

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

5 FEBRUARY 2014

**REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

13/2901/COU

**1 Sedgefield Way, Portrack Interchange Business Park, Stockton-on-Tees
Change of use to Transport Depot and erection of Material Storage Building**

Expiry Date 14 March 2014

SUMMARY

Under the adopted scheme of delegation this Local Authority application requires to be determined by the Planning Committee.

The application relates to the change of use of the application site from industrial storage to a transport depot with internal alterations being made to an existing warehouse to accommodate the use. The proposal includes the erection of a material storage building, wash area and fuel tanks. A transport statement has been submitted with the application which has been considered by the Head of Technical Services and no objections are raised. The Environmental Health Unit has also raised no objections to the proposal.

The site is located within Flood risk zone 2 however the proposed use is classified as a less vulnerable use. Therefore in accordance with the NPPF the proposed use is considered to be appropriate. The submitted Flood Risk Assessment concludes that the change of use will not cause any impacts elsewhere with regards to flooding or increase flood risk within the boundary of the site. As such the proposed change of use is considered to be acceptable in this regard.

The proposed use is considered to be acceptable in terms of the character and appearance of the surrounding area and it is not considered that it will result in a detrimental impact upon the amenity of neighbouring land users. Furthermore it is not considered that the development will result in any adverse impact upon highway safety. Therefore the proposed change of use is considered to be in accordance with policy CS2 and CS3 of the adopted Core Strategy.

Due to time constraints and contract issues with this application the consultation period does not expire until Friday 7th February 2014. However it is recommended that the decision is delegated to the Head of Planning for approval subject to no objections being received to allow a timely decision to be issued and prevent any delays with regard to the lease of the property.

RECOMMENDATION

It is recommended that the Planning Committee delegate the decision of application 13/2901/COU to the Head of Planning for approval on the expiry of the consultation period subject no objections being received from neighbours or consultees and the following conditions and informatives:

01 The development hereby approved shall be in accordance with the following approved plan(s);

Plan Reference Number	Date on Plan
0611/125	20 November 2013
0611/122A	20 November 2013
0611/124	20 November 2013
0611/123	20 November 2013
SBC0001	19 November 2013
0611/126	25 November 2013
SBC0001	19 December 2013

Reason: To define the consent.

INFORMATIVE OF REASON FOR PLANNING APPROVAL

The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.

SITE AND SURROUNDINGS

1. This site is currently used as an industrial storage site and with an existing warehouse unit being adjacent to the northern boundary of the site adjacent to the existing access gates. The existing building measures approximately 60 metres in length and 10 metres in width with a maximum height of 5 metres. The building consists of 5 roller shutter doors with three entrance doors which provide access to the building. Internally the building consists of storage areas with WC facilities. The remaining land consists of hard standing.
2. The existing warehouse is accessed directly from Sedgefield Way by a set of double gates 5.5m wide. The site is located within Flood Risk Zone 2

PROPOSAL

3. Approval is sought for the change of use of the application site from industrial storage to be used as a Local Authority Transport Depot which is a sui generis use. In connection with the proposed change of use internal alterations to the existing building located adjacent to the northern boundary of the site will provide store rooms, a mess room, office with reception area and facilities comprising toilets and a kitchen.
4. The proposed use will include 2 crane wagons, 5 MEWP's (cherry picker); and 1 supervisor van. There will also be three diesel fuel containers kept within the site. Up to 20 staff will be based on the site so there will also be some vehicular trips to the site associated with employee travel.
5. A new material storage building having a total width of approximately 20.747 metres and a depth of 5.2 metres and a height of 3 metres is proposed adjacent to the northern boundary of the site and to the east of the existing main building. A block built shed measuring 0.75 square metres for the purpose of a wash bay will be constructed on the existing impermeable hard standing surface within the site boundary.

6. The existing hardstanding will provide space for all vehicles including delivery vehicles to manoeuvre on site and leave the site via the existing gates in a forward gear and accommodate car parking.

CONSULTATIONS

7. The following Consultees were notified and comments received are set out below:-

Head of Technical Services

General Summary

8. Subject to the comments below the Head of Technical Services raises no objections.

Highways Comments

9. This site is served by an existing access from Sedgefield Way which is of sufficient width to serve HGVs. Parking and turning are available within the site, enabling vehicles to exit the site in a forward gear. While the proposed COU is likely to generate more vehicular trips than the extant use, the increase will have a negligible effect on the highway network. There are no highway objections.

Landscape & Visual Comments

10. This proposal has no landscape or visual implications.

Flood Risk Management

11. The application is for a change of use of the site from warehousing to a transport depot. In terms of hard standing the site remains the same as existing therefore there will not be an increase in surface water. The flood risk from surface water to the site and surrounding area remains unchanged.
12. The site is located near to Lustrum Beck and part of the site is located in flood zone 2 however the change of use would not affect this and the risk to the site as a whole is low. In September 2012 there was severe flooding from Lustrum Beck in a number of locations however our records show that this site was not affected at that time, with the storm exceeding a 1 in 100 year event.

Environmental Health Unit

13. I have no objection in principle to the development.

PUBLICITY

14. Neighbours were notified and no comments had been received at the time of publishing the report. The period for comment will expire on 7th February 2014

PLANNING POLICY

15. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for

the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan

16. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations
17. The following planning policies are considered to be relevant to the consideration of this application:-

National Planning Policy Framework
18. Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;
19. For decision-taking this means:
approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
-specific policies in this Framework indicate development should be restricted.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.
2. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. Additionally, in designing new development, proposals will:
 - _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
 - _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
 - _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
 - _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

MATERIAL PLANNING CONSIDERATIONS

20. The main issues for consideration when assessing this application are the principle of development, character of the surrounding area, impact upon the amenity of neighbouring land users, implications for highway safety and flood risk.

Principle of Development

21. The application site is located within the limits to development at Portrack Interchange Business Park which predominantly consists of B2 and B8 uses. Although the proposal is for a transport depot, which is a sui generis use, it is accepted that it will generally operate as an industrial use. Therefore the principle of the proposed use in this location is considered to be acceptable.

Character of the surrounding area

22. Portrack Interchange Business Park is a predominantly industrial and commercial area. The site comprises an existing building which will be altered internally to accommodate the proposed use however no external changes are proposed. The proposed development includes a material storage building adjacent to the existing building towards the north-east corner of the site and fuel tanks adjacent to the southern boundary of the site. The existing palisade fence which encloses the site will provide some screening for the proposal and given the industrial nature of the surrounding area the proposed alterations are considered to be in keeping with the industrial character of the surrounding area.

Amenity of neighbouring land users

23. The surrounding units are industrial uses including a large storage and distribution warehouse with other B2 and B8 uses within the vicinity of the application site. There are considered to be no sensitive users, such as residential properties, within the vicinity of the application site. Given that the application site has an existing warehouse building which has been used for industrial storage and taking into account the industrial nature of the surrounding area, it is not considered that the proposed change of use will result in any significant detrimental impact upon the amenity of surrounding neighbouring land users.
24. The Environmental Health Unit has raised no objections to the development.

Highway Safety

25. The Head of Technical Services has commented that this site is served by an existing access from Sedgfield Way which is of sufficient width to serve HGVs. Parking and turning are available within the site, enabling vehicles to exit the site in a forward gear. While the proposed change of use is likely to generate more vehicular trips than the extant use, the increase will have a negligible effect on the highway network. Therefore the Head of Technical Services raises no highway objections. As such it is not considered that the proposal will result in an adverse impact upon highway safety.

Flood Risk

26. The site is largely located within Flood risk zone 2 therefore a Flood Risk Assessment has been submitted to accompany the application. The NPPF classified the proposed use as a less vulnerable use therefore in accordance with the NPPF, Table 3 Flood Risk Vulnerability and Zone 'compatibility' it is considered to be appropriate in this location.

27. The site currently benefits from an existing artificial surface water drainage system which comprises of a number of gullies, manholes and a pipe network located within the site boundary. The council do not hold any records or are aware of any flooding incidents occurring within the development site.
28. Recommendations are put forward in the Flood Risk Assessment regarding the diesel containers which the applicant has confirmed will be raised from the ground level to reduce the impacts if the site was inundated by fluvial flooding. It is also recommended that oil interceptors are installed within the boundary of the site to reduce the risk of pollution entering the surface water sewers which the applicant is aware of.
29. The submitted Flood Risk Assessment concludes that the change of use will not cause any impacts elsewhere with regards to flooding or increase flood risk within the boundary of the site. As such the proposed change of use is considered to be acceptable in this regard.

CONCLUSION

30. The proposed development is in accordance with the Adopted Core Strategy policies CS2 and CS3 and having regard to all material planning considerations is considered acceptable.
31. In light of the above, taking into account the time constraints relating to the lease of the application site it is recommended that Planning Committee delegate the decision of application 13/2901/COU to the Head of Planning for approval on the expiry of the consultation period subject no objections being received from neighbours or consultees.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Helen Heward Telephone No 01642 526063**

WARD AND WARD COUNCILLORS

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|----------------------------|----------------------------------|
| 32. Ward | Norton South |
| 33. Ward Councillor | Councillor R. Cook |
| 34. Ward | Norton South |
| 35. Ward Councillor | Councillor Eileen Johnson |

IMPLICATIONS

Financial Implications: As report

Legal Implications: As report

Environmental Implications: As report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: application 13/2901/COU