

Planning Reference No:	10/0283N
Application Address:	Land at Drome Farm, Wardle Industrial Estate, Green Lane, Wardle, Nantwich
Proposal:	Industrial New Build Development Consisting of Six Units, together with Infrastructure, Ancillary Works and New Agricultural Access Track
Applicant:	Mr P Posnett
Application Type:	Full Planning
Grid Reference:	360062 357247
Ward:	Cholmondeley
Earliest Determination Date:	22 nd March 2010
Expiry Dated:	11 th May 2010
Date of Officer's Site Visit:	4 th March 2010
Date Report Prepared:	31 st March 2010
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

APPROVE WITH CONDITIONS subject to receipt of additional information to demonstrate that the site can be satisfactorily accessed by HGV's without causing harm to Highway Safety. Otherwise **REFUSE** on Highway Safety grounds.

MAIN ISSUES

- Principle of Development
- Impact on Character and Appearance of the open countryside
- Impact on Amenity of adjacent properties
- Impact on highway safety
- Impact on trees
- Impact on Protected Species
- Potential for Land Contamination
- Sustainable Development

1. REASON FOR REFERRAL

This application is to be considered by the Southern Planning Committee as the proposal involves the creation of over 1,000sqm of industrial floorspace.

2. DESCRIPTION OF SITE AND CONTEXT

The application site is located on land which is adjacent to the Wardle Industrial Estate and is designated within the Local Plan as being open Countryside. The site comprises former military buildings which are now used for the accommodation of livestock. Defining much of the southern, eastern and northern boundaries of the site are coniferous trees. The site is located at the end of Green Lane which serves the Wardle Industrial Estate.

3. DETAILS OF PROPOSAL

The application proposes the removal of the existing buildings on the site and the construction of a total of 2,900sqm of industrial floorspace for B2/B8 use. The scheme comprises two blocks of development. Block 1 consisting of four units measuring 350sqm each and Block 2 comprising two units measuring 771sqm each. Each unit will include ancillary office space. A total of 56 car parking spaces are proposed, 7 of which are disabled spaces. The scheme proposes three entrances to the site, one serving the block of 4 units and one for each of the larger units. The scheme shows turning circles of 20m diameter for HGV, and other ancillary works such as bin stores and hard and soft landscaping.

4. RELEVANT HISTORY

No on site history

5. POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP). The relevant development plan policies are:

Local Plan policy

NE.2 Open Countryside
NE.5 Nature Conservation and Habitats
NE.9 Protected Species
BE.1 Amenity
BE.2 Design Standards
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.5 Infrastructure
E.6 Employment Development within Open Countryside
TRAN.9 Car Parking Standards

Regional Spatial Strategy

Policy DP 3 Promote Sustainable Economic Development
Policy DP 4 Make Best Use of Existing Resources and Infrastructure
Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
Policy DP 8 Mainstreaming Rural Issues
Policy RDF 2 Rural Areas
Policy RT 2 Managing Travel Demand
Policy EM 16 Energy Conservation & Efficiency
EM 17 Renewable Energy
EM18 Decentralised Energy Supply

Cheshire Replacement Waste Local Plan

Policy 9 Secondary and Recycled Aggregates
Policy 11 Development and Waste Recycling

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 4: Planning for Sustainable Economic Growth

- Policy EC.10 Determining Planning Applications for Economic Development
- Policy EC.12 Determining Planning Applications for Economic Development in Rural Areas

Planning Policy Statement 7: Sustainable Development in Rural Areas

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager: Green Lane varies in width and serves a large number of industrial units. There is limited amount of footway with no pedestrian crossing facilities at or near the A51. A refuge island junction with Green Lane and the A51 should be provided to allow safer crossing for pedestrians. Any gates into the proposed accesses should be set back far enough to allow the largest HGV to be used at this site to get off the highway. All gates must open inwards. Turning movements and parking provision will need to be demonstrated via autotrack, to ensure that deliveries can take place safely. The proposed parking provision falls short of CEC standards and should be addressed through a travel plan. Subject to the above being agreed, no highways objection.

ESU Nature Conservation: No objection subject to a condition for a detailed survey for nesting birds to be carried out and agreed by LPA if works are to be carried out between 1st March and 31st August.

ESU Landscape: Do not object to this application. The tree report covers the site adequately. The possible retention of G1, G2 and G3 (lines of Cypresses) would assist in screening the site. Should these be removed to allow construction then replacement tree and shrub planting is recommended. This should be of native species and consist of a variety of sizes of trees to give some immediate impact.

Environment Agency: This is not an application where they are required to comment.

Environmental Health: Do not object to this application subject to conditions requiring:

- Noise attenuation Measures
- All noisy works to be inside with doors windows closed
- Details of external lighting to be submitted
- Transport Plan to be submitted
- Phase I contaminated land survey

7. VIEWS OF THE PARISH COUNCIL

None received at time of writing report

8. OTHER REPRESENTATIONS

None received at time of writing report

9. APPLICANT'S SUPPORTING INFORMATION

Planning Statement (*Prepared by HOW Planning dated January 2010*)

- Short Description of site and overview of proposed development
 - Analysis of Local, Regional and National Policy
 - Accepted that the proposals conflict with Policy NE.2 as it does not constitute development that is solely related to agriculture or forestry
 - Policy E.6 provides for small scale economic development, it is considered that the proposed development is of an appropriate scale
 - If the Council find that the development is in conflict with the Local Plan there are a number of very significant material considerations which weigh heavily in favour of the scheme
 - Impact on Open Countryside – site is previously developed and occupied by a number of significant buildings, given character of area the site can be developed without causing visual harm to Open Countryside.
 - Ecological Issues – No evidence of protected species on the site. All trees to be removed have been categorised as “c” class
 - Need for Development – applicant has had numerous enquiries for new commercial premises. Provision of local jobs are in line with the Governments sustainability objectives. Diversification of rural economy, the proposals will provide the opportunity for positive sustainable development which is deliverable.
 - Accessibility of Site – Twice hourly bus service between Chester and Crewe. It is proposed to adopt positive measures as part of a Green Travel Plan for the site including a minibus service to Nantwich Town Centre and railway station. The transport assessment shows that the development would have an acceptable impact on traffic flows. It is considered that the site can be safely accessed with adequate visibility.
 - Amenity – scheme is compatible with surrounding land uses
 - Design – proposals are of an appropriate scale in keeping with the surrounding built development. Materials, colour finish and landscaping can meet requirements of design policy
 - Access – proposals can be adequately and safely accessed and provide an appropriate level of parking
- Drainage and Utilities – site not at risk of flooding and will provide drainage provision appropriate to the scale of development which may include a form of sustainable drainage system.

Arboricultural Report (*prepared by Andrew Harker Associates dated November 2009*)

- The current proposals will require the removal of trees T1, G4, G5, G6 and G7 which have all been categorised as C within BS5837. The remaining trees can be protected using measures specified in appendices protecting the Root Protection Areas.
- Any tree loss will be mitigated by the inclusion of planting within the proposed landscaping scheme.

Protected Species and Biodiversity Assessment (*prepared by Ecologically Bats dated October 2009*)

- Concludes that the site has very little biodiversity value and the vegetated areas are poorly developed and have very few species. It is considered that the development will have no impact on the biodiversity in the locality
- There is some potential for birds to be nesting in the scrub and possibly one of the buildings on the site, and the clearance of the site may affect nesting birds. Recommend no work between March and September, and all works to be done by hand. If nests found works should stop.

Transport Statement *(prepared by Singleton Clamp and Partners dated January 2010)*

- Traffic associated with the development can be accommodated onto the local highway network in a safe manner
- Accessibility of the site is currently not good. However the applicant is willing to provide a green Travel Plan which is aimed at improving the choice of transport mode to/from the application site. There is potential to provide a minibuss link to Nantwich town centre and railway station and bus services which could materially improve the modal choice from the application site.
- Conclude that there could be no overriding highways objections to the application proposals.

10. OFFICER APPRAISAL

Principle of Development

Within the Open Countryside Policy E.6 of the Local Plan allows for appropriate small industries and smallscale workshop units within or adjacent to existing employment areas. The application site is bounded immediately to the north and east by an existing employment site. The proximity of the development to an existing employment site and the fact that this land is previously developed would make this site appropriate in principle for employment development. While there is a total of 2,900sqm of employment floor space proposed the scheme proposes a total of smaller 6 units (2 of 771sqm each and 4 units measuring 350sqm each) for B2 (General Industrial) or B8 (Storage and Distribution) uses. It is considered that individually these are appropriate smallscale industrial units in this location.

The main consideration is therefore whether the proposals are appropriately designed and of a scale to not have a significantly detrimental impact on the open countryside, of amenity nearby residents, highway safety, protected species, trees or in any other way.

Impact on Open Countryside and Design

There are a number of existing buildings on the site and the majority of the land within the application site is covered by hardstanding. The land is therefore considered to represent previously developed land. Surrounding the site to the north and east are the existing buildings of the Wardle Industrial Estate and it is considered that visually the site is part and parcel of this existing development. This is particularly apparent when viewing aerial photographs of the Industrial Estate.

Reference should be made to the 2008 appeal decision for offices and car parking which was dismissed on land adjacent to Rowlinson Group towards the eastern end of Green Lane. Whilst both proposals are for employment development within the Open Countryside, there are significant differences between the two proposals which should be highlighted. The appeal site was a Greenfield site and development on this land would have resulted in the erosion of a natural green buffer between the industrial estate and residential properties. On the other hand this development is on brownfield land and would represent a logical rounding off of the extent of the Industrial Estate and is therefore considered to be a more appropriate location for employment development in the Open Countryside.

The existing buildings on site have a height of approximately 5m. Block 1 has a total height of 9.2m and a height to eaves of 7.5m. Block 2 is proposed to have a lean-to roof with a maximum height of 7m and height along the western boundary of 5m. While the proposed buildings are taller than the existing sheds on the site when viewed from the south (Green Lane) and west they would be seen against the backdrop of the considerably larger existing industrial units within the Industrial Estate.

The proposals involve the removal of the vegetation along the Green Lane boundary. However replacement planting is proposed along this boundary to help to screen the development. The most sensitive aspect of the development will be from the west which is open countryside and where there is a public footpath within close proximity to the site. The applicant owns the land to the west of the site and it is considered that a screening buffer within the agricultural field is necessary to mitigate the impact of the development. This could be secured by condition. It is therefore considered that the proposed development would not cause significant harm to the character and appearance, and overall openness, of the Open Countryside.

The proposed buildings have the appearance of standard industrial units and would not be out of character with surrounding developments. Green Lane at this point is lightly trafficked and it is therefore considered, with conditions requiring details of materials to be submitted and landscaping to the Green Lane boundary, that the development would not have a significantly detrimental impact on the character and appearance of the streetscene.

Amenity

Policy BE.1 (Amenity) states that development should not have an adverse impact on adjoining properties through overshadowing, overlooking, visual intrusion or in any other way, including noise and disturbance. The proposed development would not be sited in immediate proximity to any dwellings. However there are dwellings sited over 200m to the south and 230m to the west of the site and there are a number of dwellings sited along Green Lane. Therefore loss of privacy or light are not likely to be issues in this case.

The proposed industrial use of the buildings has the potential to affect residential properties that are not sited immediately adjacent due to the possible processes involved with the use. The Environmental Health Officer has stated that they have no objection to the proposed development, provided that a number of conditions are applied to any permission to restrict the likely impact that the development would cause. This includes conditions to restrict noisy works to be carried out within the units, and details of noise attenuation measures to be provided. It is considered that these conditions are appropriate to mitigate the noise and disturbance impact that the development could have and should be applied to any approval. Furthermore, details of lighting should also be provided, by condition, to ensure that illumination of the site does not affect nearby properties, or the character and appearance of the open countryside.

The transport assessment suggests that there would be an increase in traffic along Green Lane of 35 vehicles during AM peak and 30 vehicles during the PM peak. This is not considered to be sufficient to cause demonstrable harm to the amenities of dwellings along Green Lane. Notwithstanding this point it is considered that a condition should be attached to any approval to restrict the hours of HGV's visiting the site to between 08:00 and 18:00, as these would cause the most nuisance to the amenities of residents.

Highways

The development will result in an increase in vehicular movements along Green Lane and the A51. A transport statement has been submitted to show that Green Lane currently has AM peak flows of 71 vehicles and a PM peak flows of 148 vehicular movements. Following the proposed development these figures would increase to 106 vehicles at AM peak and 178 vehicles in the PM peak. The statement goes on to states that the maximum level of flow along Green Lane would be anticipated to occur adjacent to the junction of Green Lane with the A51 and would not exceed 180 vehicles per hour, which equates to around 3 vehicles per minute on average during peak highway hours. It is also stated that this level of increase would not be anticipated to lead to any change in the existing conditions. These figures have not been disputed by the Strategic Highways Manager and concern has not been raised with regard to the highway network. However there is concern that the proposals would have an impact on pedestrians along Green Lane. There is a limited amount of footway with no pedestrian crossing facilities at or near the A51. The Strategic Highways Manager has suggested that a refuge island junction with Green Lane and the A51 should be provided to allow safer crossing for pedestrians. This land falls within CEC ownership and can therefore in this case can be secure by Grampian condition.

The Strategic Highways Manager has however indicated that as submitted the proposals are unacceptable as the proposals do not show gates to be set back far enough to allow a HGV to pull off the Highway. Furthermore the turning movements and parking provision have not been demonstrated as workable by using an autotrack drawing. There is therefore concern that there is insufficient space to allow HGV's to turn in the space available, which would be restricted by parking spaces and the set back gates. Amended site plans have been requested from the applicant to demonstrate that turning manoeuvres can be satisfactorily achieved. If these can not be provided then the proposed development should be refused on Highway Safety grounds due to the potential danger resulting from parked vehicles along Green Lane and/or HGV's reversing onto Green Lane.

The proposed parking provision is below the standards set out in the Local Plan, which is a concern given the unsustainable location of the site. However The Strategic Highways Manager considers that provided a Green Travel Plan is secured by condition then this concern could be overcome.

Protected Species

The submitted protected species survey has identified that there would be little impact on significant habitats. However the report does highlight that there may be potential for some disturbance to nesting birds. The validity of the report has been confirmed by the Council's ecologist and the findings are considered to be acceptable. It is suggested that a condition be attached to any approval requiring that prior to the commencement of development (between March and September) a thorough survey of the site for nesting birds be carried out, submitted to and approved by the LPA.

Loss of Trees

The scheme involves the removal of a number of trees from the site including a series of Leyland Cypress trees along the Green Lane frontage. These are well established trees which provide a screening barrier for the site. These trees have been established as

category “c” trees which are defined as those worthy of retention, where they do not prejudice the development. It is therefore considered that there is insufficient weight to refuse the proposals on the grounds of loss of trees. The Councils Landscape Architect has no objection to the proposed development provided that additional landscaping is provided.

Contaminated Land

Although an industrial use is not a sensitive end use there is potential for contamination on the land given the historic use of the site. It is suggested that a Phase I Contaminated Land survey be carried out in line with the advice contained in PPS23. This can be secured by condition.

Sustainable Development

Policy EM18 of North West England Plan Regional Spatial Strategy (RSS) which outlines that, in advance of the setting of local targets for decentralised/renewable/low-carbon source energy supply that a least 10% of predicted energy requirements should be from such sources unless it is demonstrated not to be viable.

As the proposed development is for major industrial development in a relatively unsustainable location it is considered that an element of renewable energy should be incorporated into the scheme to off set some of the harm in terms of climate change that may be caused. It is recommended that conditions be added to any approval to ensure compliance with RSS Policies DP 9 (Reduce Emissions and Adapt to Climate Change), EM 16 (Energy Conservation & Efficiency), EM 17 (Renewable Energy), and EM18 (Decentralised Energy Supply).

The proposal will involve the demolition of a number of existing buildings on site. It is considered that a waste management plan should be submitted to ensure that opportunities are taken for reuse on site where possible or for appropriate disposal of demolition waste off site. This process is in line with policies EM9 (Secondary and Recycled Aggregates) and EM11 (Waste Management Principles) as well EM11 of the RSS which relate to waste management principles and the provisions of Policy 11 (Development and Waste Recycling) of the Waste Local Plan

11. CONCLUSIONS

It is considered that the proposed previously developed site adjacent to an existing employment site is an appropriate location for employment development, and would represent a logical rounding off of the wider industrial complex. The development can be accommodated on the site as conditioned without causing significant harm to the character and appearance of the open countryside or the amenities of nearby residential properties.

If a satisfactory scheme for vehicular turning movements and parking is not provided to overcome the concerns of the Strategic Highways Manager then the proposed development should be refused on Highways Safety grounds. If this concern can be addressed, however, the scheme will satisfy the relevant Local Plan policies and is recommended for approval.

12. RECOMMENDATIONS

Approve subject to receipt of additional information to demonstrate that the concerns of the Strategic highways Manager can be overcome and the following conditions:

- 1. Standard**
- 2. Plans**
- 3. Materials to be submitted**
- 4. Surfacing Materials to be submitted**
- 5. Scheme of Landscaping to be submitted**
- 6. Scheme of Landscaping to be implemented**
- 7. Scheme of drainage to be submitted**
- 8. Boundary treatment to be submitted**
- 9. Turning area and parking as shown on approved plan to be provided prior to first occupation**
- 10. Gates to be set back from highway to allow HGV to pull clear from road**
- 11. Refuge island to be provided at junction of Green Lane and A51**
- 12. Green Travel Plan to be submitted, agreed and implemented**
- 13. Deliveries restricted to 08:00 – 18:00 Monday to Friday , 08:00 to 13:00 on Saturday and not on Sunday and BH's**
- 14. Incorporation of sustainable features to be submitted and approved**
- 15. Waste Management Plan to be submitted and approved**
- 16. Survey for Nesting birds between March and Sept**
- 17. Details of Bin storage to be submitted and agreed**
- 18. Details of cycle storage to be submitted and agreed**
- 19. Details of external lighting to be submitted and approved**
- 20. Noise attenuation Measures to be submitted and agreed**
- 21. All noisy works to be inside with doors windows closed**

If the concerns of the highways authority are not addressed the proposed development should be REFUSED on the following ground:

The applicant has failed to demonstrate that the proposed development can satisfactorily allow HGV's to enter and leave the site in a forward gear. The proposed development would therefore result in HGV's reversing onto Green Lane and for vehicles parking on Green Lane which would result in an unacceptable impact on highway safety. The proposed development would therefore be contrary to Policy BE.3 (Parking and Access) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Location Plan: Cheshire East Council Licence No. 100049045

