
Erection of business units (B1b, B1c and B2 use class)
(outline - all matters reserved except part access)

Report Item No
A6

Land At Vulcan Way Coalville Leicestershire

Application Reference
16/00416/OUTM

Applicant:
Leicestershire County Council

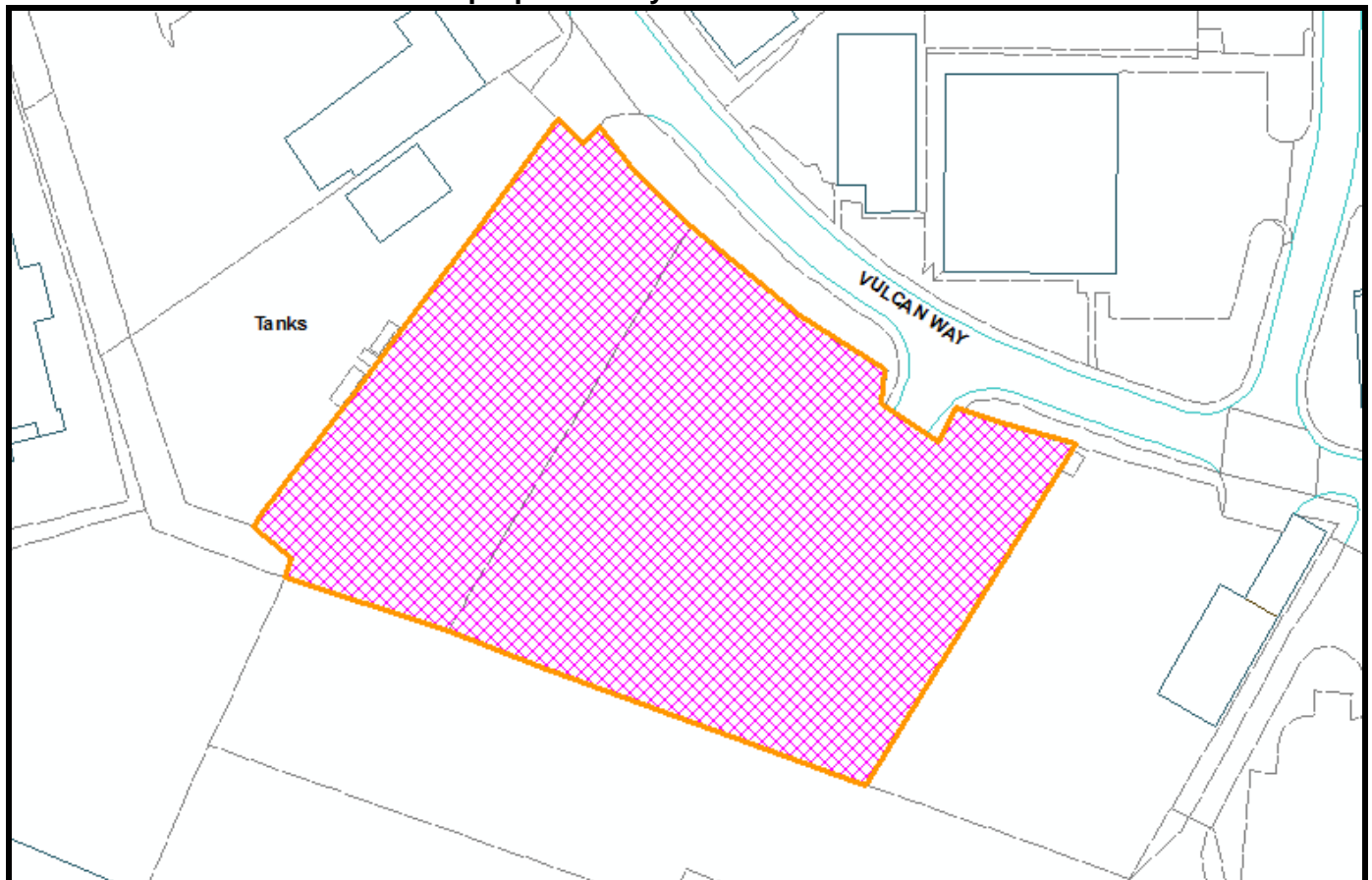
Date Registered
13 May 2016

Case Officer:
Robert McKillop

Target Decision Date
12 August 2016

Recommendation:
PERMIT Subject to a Section 106 Agreement

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals

Reason for Call In

The application has been called to the Planning Committee by Councillor Legrys due to it being linked to applications 16/00414/OUTM and 16/00415/OUTM at Workspace 17, Highfield Street, Coalville which would result in the loss of employment units.

Proposal

Outline planning permission is sought for the erection of business units (B1b, B1c and B2 use class) at Vulcan Way, Coalville.

Consultations

Members will see from the main report below that one objection to the scheme has been received from a member of the public. No objections have been raised to the development by statutory consultees.

Planning Policy

The application site is within Limits to Development as defined in the adopted North West Leicestershire Local Plan. Also relevant are the employment policies of the National Planning Policy Framework and adopted and publication version of the North West Leicestershire Local Plan.

Conclusion

The proposed employment units would be located within an industrial estate and within the limits to development in a sustainable settlement and the scheme is considered to accord with national and local policies. Subject to suitable conditions, the proposal would have no adverse impacts upon residential amenities, highway safety, design, ecology, flooding or trees. Overall the development would accord with Policies S2, E3, E4, E7, J1, T3 and T8 of the adopted Local Plan and Policies D1, D2, Ec3 and IF7 of the publication version Local Plan and advice in the NPPF. The application is, therefore, recommended for approval.

RECOMMENDATION - PERMIT, SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommended conditions, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Outline planning permission is sought for the erection of business units (B1b, B1c and B2 use class) at land at Vulcan Way, Coalville. Details of part access are included with other matters reserved for subsequent approval. The site is within an industrial area adjacent to other businesses and is located within the defined limits to development as identified in the North West Leicestershire Local Plan.

The site measures an area 1.02 of hectares and the application form states that 4830.95 square metres of new floor space would be created for business and general industrial use under classes B1b, B1c and B2. The indicative plans indicate that three new buildings would be provided which would be sub-divided into a number of incubator and starter units of varying sizes. On-site parking, turning and landscaping is also indicated.

The application is accompanied by a Design and Access Statement, Transport Assessment, Habitat Survey, Flood Risk Assessment and Geo-Environmental Investigation Report.

Applications 16/00414/OUTM and 16/00415/OUTM at Workspace 17, Highfield Street, Coalville have been submitted by the same applicant and are currently being considered by the Local Planning Authority. These other applications propose the demolition of existing employment units and erection of new residential units at a different site in Coalville. This application is submitted to provide replacement employment units to mitigate against the potential loss should the other applications be approved. Application 16/00409/OUT for the erection of two industrial units at Samson Road, Coalville is also under consideration which would further offset any loss of employment units in Coalville. All of these applications are reported in this Planning Committee agenda.

The applicant's supporting statement indicates that the units will be start up and grow on units which is part of a wider strategy to support the economic development of the area. The type and scale of units proposed are not generally provided by the investment market in this area as they are not economically viable, though there is a gap in this type of employment space provision to support the economic development of the District.

No recent planning history found for this application.

2. Publicity

3 neighbours have been notified (Date of last notification 16 May 2016)

Site Notice displayed 16 May 2016

Press Notice published 25 May 2016

3. Consultations

County Highway Authority
Severn Trent Water Limited
Head of Environmental Protection
LCC ecology
LCC Flood Management
Kay Greenbank

4. Summary of Representations Received

Third Party Representations

One letter of objection has been received raising the following points:

- On-site parking is insufficient for the scale of the development and will lead to on-street parking issues in the vicinity;
- The location of cycle parking is unworkable;
- The architect has struggled to present a workable scheme for lorries and vehicular access with the proposed access being too narrow;
- Parking spaces are unworkable due to loading areas;
- LLC recommends refusal due to lack of a sustainable urban drainage system;
- There is an undesirable mix of planning uses with the proposed B1 and B2 uses likely to conflict;
- The development is poorly conceived and an overdevelopment of the site which raises viability issues from lack of market occupier interest.

Statutory Consultees

Leicestershire County Council - Ecologist has no objections.

Leicestershire County Council - Lead Local Flood Authority has no objections subject to conditions.

Leicestershire County Council - Highways has no objections subject to conditions.

National Forest Company has no objections subject to a section 106 agreement.

NWLDC Environmental Protection Team has no environmental observations.

Severn Trent Water Ltd has no objections subject to conditions.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

- Paragraph 14 (Presumption in favour of sustainable development)
- Paragraph 19 (Building a strong, competitive economy)
- Paragraph 20 (Building a strong, competitive economy)
- Paragraph 57 (Requiring good design)
- Paragraph 59 (Requiring good design)

Paragraph 61 (Requiring good design)
Paragraph 112 (Conserving and enhancing the natural environment)
Paragraph 118 (Conserving and enhancing the natural environment)
Paragraph 123 (Impacts of development)

Adopted North West Leicestershire Local Plan (2002)

The application site is within the Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S2 - Limits to Development
Policy E3 - Residential Amenities
Policy E4 - Design
Policy E7 - Landscaping
Policy J1 - Employment Development
Policy T3 - Highway Standards
Policy T8 - Parking

Other Policies

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

Publication Version North West Leicestershire Local Plan

On 15 September 2015 the District Council's Full Council approved a draft Local Plan for consultation. That consultation has now ended and the publication version of the Local Plan was agreed by Council on 28th June 2016 with a view to its submission for examination in September 2016. Given the more advanced stage that has now been reached with agreement of a publication version of the Local Plan it is considered that more weight can be attached to the following policies:

Policy S1 - Presumption in Favour of Sustainable Development
Policy D1 - Design of New Development
Policy D2 - Amenity
Policy Ec3 - Employment Development
Policy IF7 - Parking Provision and New Development

National Planning Practice Guidance - March 2014.

6. Assessment

Principle and Sustainability

The site is within an existing employment area and lies within the defined limits to development of Coalville which is considered a sustainable location for new development. The NPPF promotes sustainable growth and expansion of all types of business and enterprise through the conversion of existing buildings and well designed new buildings and extensions. In these circumstances the principle of the development would accord with Policy S2 and J1 of the adopted Local Plan and Policy Ec3 of the publication version Local Plan. The proposal for starter and grow on units is welcomed and the development is acceptable in principle, subject to accordance with relevant national and local policies and other material considerations.

Residential Amenity

The site is located within an existing industrial estate and there are no residential properties

within the immediate vicinity of the site that would be affected by the proposed building. The Council's Environmental Protection Section does not object to this application and overall the scheme would accord with the aims of Paragraph 123 of the NPPF, Policy E3 of the adopted Local Plan and Policy D2 of the publication version Local Plan.

Design

The need for good design in new development is outlined not only in Local Plan Policy E4 but also Paragraphs 57, 60 and 61 of the NPPF with Paragraph 61 outlining that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

The application site is on the southern side of Vulcan Way and is surrounded by existing industrial units. In response to comments stating that the development would be an overdevelopment, the layout would be similar to the layout and density of development elsewhere on this Industrial Estate. It is considered that the site is sufficiently large to accommodate three new buildings and associated space for vehicle parking, turning and landscaping. The layout, scale, appearance and landscaping are reserved matters to be agreed through a subsequent application although the indicative site layout and elevation drawings as submitted in the Design and Access Statement indicate that the site is capable of accommodating the proposed development in a manner that would have an acceptable visual impact within the surrounding area. It is noted that most of the site is presently used for open storage and it is considered that the proposed units would likely improve the visual appearance of the area. On this basis, the application would accord with guidance in the NPPF, Policy E4 of the adopted Local Plan and Policy D1 of the publication version Local Plan.

Highway Safety

The letter of objection raises concerns about potential on-street parking issues, poor cycle parking provision and an unworkable proposed layout. It is noted that this is an outline application and the County Highway Authority (CHA) has not fully considered the parking provision or layout at this stage. The illustrative layout plan shows 110 car parking spaces and fourteen cycle parking spaces. The precise number of spaces required at this stage is unknown given the outline nature of the application however there appears to be ample space within the site to accommodate an appropriate level of parking in accordance with current highway standards.

In their response, the CHA is satisfied that the required visibility and turning can be provided at the site access positions and has advised that the capacity assessments of the proposed two accesses are satisfactory. Although there is some record of accidents along Whitwick Road, this has decreased following junction improvements opposite Whitwick Business Park and the CHA is satisfied that no mitigation measures would be required as part of the proposed development. No other objections have been raised. Overall the CHA has advised that the residual cumulative impacts of development are not considered severe in accordance with Paragraph 32 of the NPPF, subject to conditions.

The site is within walking distance from the centre of Coalville which benefits from good access to public transport. Taking the above into account it is considered that the proposal would not lead to any significant detrimental impact on highway safety. As such, the scheme would accord with Policies T3 and T8 of the adopted Local Plan and Policy IF7 of the publication version Local Plan.

Ecology

The County Council Ecologist has no objection to the proposed development and it is deemed that the application would not have any detrimental impact on ecology or protected species.

Trees

The application site extends to 1.02ha and the National Forest Company's (NFC) Planting Guidelines, as set out in the Guide for Developers and Planners, expects 20% of the site area to be for woodland planting and landscaping. However, it is noted that they would be willing to accept off-site planting and on the basis that applicant is agreeable to this approach, should planning permission be granted, this would need to be secured by a legal agreement.

In terms of the impact on trees, following an officer site visit it was noted that there are several trees and shrubs within the site. Although the retention of trees and shrubs would be preferable, there are no Tree Preservation Orders within the site and given their relatively low amenity value, it is considered the removal of existing trees and shrubs would not have any significant detrimental impact on trees and the character of the area. Screening is provided to the front of the site along Vulcan Way by a row of existing mature trees and shrubs which would not be affected. Overall it is deemed that the application would accord with Policy E7 of the adopted Local Plan and advice within the NPPF.

Other

The application is linked to applications for residential development elsewhere in Coalville which would result in the loss of employment provision. It is noted that part of the application site at Vulcan Way is currently used for open storage, leased by a neighbouring company. The applicant has confirmed that the current occupiers have been informed they will need to relocate at the end of their current tenancy period. However, Class B1 and Class B2 uses generally provide for a higher number of employees per square metre than Class B8 uses and on this basis the proposed development is likely to provide for an increased number of employees compared to the existing B8 use at the site. Overall, whilst it is noted that the site is currently in an employment use, the application would increase the provision of employment space at this site and the provision of more modern buildings would ensure provision of modern employment space that is suitable for starter and grow on businesses.

Conclusion

The principle of the development is acceptable and the proposal is considered not to have any significant detrimental impacts on residential amenity, design, highway safety, ecology or trees. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, in this case S2, E3, E4, E7, J1, T3 and T8 and also the relevant policies of the publication version North West Leicestershire Local Plan, namely Policies D1, D2, Ec3 and IF7. It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to the following conditions:

- 1 An application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason- to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Approval of the details of the appearance, landscaping, layout, access (save for the details of vehicular access into the site from Vulcan Way) and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason- this permission is in outline only.

- 3 This application has been determined on the basis of the application site outlined in red on "Location Plan 1:2500" and "OS Plan/Aerial/Survey/Block Plan 1:1250 and 1:500" and "Drg No.35399-5501-004", received by the local planning authority on 11th April 2016, and development shall be carried out strictly in accordance with this plan unless otherwise required by a condition of this permission or subsequent reserved matters application.

Reason- to determine the scope of this permission.

- 4 Prior to first use of the development hereby permitted, access shall be provided in accordance with Drawing 35399-5501-004, received by the local planning authority on 11th April 2016 and shall thereafter be permanently so maintained.

Reason- To ensure a satisfactory form of development and in the interests of highway safety.

- 5 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and timetable.

Reason- To reduce the possibility of deleterious material (mud, stones etc) being deposited in the highway and becoming a hazard for road users, and to ensure that construction traffic/site traffic associated with the development does not lead to on-street parking problems in the area.

- 6 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of two treatment trains to improve water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and the responsibility for the future maintenance of drainage features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme.

Full details for the drainage proposal should be supplied including (but not limited to); flow control details, pipe protection details, long sections, cross sections, construction details, adoption and maintenance schedules and full model scenario's for the 1 in 1, 1 in

30 and 1 in 100 year plus climate change. Where discharging to a sewer, this should be modelled as surcharged for all events above the 1 in 30 year, to account for the design standards of the public sewers.

Reason - To prevent the increased risk of flooding, both on and off site.

- 7 No development approved by this planning permission shall take place until such time as a detailed construction phasing plan has been submitted to, and approved in writing by, the Local Planning Authority.

Details within the phasing plan should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Reason - To prevent an increase in flood risk and maintain the existing surface water runoff quality though the entire development construction phase, and to prevent damage to the final surface water management systems.

- 8 No development shall take place until a scheme for foul drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.

Reason - To protect the water environment by ensuring that there is no risk of pollution due to the increase in foul flows, particularly with regards to any potential adverse impact on the performance of any combined sewer overflows downstream.

Notes to applicant

- 1 Outline planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 2 Severn Trent Water advise that although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. Should you require any further information please contact us on tel: 0116 234 3834 or email: net.dev.east@severntrent.co.uk.