

Report of the Chief Executive

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| APPLICATION NUMBER: | 19/00477/REG3 |
| LOCATION: | MUSHROOM FARM COURT, MEDOWBANK WAY, EASTWOOD, NOTTINGHAMSHIRE |
| PROPOSAL: | CONSTRUCT 3 INDUSTRIAL UNITS (CLASS B2) |

The application is brought to the Committee as it is a Broxtowe Borough Council application.

1 Executive Summary

- 1.1 The application is for the construction of 3 new industrial units on the existing industrial park which currently has 7 units. The scheme has been scaled down from the original proposal to construct 4 new units on the site.
- 1.2 The site is in existing industrial use and is surrounded by other commercial uses. It is not in close proximity to any residential dwellings and therefore does not raise concerns in respect of its impact on amenity. The design and appearance of the new units is in keeping with the character of the area and will not be harmful to the street scene.
- 1.3 The proposal makes sufficient provision for car parking spaces for the existing and new units and the Highways Authority raises no objection.
- 1.4 The proposal makes efficient use of brownfield land and will provide employment and economic opportunities to the local area. It is therefore recommended that planning permission is granted in accordance with the resolution contained in the appendix.

APPENDIX

1 Details of the Application

- 1.1 This application seeks permission to construct 3 new industrial units at the existing industrial park, Mushroom Farm Court. The application has been amended from the original application which proposed 4 new industrial units and a re-consultation for the amended scheme has been carried out.
- 1.2 Two of the proposed new units (Unit 9 and 10) will be positioned in the south west corner of the site, opposite the existing Units 1 – 3. The third unit (Unit 8) will adjoin Unit 3 on the north side of the site.
- 1.3 Units 9 and 10 will have similar floor areas to the existing units on the site, whilst Unit 8 will be wider than the existing units, albeit with the same depth. The proposed units are designed to match the height and style of the existing units on the site.

2 Site and surroundings

- 2.1 Mushroom Farm Court is an existing industrial park located at the end of Meadowbank Way on the outskirts of Eastwood. The industrial park currently has 7 units on the site, each of which has a floor space of approximately 80m².
- 2.2 The application site adjoins open fields to the north and other commercial/industrial uses to the south including the Warburtons factory and the Greene King warehouse. The A610 runs to the west of the site which is accessed directly off Meadowbank Way and close to the Langley Mill Interchange off the A610.
- 2.3 To the north of the site is Nether Green Brook, which is a Local Wildlife Site and Biological Site of Importance for Nature Conservation (BIOSINC).

3 Relevant Planning History

- 3.1 The existing units on the site were granted planning permission (96/00407/REG3) in September 1996. There is no further relevant planning permission for this site.

4 Relevant Policies and Guidance

4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 4: Employment Provision and Economic Development
- Policy 10: Design and Enhancing Local Identity

4.2 **Saved Policies of the Broxtowe Local Plan (2004):**

4.2.1 The Part 2 Local Plan is currently under preparation. Until adoption, Appendix E of the Core Strategy confirms which Local Plan policies are saved.

- Policy E16 Site of Importance for Nature Conservation
- Policy EM3: Expansion/Redevelopment of Existing Employment Premises

4.3 **Part 2 Local Plan (Draft)**

4.3.1 The Part 2 Local Plan includes site allocations and specific development management policies. The draft plan has been examined, with the Inspector's report imminently expected. The Inspector issued a 'Post Hearing Advice Note' on 15 March 2019. This note did not include a request that further modifications be undertaken to Policies 1 and 17 but has suggested changes to other policies, including Policy 9. Whilst this is not the inspector's final report, and the examination into the local plan has not been concluded, it does mean Policies 1 and 17 can now be afforded moderate weight, with Policy 9 being afforded limited weight.

- Policy 1: Flood Risk
- Policy 9: Retention of good quality existing employment sites
- Policy 17: Place-making, design and amenity

4.4 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change

5 Consultations

5.1 **Council's Environmental Health Officer:**

No objection raised subject to a contaminated land condition.

5.2 **Highway Authority:**

No objection raised subject to condition requiring the parking and turning areas to be surfaced in bound material and parking bays to be clearly delineated.

5.3 Nine properties either adjoining or opposite the site were consulted. Four responses were received to the original plans, 3 of which raised objection to the proposal. The reasons stated for the objections can be summarised as follows:

- Traffic generation and parking problems.
- There needs to be room for lorries to access the site and turn.

- Security concerns as new buildings will block CCTV and security lights.
- 5.3.1 Five responses have been received to the re-consultation on the amended plans. One raises no objection and one objects on the following grounds:
- Walkways to the front of the existing units removed.
 - Parking spaces too small for vans.
 - No additional spaces for visitor and disabled parking.
 - It will be difficult for lorries to manoeuvre in the yard.
 - The proposed units 9 and 10 will block out the lighting and CCTV from Warburtons which is a deterrent for crime.

6 Assessment

6.1 The main issues for consideration are the principle of development, design and appearance of the development, any potential impact on highway safety and the flood risk.

6.2 **Principle**

6.2.1 The proposed development is for 3 new industrial units within an existing industrial park. The surrounding uses are all commercial and therefore the proposal does not raise any concerns regarding neighbouring amenity either in terms of the built form of the development or the proposed industrial use. The application site is physically able to withstand the development whilst retaining an acceptable separation distance between the existing units and the proposed units. The proposed development makes efficient use of brownfield land and will provide economic and employment benefits to the surrounding area. Whilst there is a Local Wildlife Site and BIOSINC to the north of the site, taking into account the fact that all of the proposed development is within the existing industrial site, it is not considered that the proposal will have an unacceptable impact on this. Overall, it is considered that the principle of the development on the site is acceptable.

6.3 **Design and Appearance**

6.3.1 The design of the proposed units will reflect that of the existing units on the site. The application site is within an area that is characterised by large commercial buildings and therefore the proposal is not out of keeping with the character of the surrounding area. The application site is of a sufficient size to withstand the scale of development proposed without resulting in a cramped effect that would be out of keeping with the character of the area.

6.3.2 The application site is positioned to the end of Meadowbank Way, with the only passing traffic likely to be those accessing the neighbouring commercial units. The proposal is therefore not considered to be harmful to the street scene.

6.3.3 No details regarding materials have been included on the plans provided and it is therefore considered appropriate to condition that the units are constructed using materials to match the existing units on the site.

6.4 Access

- 6.4.1 The Highways Authority raises no objection to the proposal. Each existing and proposed unit will have at least 2 spaces, whilst the larger Unit 8 will have 3 parking spaces, which is in accordance with the Highways Authority parking standards. It is therefore considered that the proposal will not have an unacceptable impact on parking provision either within the site or on the wider highways network.
- 6.4.2 The use class of the new units will be B2 (General Industrial), which is the same as the existing units on the site. As such, it is not likely that the new units will result in a significant increase of vehicular movements above what is already experienced at the site. Taking the industrial use of the site into account, it is noted that lorries are required to access the site. The separation distance between the parking bays at Units 1-3 and 9-10 is 6.5m wide, enabling a lorry to reverse into this space to make deliveries to these units.
- 6.4.3 Overall it is considered that the proposal will offer sufficient parking and access provisions and therefore will not have an unacceptable impact on highway safety.

6.5 Flood Risk

- 6.5.1 The application site is located partly within Flood Zone 2, whereby the annual probability of fluvial flooding is classified as between a 1 in 100 and 1 in 1000 year probability of river flooding. In line with the NPPF, Section 14, any application for new development within Flood Zone 2 should be subject to a sequential test to determine if there are any other reasonable available sites of equivalent size in Flood Zone 1 where the probability of flooding is lower. The Flood Risk Assessment states that a sequential test has been carried out and there are no other sites considered 'reasonably available' within a lower flood zone. The proposed development is relatively small scale relative to its industrial use and any other available sites would likely be too large for such a development. The proposal is facilitated by the fact that there is adequate space within an existing site to construct the new industrial units. It is therefore accepted that the proposed site is the most suitable for the development and no other more suitable sites can be identified in a lower flood zone.
- 6.5.2 The applicant notes that measures will be taken on site to mitigate any potential impacts of flooding. Power sockets will be located at a height of 450mm above the finished floor level and all surface water run-off will be directed into existing soakaways on site and comply with building regulations. Escape routes are also provided to the rear or side elevation of each unit.

7 Planning Balance

- 7.1 The benefits of the proposal are that it would create jobs, utilise an existing industrial area and make more efficient use of a brownfield site. It would not have a negative impact on the character of the area, which is also industrial, and would be away from residential properties.

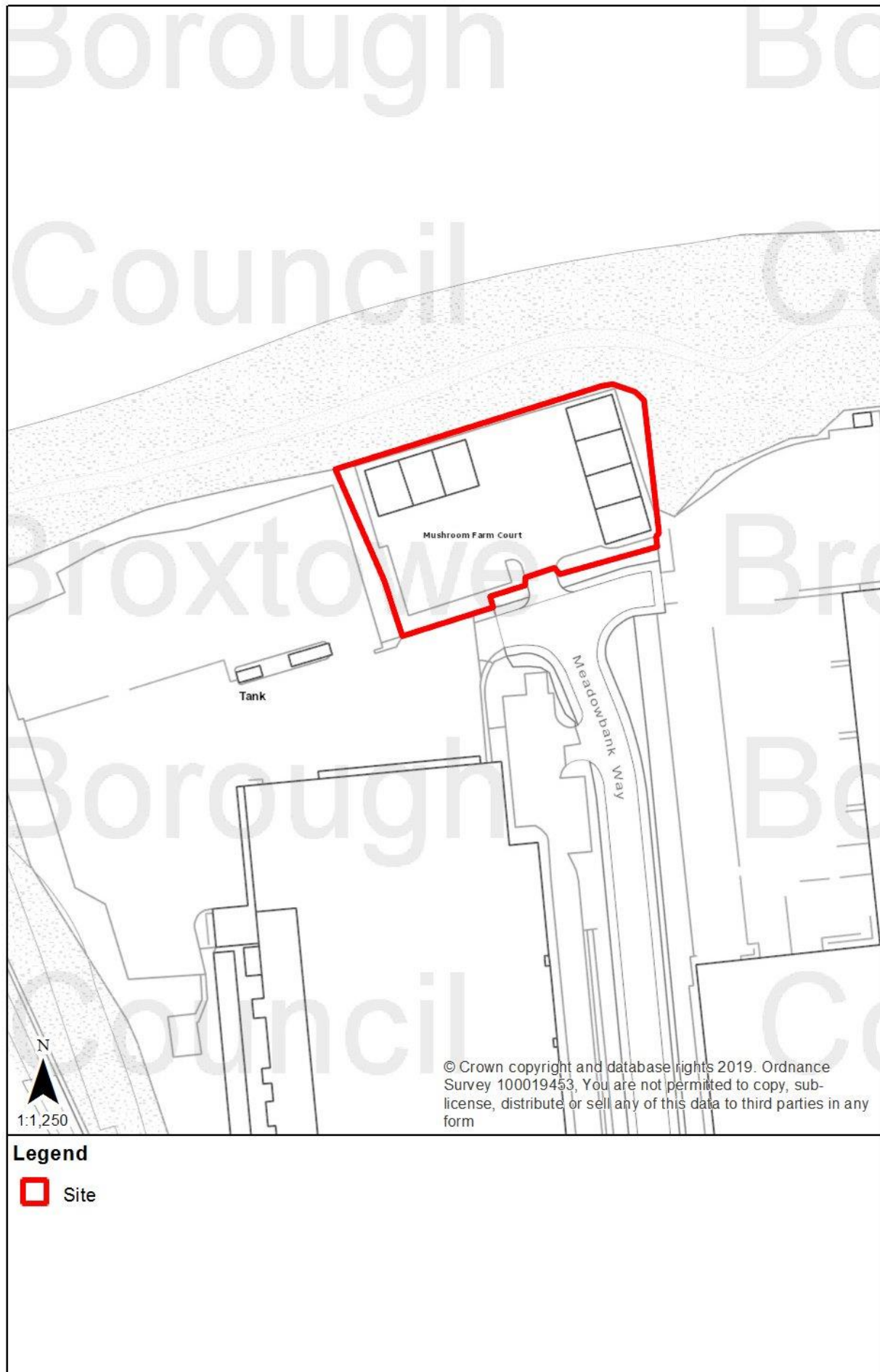
7.2 Whist the development will result in a more intensive use of the site and create some additional vehicle movements it is considered that the site is of a size that can withstand the scale of development proposed and adequate parking provision is made for the increase in vehicles at the site.

8 Conclusion

8.1 To conclude, it is considered that the proposal is in keeping with the character of the area and makes efficient use of brownfield land. It is therefore considered that the scheme is acceptable and planning permission should be granted.

| <u>Recommendation</u> | |
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| The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions. | |
| 1. | <p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p> |
| 2. | <p>The development hereby permitted shall be carried out in accordance with the drawings numbered CW20:008:001 (1:1250), CW20:008:003 REV.A (1:500), CW20.008.004 REV.A (1:100), CW20.008.006 REV.A (1:100), CW20.008.005 REV.A (1:100); received by the Local Planning Authority on 26 July and 5 September 2019.</p> <p><i>Reason: For the avoidance of doubt.</i></p> |
| 3. | <p>The development hereby approved shall be constructed using materials to match the existing units on the application site.</p> <p><i>Reason: To ensure a satisfactory standard of appearance is achieved in accordance with Broxtowe Aligned Core Strategy (2014) Policy 10.</i></p> |
| 4. | <p>No part of the development hereby approved shall be commenced until details of appropriate gas prevention measures have been submitted to and approved in writing by the local planning authority. No building to be completed pursuant to this permission shall be occupied or brought into use until:</p> <p>i) all appropriate measures have been completed in accordance with details approved in writing by the local planning authority; and</p> <p>ii) it has been certified to the satisfaction of the local planning</p> |

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| | <p>authority that necessary remedial measures have been implemented in full.</p> <p><i>Reason: In the interest of public health and safety.</i></p> |
| 5. | <p>The 3 additional industrial units hereby permitted shall not be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number CW20:008:003 REV A. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.</p> <p><i>Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.</i></p> |
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| | NOTES TO APPLICANT |
| 1. | <p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p> |
| 2. | <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> |



Photographs



Existing Units 1-3



Proposed position of Unit 8

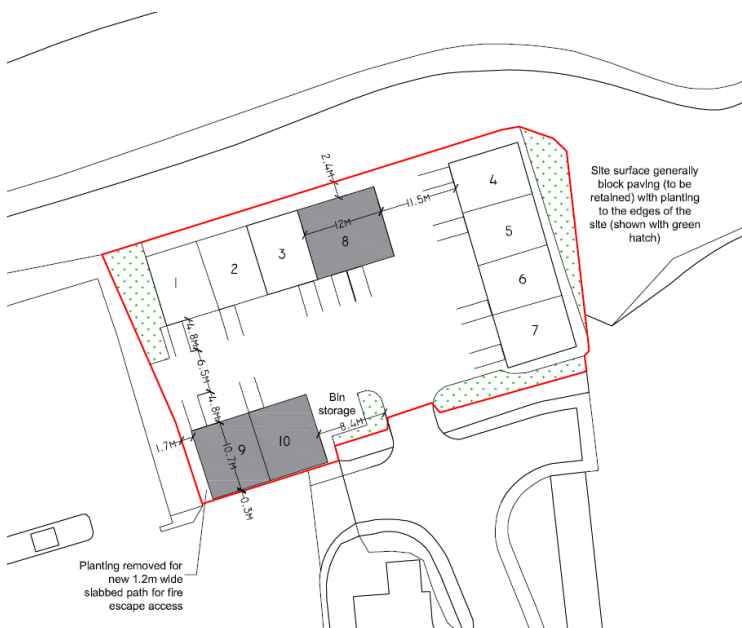


Proposed position of Units 9 and 10 (looking south west)

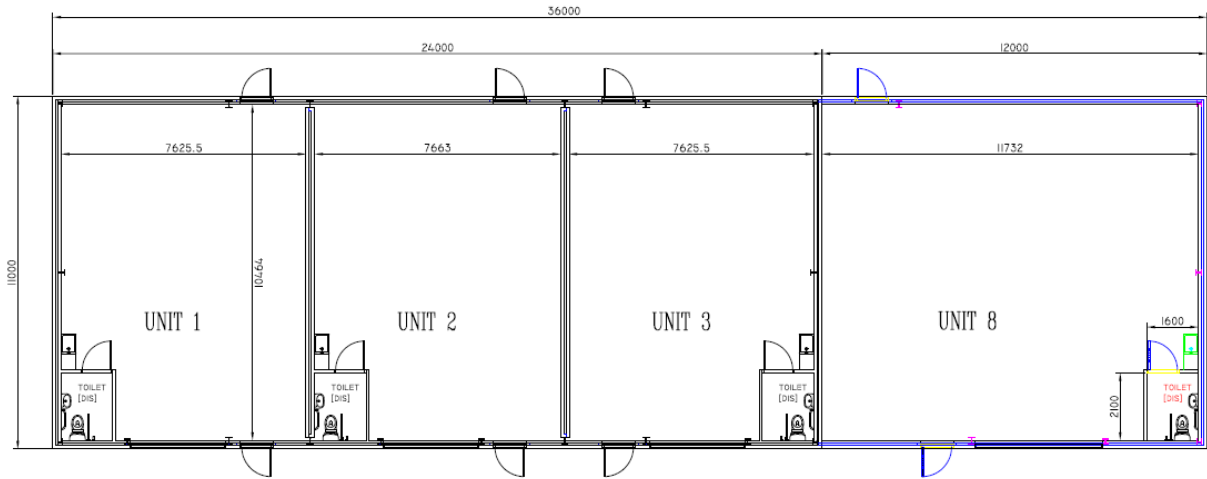


Proposed position of Units 9 and 10 (looking south)

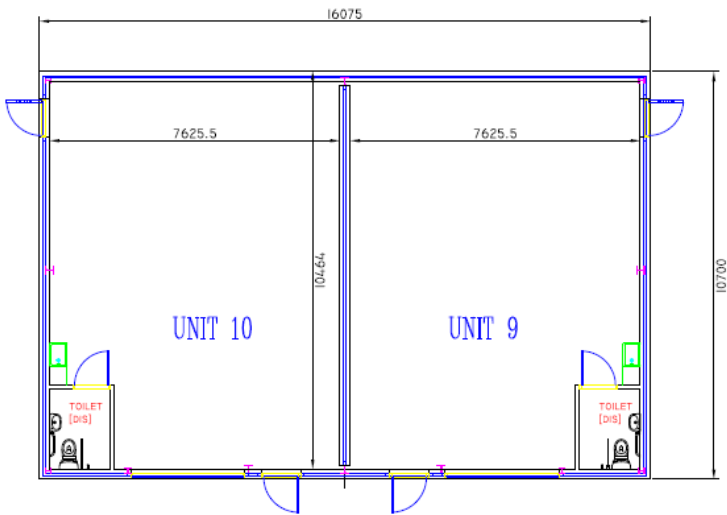
Plans (not to scale)



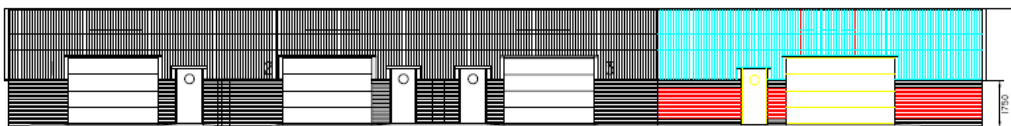
Proposed Block Plan



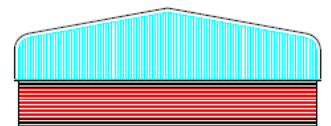
UNIT 1-3&8 PROPOSED GROUND FLOOR PLAN 1:100



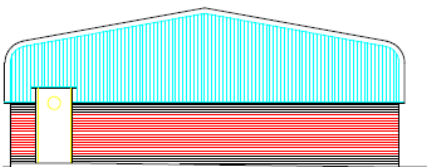
UNIT 9-10 PROPOSED GROUND FLOOR PLAN 1:100



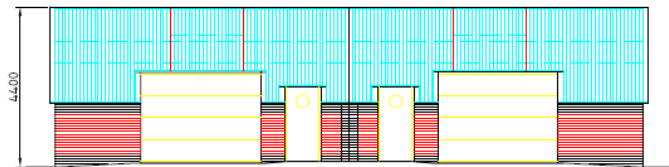
BLOCK I-3&8 PROPOSED SOUTH ELEVATION 1:100



BLOCK I-3&8 PROPOSED EAST ELEVATION 1:100



PROPOSED EAST ELEVATION 1:100



PROPOSED NORTH ELEVATION 1:100

Units 9 and 10 proposed front and side elevations