

DELEGATED DECISION REPORT

SMD/2024/0239
Valid 20/05/2024

VULCAN REFRACTORIES
BROOKHOUSES
INDUSTRIAL ESTATE
CHEADLE

APPLICATION FOR REMOVAL
OR VARIATION OF A
CONDITION 2
IN RELATION TO
APPLICATION SMD/2022/0350

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

MAIN ISSUES

The impact on the character and appearance of the area.
The impact on highway safety.
The impact on flood risk.
The impact on ground stability.
The impact on the ecological value of the area.

DESCRIPTION OF SITE

The site lies close to the western edge of the town and is within the development boundary and on an industrial estate. The access is off Draycott Cross Road to the north-west. It comprises two factory buildings, the one in the north part of the site being much larger than the one to the south behind it. There is storage yard separating the two buildings. To the north of the larger building next to the access is a staff car park with approx. 25 spaces. The site is also to the north-east of the end of the Keats Way cul-de-sac which is also on the industrial estate. There are other industrial premises to the north, west and south of the site. A brook with several trees runs along the east boundary and there is a small area of woodland to the south of the smaller building next to the south boundary and the end of Keats Way. To the other side of the brook to the east lies more industrial areas. The east part of the site nearest the brook is within Flood Zones 2 and 3. Most of the site is also within a High Risk Historical Coal Mining area. The current site is described as being in "B2 General Industrial" use in the Use Classes Order.

A new third industrial building, on former open land to the south of the main building, is nearing completion (with a floorspace of 1225 sq.m) and has a new access off the end of Keats Way. It is now partly occupied. This part of the site is the subject of this new planning application. The land to the south of the new building, to provide a staff parking area, deliveries parking and turning area and area of green open landscaping along the south edge of the site has yet to be completed.

PROPOSAL

This is a Variation/Removal of Planning Condition application which seeks to alter Condition 2 of the full planning permission for the new industrial unit, approved in

2023 (ref: SMD 2022 0350). The condition lists the drawing numbers of which the development must be carried out in accordance with. The reason for the application is because the applicant wished to amend the new vehicular access into the site, which is at the end of Keats Way. Instead of this being located along the northern edge of the highway close to the end of the cul-de-sac, it is proposed to be relocated to the end edge of the cul-de-sac (where it currently stops) and then loop towards the front of the building to the north. This would lead to part of the green open space adjacent to the southern edge of the site being removed and replaced by tarmac and also the proposed "ecology pond" being moved slightly towards the east boundary and changed from a square to a rectangular shape but not reduced in size. Although the HGV turning loop will have changed, the staff parking area layout and number of spaces, will not have changed. There are no other changes proposed.

As a result of the proposed access amendment (and landscaping amendment), Condition 2 would need to be varied to include the amended drawings submitted with the new application (an amended site plan), to replace the existing approved drawings listed in the condition (i.e. the approved site plan).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS5 Leek Area Strategy
SD4 Pollution and Water Quality
SD5 Flood Risk
E1 – New Employment Development
DC1 – Design Considerations
T1 – Sustainable Transport
NE1 Biodiversity
NE2 Trees Woodland and Hedgerows

NPPF (Revised Dec 2023)

Sections 6 (Economy), 9 (Transport), 12 (Design), 14 (Climate Change and Flooding) and 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD 2022 0350: Planning permission for the new industrial unit.

DOC 2023 0058: Discharge of Condition application for the above. Approved.

DOC 2024 0022: Discharge of Condition application for the above. Part Discharged.

NMA 2023 0034: Non Material Amendment application to vary conditions in relation to changes to the drainage strategy. Approved.

NMA 2024 0011. Resubmission of the above NMA to correct a drawing number in Condition 2.

CONSULTATIONS

Publicity

Site Notice expiry date: 16.7.24

Neighbour consultation period ends: 16.7.24

Press Advert (Major Application): 26.6.24

Public Comments

None.

Town / Parish Comments

None.

Local Highways Authority

No objection. Based on the understanding that the change reduces the access area by providing parking and vehicles are still able to manoeuvre in the access area, there are no highway objections. Highway works agreement will still be required. Conditions applied to SMD/2022/0350 should remain.

OFFICER COMMENTS

The Local Highways Authority has no objections to the access point and HGV turning area alterations. It is presumed these changes are required for ease of access and turning purposes. The access would remain with the same width and the turning head accords with highways standards. The proposal would avoid a sharp turn for vehicles leaving or entering the site from the end of Keats Way.

The loss of some of the proposed green space adjacent to the south boundary is unfortunate but a similar sized area of green space lost can be replaced within the site and the relocation of the access point provides a surplus area where the original access was to be located, in the south-west corner of the site which can be used for landscaping replacement purposes which could accommodate for example, a native boundary hedgerow. A revised landscaping scheme to include replacement planting can be added to the planning permission.

The root area of a tree next to the southern boundary of the site will be encroached upon by the new access. However, this was not regarded as being high quality (the trees are largely "U" or "C" quality) and the new landscaping scheme would give the opportunity for replacement tree planting.

The change will not have any impacts on the appearance of the area or ecological value (subject to the new landscaping condition), or on residential amenity, flood risk or ground stability.

Ground investigations have been undertaken to check for any ground instabilities caused by historical coal mining workings as required by Condition 19 of the

previous planning permission. Reports were submitted stating that there were no such instabilities within the application site and that no further investigations were required. A signed declaration of this was submitted in response to Condition 20. The Coal Authority concurred with the submitted information and declaration and recommended that Conditions 19 and 20 be discharged, via a letter dated 21.8.24. As a result there is no need to repeat conditions 19 and 20 as the new proposed works will not have any bearing on ground stability.

With regard to other conditions attached to the planning permission for the new unit, the details submitted with the Discharge of Condition application are deemed to be acceptable.

Other conditions will be either removed or varied to require that they are implemented in accordance with the drawings deemed acceptable under the Discharge of Conditions applications. These include the landscaping scheme and ecological improvements both within the site and an area adjacent to The Green, a short distance to the north-east, which has been earmarked for new native tree planting and wildflower area meadows. These areas were required to be planted before the occupation of the development. Whilst the new unit has now become “partly occupied” according to the applicant, the conditions can be varied to require the approved planting, landscaping and other measures to be carried out in the first available planting season (i.e. November 2024 to February 2025).

CONCLUSION / PLANNING BALANCE

The proposal remains compliant with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF). Condition 2 of the planning permission can be varied accordingly to refer to the amended plans and complete the development in accordance with them.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 23.8.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council