

DELEGATED DECISION REPORT

SMD/2023/0482
Valid 26/09/2023

UNIT 15B
BROOKLANDS WAY
LEEKBROOK
LEEK

EXTENSION TO EXISTING
WAREHOUSE

(FULL - MINOR)

MAIN ISSUES

- Design
- Site layout – parking and turning
- Flood risk

DESCRIPTION OF SITE

Existing yard serving industrial unit backing on to wooded brook course where there is also a public footpath right of way. The business occupies the north end of a linear building arranged end-on to the wooded border beyond. The location is in a shallow valley running east-west. To the north the site is set against rising wooded ground. Highway access to the site comes in from the west via a sinuous spine road. To the south side of the road is a chemical works with a much more industrial characteristic than the application premises.

The Leekbrook water course on the north side of the development is designated as 'statutory main river'. There is also a narrow accompanying strip of Flood Zones 2 and 3.

PROPOSAL

The extension would project off the front (west) elevation at right angles to the linear north south layout of the current building. The extension would be c.15 x 7m in plan with 7.5m eaves height and 8m ridge height. It would have a sheet metal green exterior finish and two roller shutter doors facing south into the yard.

A revised drawing 06 C was submitted to address / clarify parking arrangements and to only include current operational land within the red edge.

The application is accompanied by a flood risk assessment and a design and access statement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)
SS1 Development Principles

SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
E3 Existing Employment premises
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (2023)

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

02/01195/FUL – extension to factory building and widening of existing side access
Unit 15

CONSULTATIONS

Publicity

Site Notice expiry date: 24.10.2023
Neighbour consultation period ends: 19.10.2023
Press Advert: 1.11.2023

Public Comments

None

Town / Parish Comments

Leek Town Council – no objection; not un-neighbourly.

Footpath Groups

Peak and Northern – PROW Leek 31 is close to the proposed site. Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

Ramblers' Association – PROW Leek 31 runs very close to the building and must be kept open at all times.

SMDC Environmental Health

Suggested potential areas of concern identified are:

1. Noise from plant and machinery (Condition)
2. Construction Impacts (Condition)
3. Unexpected contamination (Condition)
4. Nuisance (See advisory)
5. River Churnet (Consult Environment Agency)

The above considered in full under amenity / other matters below.

Staffordshire County Council Highways

Brooklands Way (Road No. D1153) is an unclassified road with a speed limit of 30 mph and street lighting. Brooklands Way is the main spine road through Basford Lane Industrial Estate. There are no parking restrictions along the entire length of Brooklands Way.

The internal dimensions of the extension scale at 14m wide and 6.2m deep and will have 2 x roller shutter doors on the south elevation for servicing.

The proposed extension (Class B8 - Storage or distribution/Class B2 - Industry) will provide an additional 93m² floor space to the existing 322m² making a total of 415m². Staffordshire Moorlands Parking Standards state: B8 - Storage or distribution – 1 space per 80m² of gross floor area in the case of large-scale storage and distribution facilities. Use Class B8 – Storage or distribution for the additional 93m² requires parking for an extra vehicle (1) or 5 vehicles for the total floor space of 415m² is required to meet with the Parking Standards.

The Application Form states 3 full time, and 2 part time staff are currently employed equating to 4 full time, and an additional 1 full time member of staff is proposed.

Submitted Drg No. 2023-2777-06 Rev C demonstrates parking for 5 vehicles with parking and turning for lorries provided as demonstrated in submitted Drg No. 2023-2777-06 Rev C.

It was noted there are currently shipping containers on site and the Planning Officer confirms these are to be conditioned for removal. The proposal will not have a

detrimental impact on the adopted highway. I have no objection to the proposal (SMD/2023/0482) subject to the following condition: The development hereby permitted shall not be brought into use until the lorry parking, staff parking spaces and artic turning area have been provided as detailed in submitted Drg No. 2023-2777-06 Rev C and kept free from obstruction and as intended for the lifetime of the development.

SCC Flood Risk

Areas of the application site have a chance of surface water flooding of 1 in 1000year (low probability of flooding). Surface water flooding can be difficult to predict, more so than river or sea flooding, as it is hard to forecast exactly where or how much rain will fall in any storm. This is based on the best available information, such as topography, ground levels and drainage. Given the nature of the proposals, they would result in no significant change to the impermeable area and little change to the surface water runoff generated by the site. Therefore, the Flood Team have no further comments to offer on this application.

OFFICER COMMENTS

Principle of Development

The site lies within the countryside where Policy SS10 applies. Policy SS10 identifies that within the open countryside only development which has an essential need will be permitted. Within respect to business/economic development criteria 2 sets out that only limited expansion or development will be permitted where a rural location can be justified. As an extension to an existing employment site building within an established permitted employment site the proposal is acceptable in principle.

The main issues are appearance / design and parking / highway safety; and flood risk / main river.

Main river / flood risk

The proposed building would be outside of flood risk zones 2 and 3. It is found however that the scheme is reliant on land to be used as a lorry park which almost certainly encroaches on the zone 3 flood plain. This raised area comes to within 2.0m of the river edge at one point and is no more than about 6.6m away at the most. This parking area development, which has involved raising the ground by 2.0m has already taken place and has been undertaken without consent including without planning permission – it is however relatively minor in scale or likely impacts.

The proposed building extension is at about 8m from the main river. The overall site area based on revised red edge plan 05 B is c. 1800m². The type of development is in the EA's 'Less Vulnerable' category. For EA flood risk purposes the category of development is 'non-major'. On grounds the development is part of a site developed in accordance with the development plan and the proposal is consistent with the

site's use the sequential test is not a requirement for this application. Due to being a 'less vulnerable' use the exception test is also not required.

The LPA consulted with the EA due to the proposal being within 20m of a main river but no consultation response appears to have been received. As the development is relatively small scale and the building extension has a similar relationship to the main river as the existing building there has been no follow up contact with the EA.

It is to be noted that the SCC Flood Risk consultation response has raised no objection.

Design

Due to the physical built form of the extension relative to the existing building the design is unfortunate. It has a poor connection with the host structure. This was put to the agent who has commented:

I note the comments regarding the form of the building, unfortunately however there is little I can do to reduce the height of the building as this is dictated by the racking which they use which will be transferred from the existing building. The overall height of the building is no higher than the existing building and it is positioned well back within the site so will not be readily evident from public view. I hope that this is sufficient to allay your concerns especially having regard to the character of the site and surrounding area on an established industrial estate.

Narrowly and on balance, perhaps especially due to being well to the back of the site and also noting the non-conforming structures of the neighbouring chemical plant site these comments can be accepted as being justified.

A further possible unfortunate effect could be the impact on the sense of amenity for public user of the brook corridor along the public right of way. The tall building will increase the sense of enclosure along the route. As a relatively short addition to the existing impacts again on balance it is considered acceptable.

Amenity

With only neighbouring industrial unit users nearby there are no residential occupiers to be taken into consideration. Aside from the footpath users discussed above there are no adverse amenity impacts likely. EH have raised a series of "potential areas of environmental concern".

With regard to plant and machinery noise operational in the development EH comments:

*There is no information provided regarding any plant or machinery associated with the development but we would advise the condition set out below is placed on any permission granted to require that any plant or machinery e.g extraction/cooling units are so installed **so as not to increase prevailing background noise levels**. The sound insulation of the storage building*

should be appropriate to its use, further advice can be found in BS8233:2014.
[Bold emphasis added.]

It would seem prudent and not unreasonable to add the suggested condition.

For this industrial estate location and this relatively small scale construction development it is judged not necessary to add either the suggested 'noisy activity / hours' condition or the 'construction impacts' condition.

EH comment that the site is on an existing industrial complex and suggest there is some potential for contamination to be present and recommend an 'unexpected contamination condition'. As this part of the industrial estate has only been developed post 1990 on previously agricultural land the risk of encountering unexpected contamination seems remote. It may nevertheless be considered prudent to attach the condition.

EH describe the site as being "extremely close to the River Churnet" and recommend that the Environment Agency be consulted. In actual fact the River Churnet is 1km to the west and Leekbrook is a tributary of the Churnet. Nevertheless the brook at this location is mapped as 'statutory main river'. The application site edge adjacent to the proposed building scales from plan as c.8.0m from the mapped brook edge. Part of the proposed parking scales as being to within 2m of the brook and appears on site to have already been formed.

The Development Management Procedure Order (DMPO) 2015 as amended stipulates at Schedule 4 consultations required before the grant of planning permission.

		registered gardens or parks
(t)	Development involving the carrying out of works or operations in the bed of, or within 20 metres of the top of a bank of, a main river which has been notified to the local planning authority by the Environment Agency as a main river for the purposes of this provision	The Environment Agency
(u)	Development for the purpose of refining or storing mineral oils and their derivatives	The Environment Agency
(v)	Development relating to the use of land as a cemetery	The Environment Agency
(w)	Development in or likely to affect a site of special scientific interest	Natural England
(x)	Development involving any land on which there is a theatre	The Theatres Trust

(zc)	Development, other than minor development, which is to be carried out on land— (i) in an area within Flood Zone 2 or Flood Zone 3; or (ii) in an area within Flood Zone 1 which has critical drainage problems and which has been notified for the purpose of this provision to the local planning authority by the Environment Agency	The Environment Agency
(zd)	Major development which does not use the services of a sewerage undertaker for the disposal of sewage	The Environment Agency
(ze)	Major development with surface water drainage	The Lead local flood authority

Highway Safety

SCC Highways have given close consideration to the site capacity for vehicles turning and parking. An amended plan was requested and submitted which SCC Highways are happy with subject to conditions. They request that storage / shipping containers on the site of the proposed building be removed rather than simply being displaced onto the demarcated vehicle areas and they suggest a condition to require the parking and turning spaces to be kept free and open for their intended use as parking and turning areas for the life of the development.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above the application with its amended layout plan is recommended for approval.

OFFICER RECOMMENDATION : **Approve subject to conditions**

Case Officer: Arne Swithenbank

Recommendation Date: 20.11.2023 revised and up-dated 22.04.2024

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council