

Application No: 15/3163N

Location: T I MIDWOOD & CO, GREEN LANE, WARDLE, CHESHIRE, CW5 6BJ

Proposal: Outline application for extensions to the existing warehouse, the erection of a canopy and the construction of a delivery dock and replacement car parking, including details of access, appearance, layout and scale (details of landscaping reserved for subsequent approval), following the demolition of an existing office building

Applicant: T I Midwood and Co Ltd

Expiry Date: 12-Oct-2015

SUMMARY

The principle of employment development is supported within the NPPF and the statements made by the Planning Minister in relation to 'Planning for Growth' and a 'presumption in favour of sustainable development'. Furthermore employment development on this site is supported within the emerging Cheshire East Development Strategy. Therefore the principle of development is considered to be acceptable.

The development would not have a detrimental impact upon residential amenity, the highway network, flood risk/drainage, ecology or the wider landscape.

The design is considered to be acceptable in this location and the concerns regarding the loss of landscaping would be outweighed by the employment/economic benefits of this development.

An update will be provided in relation to the impact upon trees on this site.

RECOMMENDATION

Approve with conditions

PROPOSAL

This is an outline application for extensions to the existing warehouse, the erection of a canopy and the construction of a delivery dock and replacement car parking. The application seeks approval for the details of access, appearance, layout and scale (details of landscaping are reserved). An existing office building would be demolished as part of this application.

The proposed development would take the form of a two bay warehouse extension to the south of the existing buildings on the site (front). The two bays of the warehouse would each have a length of 30 metres (60 metres in total) and a width varying from 16-38 metres.

The proposed canopies would have an area 1,235sq.m. One canopy would be provided to a bay of the existing warehouse and the second would be provided to one of the proposed bays.

The application includes the provision of 34 new parking spaces to the northern part of the site.

The application details state that this development would increase the number of full-time employees at the site from 60 to 80.

SITE DESCRIPTION

The application site is an existing business located on the northern side of Green Lane, Wardle within the open countryside as defined by the Crewe and Nantwich Replacement Local Plan. To the east of the site an existing skip hire business with another industrial unit and agricultural buildings to the west of the site. To the north of the site is the strategic employment allocation at Wardle which has outline planning permission.

The front part of the site includes a single storey office building with a lawn area, semi-mature trees and a man-made pond to the front of the site.

RELEVANT HISTORY

13/3871N - Reserved matters application, Landscaping of the proposed development – Approved 15th November 2013

12/4087N - The erection of a replacement storage and distribution unit, including details of access, appearance, layout and scale (details of landscaping reserved for subsequent approval), following the demolition of the existing building on the site – Approved 17th December 2012

11/1598N – Change of use from Class B8 Storage and Distribution to Class B8 Storage and Distribution with ancillary trade counter and agricultural and builders merchants – Approved 10th August 2011

10/4333N – Non-material amendment following the grant of planning permission 09/3543N – Approved 29th November 2010

10/3679N - Change of Use to Turn Warehouse into an Agricultural Merchants, Horticultural Merchants, Machinery Merchants and Animal Feed Merchants – Withdrawn 6th December 2010

09/3543N - Proposed Internal Layout Changes, Revised Elevations and Parking Layout to the Storage Unit with Internal Office Space and Service Area – Approved 23rd December 2009

POLICIES

National Planning Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

- 14 - Presumption in favour of sustainable development
- 17 – Core planning principles
- 18 – 22 Building a Strong Competitive Economy
- 28 – Supporting a Prosperous Local Economy
- 109-125 – Natural environment

Local Plan policy

- BE.1 – Amenity
- BE.2 – Design Standards
- BE.3 – Access and Parking
- BE.4 – Drainage, Utilities and Resources
- BE.5 – Infrastructure
- BE.6 – Development on Potentially Contaminated Land
- NE.2 – Open Countryside
- NE.5 – Nature Conservation and Habitats
- NE.9 – Protected Species
- NE.17 – Pollution Control
- NE.20 – Flood Prevention
- E.6 – Employment Development in the Open Countryside
- TRAN.3 – Pedestrians
- TRAN.9 – Car Parking Standards
- TRAN.5 – Provision for Cyclists
- RT.9 – Footpaths and Bridleways

Cheshire East Local Plan Strategy – Submission Version

The following are considered relevant material considerations as indications of the emerging strategy;

- PG5 - Open Countryside
- PG6 – Spatial Distribution of Development
- SD1 - Sustainable Development in Cheshire East
- SD2 - Sustainable Development Principles
- SE1 - Design
- SE2 – Efficient use of Land
- SE3 – Biodiversity and Geodiversity
- SE4 – The Landscape
- SE5 – Trees, Hedgerows and Woodland
- SE6 – Infrastructure
- SE9 – Energy Efficient Development
- IN1 – Infrastructure
- IN2 – Developer Contributions

Other Considerations

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

CONSULTATIONS:

CEC Head of Strategic Infrastructure: No objection.

CEC Environmental Health: No objection – contaminated land condition and informative suggested.

CEC Flood Risk Manager: No objection subject to the imposition of a drainage condition.

United Utilities: No comments received.

VIEWS OF THE PARISH COUNCIL

Wardle Parish Council: No comments received at time of report preparation

REPRESENTATIONS

No representations received.

APPRAISAL

The key issues are:

- Impact upon the open countryside
- Impact upon nature conservation interests
- Impact upon trees
- Design and impact upon character of the area
- Landscape Impact
- Amenity of neighbouring property
- Highway safety

Principle of Development

The National Planning Policy includes a strong presumption in favour of economic growth in support of this application with Paragraph 19 stating that:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'

Paragraph 20 of the NPPF then goes onto state that:

'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'

And at paragraph 21 the NPPF states that Local Planning Authorities should:

'set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth'

On the contrary to this the site is located within the open countryside and the one of the core principles of the NPPF identifies that planning should recognise:

'the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'

Specifically, in relation to the rural economy the NPPF identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings'

In this case, the proposed employment development has considerable support within the NPPF, however, the economic benefits of this development still need to be balanced against the environmental impact upon the open countryside.

Local Plan Policy

The relevant policies relating to the principle of development, as contained within the Borough of Crewe and Nantwich Replacement Local Plan, are Policies NE.2 (Open Countryside) and E.6 (Employment Development in the Open Countryside).

Policy NE.2 identifies that the open countryside should be protected for its own sake and that development should be kept to a minimum in order to protect its character and amenity. The policy states that:

'within the open countryside only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted'

Policy E.6 specifically relates to employment development within the open countryside and states employment development in the open countryside will be:

'restricted to appropriate small industries, commercial business enterprises, including small scale business developments and the development of small scale workshop units within or adjacent to existing farm buildings or other existing employment areas'

In this case the proposed development cannot be considered to be small and it would be contrary to Policy E.6.

Emerging Policy

In this case the site is identified within the emerging Cheshire East Development Strategy (CEDS). Policy CS1 of the CEDS states that:

'Provision will be made for a minimum of 300ha of land for business, general industrial and storage and distribution uses over the period 2010 to 2030, to support growth of the local economy'

Paragraph 5.61 of the CEDS states that:

'An employment improvement area has been identified at Wardle as having future potential for expansion and consolidation of existing and new employers, to provide employment opportunities'

Conclusion

In this case the principle of the proposed development would be contrary to the Policies contained within the Borough of Crewe and Nantwich Replacement Local Plan. However, there is significant support within the NPPF and through the emerging policy where the site to the north is identified as a strategic site for employment development. It is therefore considered that the principle of the development is acceptable.

Highway Implications

Policy issues

The test contained within the NPPF is that:

'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'

This is an outline planning application for the demolition of 270sqm of B1 office space and its replacement with a 3,310sqm B8 warehouse extension to the existing warehouse facilities at T1 Midwood, located off Green Lane in Wardle. Additionally, the proposals include an increase of on site parking provision of 13 parking spaces and 20 new full-time employees; access to the site will remain unchanged.

The Planning Statement submitted in support of this application indicates that the proposals will result in approximately three or four additional HGV movements per day.

Having considered the proposals, the Head of Strategic Infrastructure concludes that, the expected additional HGV movements and traffic generation associated with an additional 20 employees would not be expected to have a material impact on the adjacent or wider highway network.

Accordingly, the Head of Strategic Infrastructure has raised no objection in relation to this planning application.

Amenity

Given the rural nature of the site, between existing employment units, the proposed use and the scale of development. It is not considered that the proposed development would raise any issues such as noise and disturbance.

Contaminated Land

The Contaminated Land team has no objection to this application. However they do state that the application area has a history of airfield, depot and industrial estate use and therefore the land may be contaminated.

The application is for new commercial properties which are a sensitive end use and could be affected by any contamination present or brought onto the site.

A Phase I Preliminary Risk Assessment has been submitted in support of the planning application. This report has identified some potential contaminant linkages and as such recommends further works.

It is noted that a current pond is proposed to be removed as part of the works. The pond should be infilled with inert material incapable of posing ground gas or contamination risks. Details of the proposed infill should be submitted as part of the next stage of works.

As such a condition is suggested to secure the relevant contaminated land mitigation as part of this proposed development.

Landscape

The site of the proposed development is a warehousing site with large steel clad warehouse buildings and extensive areas of concrete hard surfacing. There is agricultural land to the north, employment land to the south and east and a number of nissan huts to the west. (Adjacent land to the north, west and further east forms part of the former Wardle Airfield and has outline planning consent for employment development under application 13/2035N). A young hedge defines the northern boundary of the site, with a grassed strip and immature trees adjacent. There are lengths of hedge to the south, south west and south east and in the southern part of the site there is an area of formal maintained grassland with a pond, and a number of trees.

The proposed development would appear to allow for the retention of the northern hedge and trees with a narrowed grass strip. Most of the southern open area and pond would be developed to accommodate warehousing.

The submission does not include a landscape or visual impact assessment. The Design and Access Statement makes reference to the surrounding existing buildings and states that the proposed development will not have a material landscape or visual impact upon the surrounding area.

The development would be visible from a number of public vantage points, including Green Lane to the south, Nantwich Road (A51) to the north and public footpaths in the vicinity. It would be viewed in the context of other large warehouse and industrial buildings and on this basis, it is not considered that the development would have significant landscape or visual impact in the wider landscape. Nevertheless, in the immediate area adjoining Green Lane, the loss of grassland, trees and the pond which softens the appearance and approach to the site would be regrettable.

Design

The development would result in the loss of a grassed area to the front of the site, a number of trees and a pond whilst the design of the development is utilitarian and has been designed to serve the end user.

In this case as stated above the development would sit amongst an existing employment area which is characterised by large warehouse buildings, hardstanding and external storage areas. As such it is considered that the proposed development would not appear out of character in this location and the benefits of allowing the development would outweigh any loss of landscaping to the front of the site.

Trees and Hedgerows

As part of this application an Arboricultural Impact Assessment (AIA) has been requested to provide a more detailed and accurate assessment in respect of any potential tree losses (RPA incursion) over and above the six trees already identified. A further update will be provided in relation to this issue.

Ecology

This application would result in the loss of a pond to the front of the site and is supported by a Great Crested Newt Assessment.

The Councils Ecologist has confirmed that he is familiar with this site and the pond that would be lost and he advises that the pond is unlikely to be suitable for breeding Great Crested Newts.

Ponds are a local BAP priority habitat and hence a material consideration. However in this case the pond that would be lost is of a low nature conservation value and there are no ecology objections to this development.

Flood Risk/Drainage

In this case part of the site is located within Flood Zone 1 which has a low probability of flooding.

The submitted Flood Risk Assessment (FRA) indicates that surface water at the existing site drains into an above ground attenuation basin before discharging into a privately owned sewer in Green Lane. Proposals include the removal of this attenuation basin and replacement with a below ground system with capacity to cater for additional flows generated by the extension. The developer must ensure the invert level of the sewer in Green Lane is appropriate to allow an underground system. In addition, although the FRA suggests the existing on-site pipes

discharging into Green Lane have a combined capacity of 29 l/s, this assumes the pipes are flowing at full bore and it doesn't take account of potential blockages/siltation which may reduce the flow rate. An assessment of the condition and capacity of the system in Green Lane should be undertaken to ensure it can cater for the flows arising from the new development.

In line with the NPPF and latest guidance published by Defra, the flow rate from the developed site must not exceed the rate of discharge from the existing site and where possible it should be reduced.

The Council's Strategic Flood Risk Manager has considered the Flood Risk Assessment and has raised no objection subject to the imposition of a planning condition.

PLANNING BALANCE

The principle of employment development is supported within the NPPF and the statements made by the Planning Minister in relation to 'Planning for Growth' and a 'presumption in favour of sustainable development'. Furthermore employment development on this site is supported within the emerging Cheshire East Development Strategy. Therefore the principle of development is considered to be acceptable.

The development would not have a detrimental impact upon residential amenity, the highway network, flood risk/drainage, ecology or the wider landscape.

The design is considered to be acceptable in this location and the concerns regarding the loss of landscaping and impact on open countryside would be outweighed by the employment/economic benefits of this development.

An update will be provided in relation to the impact upon trees on this site.

RECOMMENDATIONS

And the following conditions;

- 1. The subsequent approval by the Local Planning Authority before development of the landscaping of the site**
- 2. Application for reserved matters must be made not later than the expiration of three years from the date of this permission.**
- 3. Development to be implemented within 3 years of the date of this outline permission or expiry of 2 years from final approval of the last of the reserved matters.**
- 4. Approved Plans**
- 5. Parking to be provided before the approved extensions are first brought into use**
- 6. Materials to match existing**
- 7. Scheme for the disposal of surface water**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

