the warehouse would have a pitched roof and the walls would be constructed of a red brick plinth and plastisol coated profiled sheeting in a burgundy colour. The roofing material would be plastisol coated sheeting in a grey colour. The size of the proposed warehouse extension is of a comparatively small scale relative to the existing building and would be positioned to the rear of the building and would not affect the existing street scene. The design is functional for its intended purpose and proposes a degree of brickwork to respect the brick construction of the existing factory /warehouse. It is considered the scale, design and facing materials would be satisfactory in keeping with the existing building and preserve the visual amenity of the surrounding area, in accordance with policies BE1 and BE2 of the UDP, as well as chapter 7 of the NPPF.

Residential Amenity

- 10.5 A core planning principle set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. Policy D2 of the UDP stipulates that development should protect the residential amenity of neighbouring residential properties. There are no residential properties within close proximity of the application site. Neighbouring buildings are also in business/industrial use. The proposal would not result in any impact on residential amenity.

Highway issues

- 10.6 Policy T10 of the UDP states that “new development will not normally be permitted if it will create or materially add to highway safety or environmental problems . . .”. The site is located on Spen Bank which forms part of the A643 which links between St Pegs Lane and Cleckheaton to Spen Lane and Gomersal and the wider highway network. Public footpath Spen 97/60 runs along the western boundary of the site.
- 10.7 Access to the site is from Spen Bank is via public footpath Spen 97/60. This access is considered to be substandard in terms of its alignment onto Spen Bank, sight line onto Spen Bank, width, access radii and construction.
- 10.8 The site provides a total of 85 off-street parking spaces (including 61 spaces proposed by this application to the eastern side of the site) together with internal service vehicle turning. The existing unit has a total gross floor area of 1950sqm and the proposed extension 297 sqm. An additional 15 employees are proposed.
- 10.9 Whilst Highways have no objection in principle to this proposal there is concern the existing access is sub-standard to serve the intensification of the

site as a result of this proposal. A new improved access should be provided from Spen Bank into the site. The applicant is seeking to address this matter, and an update will be reported to Members.

Drainage issues

- 10.10 Flood Management initially objected on the grounds that no drainage strategy had been submitted. There was also concern that no consideration had been given to flood risk to or from the site, and that drainage proposals should use vegetated improvements alongside their drainage function. It was also noted that there are Environment Agency assets in the area.
- 10.11 The applicant was requested to submit a drainage strategy, to ensure that the proposed permeable paving is of a sufficient specification to allow infiltration. In response the applicant has provided the following information:
- 10.12 *For this application the proposed floor space to be created is less than 1000 square metres (297m²) and the site area is less than 1 hectare (0.704ha). Following the advice of the Lead Local Flood Authority, Figure 1 has been provided to supplement the information provided in the original application. The proposed car park shown in the original application is made up of existing 100-150mm clean hard-core approximately 300-400mm in depth. As this material is unsuitable for modern day traffic it is proposed to strip back the overgrown vegetation and place a thin blinding of new small sized clean free draining aggregate (with a void volume of 95%) to ensure the surface is more suitable for modern day cars as well as being safer for pedestrian traffic. During periods of high rainfall the proposed car park has been visually inspected and there was not found to be any standing water, run-off or signs of subsidence. Therefore as the existing surface on site is already a permeable free draining surface that was previously used for similar uses and the properties are not being dramatically altered, it is not deemed necessary to submit a Drainage Strategy.*
- 1.13 On the basis of this clarification, Flood Management has confirmed they are content to remove their initial objection. This is subject to a condition that permeable paving within the development will be retained in the interests of the prevention of flood risk. Subject to a condition, drainage matters are addressed.

Ecology Matters

- 1.14 The Council's ecologist initially commented that the proposals appear to affect mature trees located within the bat alert layer, which indicates that roosting bats are reasonably likely to be present. There is also potential for the proposals to affect the identified green infrastructure network (KWHN) which is immediately adjacent to the site. In order to ensure significant ecological impacts are avoided or mitigated, and that the proposals should be supported by appropriate ecological information. An ecological report was therefore requested.
- 1.15 An ecological report has been submitted. The ecologist noted considers it to be a poor example of what should comprise a Preliminary Ecological Appraisal. However, sufficient baseline information is provided to address concerns. Conditions are suggested to secure a lighting design strategy for

biodiversity. Subject to the inclusion of this condition, ecological matters are addressed.

Representations

10.16 No representations have been received.

Other Matters

10.17 In respect of past Coal Mining activities, the site is located within both the high and low risk development areas. The Coal Authority initially responded to say that the proposed warehouse extension would be situated outside the high risk area, however the proposed car park would be located within the high risk area and would appear to require significant ground works/excavation of a banked area to create a level surface parking area. On this basis, the Coal Authority objected as the required Coal Mining Risk Assessment has not been submitted.

10.18 In response the applicant has provided the following information

A Coal Mining Risk Assessment Report was not deemed necessary by ourselves previously due to the nature of the works being undertaken in this area. We can confirm that there are no excavation works required in order to create a level parking area. The proposed parking area is to be constructed on top of a previously filled clean hard-core area that was used by the previous occupant for storage and parking. The top 100mm (approximately) of overgrown vegetation is to be stripped off to reveal the existing hard-core and 75mm of small sized clean free draining aggregate (95% voids volume) is to be laid over the top in order to form the permeable car park surface. There are no major excavation works or retaining walls required. The existing ground level does not coincide with the adjacent gradient of St Peg Lane/Spen Lane. Therefore the existing ground level is suitable to be used as a car park without requiring regarding.

10.19 The Coal Authority has been re-consulted and has confirmed that they have now withdrawn their objection. Coal Mining Legacy Issues have been satisfactorily addressed.

11.0 CONCLUSION

11.1 The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations.

11.2 The proposed warehouse extension and car park will support the continued expansion of this business and create 15 new job opportunities. There would be no detrimental impact on amenity or site drainage. In terms of Highways the technical matters around the final design can be easily resolved.

11.3 It is considered that the development would constitute sustainable development and is therefore recommended for approval.

12.0 CONDITIONS (Summary list. Full wording of conditions including any amendments/additions to be delegated to the Head of Strategic Investment)

1. The development shall commence within 3 years of the date of approval
2. The development shall be completed in accordance with the approved plans
3. The car park shall be surfaced of permeable paving which shall be retained
4. Details of a lighting design strategy for biodiversity

Background Papers:

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f92237>

Certificate of Ownership –Certificate A signed: