

DELEGATED DECISION REPORT

SMD/2021/0734
Valid 15/11/2021

DALECRETE
BROOKLANDS WAY
LEEKBROOK
LEEK

ERECTION OF TWO
WAREHOUSE UNITS

**(FULL PLANNING - SMALL-
SCALE MAJOR APPS)**

MAIN ISSUES

The principle of the development
The impact on the character, appearance and amenities of the area.
The impact on highway safety.
The impact on flood risk.

DESCRIPTION OF SITE

The site comprises a vacant plot with large yard area where there was a former concrete plant. It is on the north side of the road on Basford Lane Industrial Estate to the east of Leekbrook village. There are existing warehouses to the east side and also on the other side of Brooklands Way to the south. The road bends alongside the west side of the site and a brook runs a short distance to the rear of the site where open land exists and continues past the west side boundary where there is a gap between the site and neighbouring warehouses further to the west.

The industrial estate is not within a "Development Boundary" as shown in the Local Plan and is therefore deemed to be within the countryside of the District but is not in the Green Belt. The site does not fall within a Flood Zone but is identified as having a "medium" risk of localised river flooding.

PROPOSAL

This is a full planning application for two warehouses required for pallet storage for other businesses on the industrial estate and which would be placed side by side against the rear boundary of the site. Building A would have a footprint of 48.8m long x 22m wide giving a resultant floor area of 1,073 sq metres whilst the smaller unit, Unit B would measure 30.5m long x 15m wide providing a unit with 457 sq metres of floor area. The eaves height of both buildings would be 7m whilst building A would have a resultant ridge height of 10m and building B would have a resultant ridge height of 9.3m.

Both of the buildings would comprise of portal frame single span buildings which would be clad in profiled powder coated steel side sheeting (Red Brown RAL 8002) and an Albatross Grey (RAL 240 80 05) steel sheeted roof.

The Design and Access Statement submitted explains the reason for the units:

It is considered that this application will allow sustainable economic growth to continue at the site and provide much needed storage space to serve the existing business units already located on the industrial estate. The existing industrial estate is very well established and well used. There is however a significant shortfall of pallet storage provision within the immediate locality with a number of existing business having to rely on using remote sites in order to meet their needs. This obviously has a very significant and detrimental impact upon their productivity, efficiency and ultimately profitability. It is therefore anticipated that the two units will be used to provide additional storage capacity for existing businesses on the wider industrial estate.

This application is a resubmission of a previous application submitted earlier in 2021 and which was granted permission. The only difference between this new scheme and the previous approved scheme is the inclusion of 19 staff car parking spaces for the proposed two new units, which remain identical in their size, form, height, materials and overall design.

The Planning Statement with this new application explains the following:

“The justification for the proposed units was on the basis that the proposed units would provide pallet storage for existing business units already located on the industrial estate. Accordingly no on site parking was provided as part of that scheme and a planning condition, condition 3, of the aforementioned consent restricted the use of the buildings solely for storage purposes ancillary to businesses occupying premises elsewhere within the Basford Lane Industrial Estate. The reason for the condition was cited as the lack of identified staff parking and in the interests of highway safety. Whilst it is still the intention for the new warehouse units to provide additional storage capacity for existing businesses on the estate concern has been raised by interested parties negotiating lease agreements for the units regarding the restrictive nature of the planning condition.”

An updated Flood Risk Assessment report was also submitted.

A drainage scheme and CEMP were submitted on 15.2.22 to tackle proposed conditions to the attached to the planning permission. A revised drainage scheme was issued on 27.2.22.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS10 Other Rural Areas Strategy
E1 – New Employment Development
E3 – Existing Employment Areas
DC1 – Design Considerations
SD5 – Flood Risk

NPPF (Revised February 2019)

Sections 6 (Economy), 12 (Design) and 17 (Flood risk and climate change).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0442: Previous scheme for two new industrial units. Approved.

SMD/2017/0837: Industrial unit. Approved but not built.

SMD/2008/1476: Extension to existing industrial unit. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 29.9.21

Neighbour consultation period ends: 29.9.21

Press Advert: 8.9.21 (Major application)

Public Comments

None.

Town / Parish Comments

No objections.

Local Highways Authority

No objection. Staff parking as detailed on drawing number 2020-2479-06 Rev F is in accordance with Staffordshire Moorlands Parking Standards which state: B8 – Storage or distribution -1 space per 80m² of gross floor area in the case of large-scale storage and distribution facilities. It is proposed Warehouse A will have 13 spaces and Warehouse B will have 6 spaces. HGV access via the existing accesses is considered sufficient to accommodate vehicle movements of this type.

Environmental Health

No objection subject to standard conditions for new industrial development.

Severn Trent Water

No objection subject to a standard condition.

SCC Flood Team

Standing advice given in relation to major development in Flood Zone 1.

Environment Agency

Objection raised. The EA commented as follows:

“We have historically commented on proposed developments at the adjacent Industrial development site and are aware that industrial chemical processes have taken place in proximity. We consider there is the potential for contamination to be present, as well as the potential to mobilise any existing contamination through re-development. The applicant has not submitted any supporting evidence to show that the risks posed to controlled waters by the proposed re-development are understood and can be adequately managed. The location of the site on an industrial development with potentially contaminative uses represents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located upon permeable Secondary Aquifers, with linked surface water receptors, and in close proximity to a groundwater Source Protection Zone.

The applicant should submit a preliminary risk assessment which includes a desk study, conceptual model and initial risk assessment. This information must demonstrate to the local planning authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.”

OFFICER COMMENTS

This new application has been submitted because the applicant wishes to add staff car parking spaces for the approved industrial storage buildings intended for use as pallet storage for the other businesses on the industrial estate. The Council accepted the lack of car parking spaces in the previous scheme for this reason and imposed a condition to restrict the use of the new buildings to Basford Lane Industrial Estate businesses only, for this reason. However, it appears there have been problems with agreeing leaseholds with those other businesses because of the restriction. If there was the flexibility to lease out the units to businesses from further afield, then the Council would not object to this provided there would be adequate staff parking to ensure staff do not park on the surrounding roads to the detriment of highways safety, particularly as those roads are shared with HGVs.

Nineteen new on-site staff parking spaces have been added to the scheme and would be placed in the front of the buildings in the large existing yard areas. This is considered to be a sufficient number for industrial storage warehouses of the size proposed in accordance with the Council's parking standards and therefore the local highways authority has raised no objection to the scheme. The condition on the earlier permission would be removed on this basis and replaced with a condition requiring the retention of those spaces, unobstructed.

The accesses to the site are sufficient for the use by both cars and HGVs and there is ample turning space for all vehicles. The staff spaces are also of sufficient size for cars.

There are no other changes to the proposal and therefore the impacts on the surrounding environment would remain the same as those when the previous permission was approved just four and a half months beforehand. There have been no changes to the site or its surroundings since then and no significant other approvals given for nearby development on the industrial estate that would lead the impact of this revised scheme on the area to be any different.

The Environment Agency (EA) has raised an objection based on the industrial estate being contaminated and that the construction of two large new warehouses could disturb ground contamination leading to possible pollution of the surrounding watercourses. The EA was not consulted on the previous application because, under their consultation procedures, no such consultation of the EA was required. The consultation of the EA for this new application was also not required.

Whilst the points raised by the EA are noted by the Council, the previous permission is extant and there have been no changes to the scheme other than the creation of parking spaces on the existing yard which would not cause any contamination concerns. The applicant could implement the previous permission and build the new warehouses and then subsequently apply for the provision of parking spaces. In the light of this fallback position it is not considered that a refusal on contamination grounds could be sustained. This has been explained to EA but although it understands there is an extant permission, it is unable to withdraw the objection.

The Council's own Environmental Health Service are consulted to comment on issues which would include potential ground contamination and in this instance did not object, but required a condition to be added stating that where unexpected ground contamination is discovered during construction works should works cease and a risk assessment be undertaken with the results submitted to the Council for approval and if necessary a remediation scheme be agreed by the Council and undertaken before any further works. A condition imposed on the planning permission requiring this to safeguard against these concerns.

However, informatives will be added to this new revised permission requesting the applicant refer to the EA Standing Advice on preventing/controlling ground/water pollution and to undertake any measures if required.

The subsequent CEMP and amended drainage scheme submitted in response to proposed planning conditions were deemed acceptable.

CONCLUSION / PLANNING BALANCE

This is a resubmission of a permission for two new industrial units granted as recently as 1st October 2021 and with the only change being the provision of 19 staff car parking spaces. This alteration to the scheme is deemed to be acceptable and would benefit rather than harm highway safety and would allow greater flexibility of an occupier as there is a current condition restricting the units to Basford Lane Industrial Estate businesses, where staff parking would not be required. The proposal remains acceptable in terms of its overall principle and impacts on the visual and residential amenities of the area and the environment in general. The proposal would therefore comply with the Local Plan and the government planning guidance in the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 21.3.22

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council