

Application No: 12/2437N

Location: F J NEED FOODS LTD, Spinneyfields Farm, MAIN ROAD, WORLESTON, CW5 6DN

Proposal: 'L' shaped portal steel framed building

Applicant: Mr P. Need

Expiry Date: 27-Sep-2012

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Key Issues;
- Need for the Building;
- Policy Position;
- Local Plan Policy/Government Guidance;
- Design;
- Amenity;
- Sustainability;
- Public Rights of Way;
- Drainage
- Highways
- Ecology

REFERRAL

This application is to be determined by the Southern Planning Committee Strategic as the floor area of the proposed building exceeds 1000msq and therefore constitutes a major proposal.

DESCRIPTION OF SITE AND CONTEXT

The application site is located directly towards the rear of existing industrial complex. The site itself is relatively flat and broadly rectangular in shape. The boundaries to the site are demarcated by post and rail fencing and mature hedgerows, which is punctuated at sporadic intervals by trees. The site is bounded on the north and east by open fields. The application site is located wholly within the open countryside.

DETAILS OF PROPOSAL

This is a full application for the construction of an 'L' shaped portal frame steel building measuring approximately 67m long by 42m deep at F J Need Foods Ltd, Spinney Fields Farm, Main Road, Worleston. The unit is required for the storage and processing of cheese, as the business has out grown the existing premises.

RELEVANT HISTORY

P95/0005 – Agricultural Building – Approved – 22nd February 1995

P96/0584 – Hay and Implements Store – Approved – 5th September 1996

P97/0679 – Relaxation of Condition to Replace Landscaping Mound with Beech Trees – Approved – 8th September 1997

P98/0664 – Agricultural Storage Building – Approved – 8th October 1998

POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

NE.2	(Open Countryside)
BE.1	(Amenity
BE.2	(Design Standards)
BE.3	(Access and Parking)
BE.4	(Drainage, Utilities and Resources)
BE.5	(Infrastructure)
E.4	(Development on Existing Employment Areas)
E.6	(Employment Development within the Open Countryside)
TRAN.1	(Public Transport)
TRAN.3	(Pedestrians)
TRAN.5	(Provision for Cyclists)
TRAN.9	(Car Parking Standards)

CONSIDERATIONS (External to Planning)

Highways: No objections subject to a condition requiring two warning signs to be displayed on the B5077.

PROW: No objections

Ecology: No comments received at the time of writing this report

Environmental Health: No objections subject to conditions relating to hours of construction and pile foundations.

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing this report

OTHER REPRESENTATIONS

No representations received

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

A Design and Access statement has been submitted to accompany the application. This is available on the application file and provides an understanding of the proposal and why it is required.

OFFICER APPRAISAL

Key Issues

The main consideration is whether the design and scale of the building is acceptable, in terms of impact on the open countryside, on the amenity of nearby residents, highways safety, protected species, trees or any other material consideration.

Need for the Building

According to the applicants Design and Access Statement the proposed building will be used for the storage and processing of approximately 1000 tonnes of cheese. At present the company is operating to the full capacity of the existing buildings on the site and now need to expand the current processing and storage facilities. The applicant claims that this new building will improve the company as they will be able to have longer automated production lines, this in turn will help to create additional job opportunities in the local area and thus benefiting the local community.

Policy Position

The proposal is located within the Open Countryside and will be assessed against Policy NE.2 (Open Countryside) which restricts development other than that required for agriculture, forestry, outdoor recreation or other uses appropriate to the rural area.

Policy E.6 (Employment Development within Open Countryside) allows for 'small scale' employment development in rural areas in order to diversify the rural economy. However, due to the cumulative floor area of the proposed buildings measuring approximately 1682.4sqm, the proposal falls within the major application category and therefore cannot be described as small scale. As such, the proposal is clearly contrary to Policy E.6 (Employment Development

within the Open Countryside) and therefore constitutes a departure from the development plan.

Consequently, there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined:

"in accordance with the plan unless material considerations indicate otherwise".

Therefore, the application turns on whether there are any other material considerations, of sufficient magnitude, to outweigh the Development Plan presumption against the development.

Local Plan Policy/Government Guidance

As previously stated, the application site is located outside of the settlement boundary, as defined on the Crewe and Nantwich Replacement Local Plan Proposals Map, and is therefore situated in Open Countryside.

Policy NE.2 (Open Countryside) of the Crewe and Nantwich Replacement Local Plan restricts development other than that required for agriculture, forestry, outdoor recreation or other uses appropriate to the rural area. Whilst Policy E.6 of the Local Plan (Employment Development within the Open Countryside) restricts employment development to 'small scale' employment development in rural areas in order to diversify the rural economy. Small scale development should be adjacent to existing buildings or other existing employment areas. All new development should also meet the requirements of policies BE.1 – BE.5 as contained within the Local Plan.

According to the NPPF:

'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. Therefore, significant weight should be placed on the need to support economic growth through the planning system' (para 19).

The guidance goes on to 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'.

The NPPF still sets its face against the development of new greenfield industrial developments in rural areas, and brownfield sites should be utilised in the first instance. The National Planning Policy Framework is more up to date than the Local Plan which does not have policies with regards to large scale developments of this type and size within the Open Countryside.

The National Planning Policy Framework also promotes sustainable modes of transport. Transport policies have an important role to play in facilitating sustainable development, but also in contributing to wider sustainability and health objectives. The NPPF goes on to state

that smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

In practical terms, this means that new industrial development should be located where the number of vehicle journeys generated is minimised. This means that an employment site should be accessible by a realistic choice of transport, walking and cycling. However, the NPPF recognises that this aim may not be wholly achievable in rural areas. It specifically states:

'The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas'.

Design

The application site is located directly towards the rear of the existing warehouses which serve F J Need Foods. There are already four portal frame buildings (albeit much smaller in scale) which are in situ and are proposed to be demolished in order to make way for the proposal and therefore, the development site constitutes brownfield land. The surrounding built development comprises warehouses and office block to the west and south. Therefore, the proposed development will be seen in this context and will not be viewed as an isolated or divorced site, within the open countryside.

The proposed development will comprise of one stand alone unit. The proposed building is separated from the neighbouring warehouses located to the west of the application site by an access road. Furthermore, there are already areas of hardstanding to the front of the proposed buildings to be demolished, which will be used as car parking and servicing areas.

The design and scale of the building is of typical modern industrial units with shallow pitched roofs and simple portal frame construction. The footprint of the proposed unit is in the shape of a letter 'L'.

The proposed unit will measure approximately 67m long by 42.6m deep (at the widest points) and is 7.3m high to the eaves increasing to 8.9m high at the apex of the pitched roof. According to the submitted plans the proposal will be clad on the elevations and the roof by composite cladding, details of which will be secured by condition, in the event that planning permission is approved.

According to the submitted amended plans there will be 3no. personnel doors on Elevation A, 2 Personnel doors on Elevation B, 3 large openings and 2 personnel doors on Elevation C and a roller shutter door, personnel door and another personnel door at first floor level with external steel staircase on Elevation D. It is considered that the design, scale and proportions of the apertures are in keeping with the host property and will not appear as incongruous or obtrusive features.

It is considered that the proposed building is uniform and utilitarian in form and is designed for functionality rather than form. The building is similar in design and size to other units within the area and across the Borough and it is considered that it will not appear as alien or

incongruous feature within the streetscene. As such the proposal complies with policy BE.2 (Design Standards).

Amenity

Policy BE.1 (Amenity) states that development will be permitted provided that the development:

- is compatible with surrounding land uses,
- does not prejudice the amenity of future or neighbouring occupiers,
- does not prejudice the safe movement of traffic
- does not cause an increase in air, noise, water pollution

which might have an adverse impact on the use of land for other purposes.

It is considered that the redevelopment of the site for industrial purposes is considered to be compatible with the surrounding land uses. The proposal is unlikely to result in noise, air or water pollution. However, a principle consideration in determining this application is its effect upon the amenity of adjacent occupants and in this respect Policy BE.1 requires that development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

The nearest residential properties are located in excess of 67m to the north west of the application site. Therefore, given the separation distances, intervening vegetation and boundary treatments, it is considered that any negative externalities caused by the proposed development will be minimised. Furthermore, colleagues in Environmental Health have been consulted and raise no objection to the proposal. However, in order to mitigate any negative externalities caused by the proposal a number of conditions will be attached to any decision in order to help reduce any noise and disturbance impact that could be caused by this development. These include:

- hours of operation,
- details of noise reduction measures,
- hours of construction
- details of any external lighting.

Sustainability

The NPPF identifies that there is a presumption in favour of sustainable development and that significant weight should be attached to proposals which enable economic growth and the delivery of sustainable development. With regard to the rural economy, the Framework identifies that the support should be given to the sustainable growth of rural businesses.

It is noted that the application site is located in a remote rural location far removed from any established settlements. However, the site is located adjacent to the Main Road, Worleston, which is a heavily trafficked road. A condition will be attached to any decision requiring the provision of secured covered cycle parking. Furthermore, it is considered that, in order to encourage some sustainable forms of transport, a condition relating to a travel plan should be attached to any permission. The NPPF advocates the use of Travel Plans stating:

'All developments which generate significant amounts of movement should be required to provide a Travel Plan' (para. 36).

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, at 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 offset any harm. Consequently, 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).

Public Rights of Way

Colleagues in PROW have been consulted and they state that no public rights of way in the vicinity of the application. Therefore, it is considered that the proposal complies with policy RT.9 (Footpaths and Bridleways).

Drainage

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall.

The NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.

It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns. Overall, it is considered that the application is in accordance with policy BE.4 (Drainage, Utilities and Resources).

Highways

Colleagues in the Highways Department have been consulted and they advise that the application 'will generate increased use of the minor road forming a cul-de-sac off the B5077. This is used little other than by the applicant and does not consider that the intensification sufficient to justify an objection.

The junction of the access lane with the B5077 is poor and just south of a bend on the main road. It is recommended that any approval be conditioned so that before beneficial occupation

the applicant provides at his expense two warning signs on the B5077 advising of the junction'. Furthermore, it is noted that there is sufficient space for vehicles to be parked clear of the public highway and for vehicles to manoeuvre so that they can enter and exit the site in a forward gear. Overall, it is considered that the proposal complies with policy BE.3 (Access and Parking).

Ecology

The Council's Ecologist has been consulted and he confirms 'that the existing buildings on this site have limited potential to support protected species such as bats and barn owls and I do not anticipate the proposed development having a significant impact on Great Crested Newts. Consequently no surveys for these species are required to inform the determination of this planning application'

The proposed development may however have an adverse impact upon breeding birds therefore a survey will be required to ascertain whether birds are present. It is considered prudent to attach a condition requiring a survey to check for nesting birds, subject to the imposition of this condition it is considered that the proposal complies with policy NE.9 (Protected Species).

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is accepted that the application site is located in a remote location and in an unsustainable location. However, the proposal serves a specific local need and will generate further employment.

It is considered that the design, scale and form of the buildings would sit comfortably with those in the locality. The development can be accommodated on the site without causing significant harm to the character and appearance of the open countryside or the amenities of nearby residential properties.

There are no significant concerns relating to protected species or loss of trees.

The proposal is therefore in compliance with Policies NE.2 (Open Countryside), 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), BE.6 (Development on Potentially Contaminated Land), E.6 (Employment Development within the Open Countryside) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, and guidance contained within the National Planning Policy Framework.

Approve subject to the following conditions

- 1. Standard Time Limit**
- 2. Plan References**
- 3. Materials to be submitted and agreed in writing**
- 4. Details of any external lighting to be submitted and approved**
- 5. Landscaping Submitted**
- 6. Landscaping Implemented**

- 7. Details of boundary treatment to be submitted and approved in writing**
- 8. Surfacing materials**
- 9. Drainage scheme to be submitted and approved in writing**
- 10. Details of secured covered cycle parking to be submitted and agreed in writing**
- 11. Incorporation of sustainable features to be submitted and approved in writing**
- 12. Hours of use of the unit to be submitted and agreed in writing**
- 13. Details of noise reduction measures for the unit to be submitted and approved in writing**
- 14. Travel Plan**
- 15. No outside storage**
- 16. Hours of Construction**
- 17. Hours of Pile Foundation**
- 18. Restrict Use to B2 and B8 for the storage and processing of cheese only**
- 19. Details of the Warning signs to be submitted and agreed**
- 20. Nesting Birds**

Park Farm

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