

BOROUGH OF KETTERING

Committee	Full Planning Committee - 31/01/2012	Item No: 5.3
Report Originator	Michael Boniface Development Officer	Application No: KET/2011/0545
Wards Affected	Desborough Loatland	
Location	Magnetic Park (Phase 3), Cockerel Rise, Desborough	
Proposal	Full Application: Warehouse with associated offices, car parking and service yard	
Applicant	Magnetic Park Partnership	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The building hereby approved shall not be constructed other than in accordance with the finished ground floor levels indicated on drawing 4226-SK01G.

REASON: To ensure a satisfactory visual appearance and avoid detriment to neighbouring amenities in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The development hereby permitted shall not be carried out other than in accordance with the amended plan numbers 4226-SK01G, 4226/SK02E, 4226/SK03F and 4226-SK06B.

REASON: To clarify the terms of the permission and to ensure a suitable elevational appearance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No development shall take place other than in accordance with the submitted Sustainability Appraisal and Energy Statement (Issue 3, September 2011) and Water Saving Statement (Issue 1, August 2011).

REASON: In the interests of energy efficiency and sustainable construction in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

5. No development shall take place other than in accordance with the submitted Drainage Strategy (4638R001DS).

REASON: To prevent flooding and water containment in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and PPS25.

6. The landscaping details shown on drawing number 4226-SK07B shall be carried out in the first planting and seeding seasons following the occupation of the building. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. No development shall take place other than in accordance with the submitted Materials and Colour Schedule (Revision A 12.12.11) received by the Local Planning Authority on 13th December 2011.

REASON: To ensure an appropriate design and appearance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

8. The use hereby permitted shall not be carried out before 7.30 hours or after 17.30 hours on Mondays to Fridays, nor at any time on Saturdays, Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. The proposed security measures to be incorporated within the development and submitted to the Council on 22nd December 2011 shall be implemented prior to occupation of the building.

REASON: To reduce the potential for crime and anti-social behaviour in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON: To ensure that any unsuspected contamination is dealt with in an appropriate manner and to avoid water contamination in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy, PPS23 and PPS25.

11. The submitted Travel Plan (Issue 2, September 2011) shall be implemented upon occupation of the development and thereafter the development shall not operate other than in accordance with the plan. Thereafter updates to the plan including monitoring information shall be submitted to and approved by the Local Planning Authority in accordance with an approved timetable.

REASON: To promote a modal shift towards more sustainable modes of travel in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

12. Notwithstanding the submitted details, there shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any off-site impacts resulting from the lighting scheme.
REASON: In the interests of the amenity of occupants of neighbouring properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

13. No construction or other forms of development shall take place on the site outside the hours of 0700 to 1900 on Mondays to Fridays and 0800 to 1700 on Saturdays.

REASON: To protect neighbouring residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

14. No deliveries shall be accepted at or dispatched from the site outside the hours of 0730 to 1730 on Monday to Fridays.

REASON: To protect neighbouring residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

15. No development shall take place other than in accordance with the submitted Noise Impact Assessment (REP-10-04191-DM-230811-1) received by the Local Planning Authority on 24th August 2011.

REASON: To clarify the permission and to protect neighbouring residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

16. No development shall take place until details of ambient noise levels, a noise monitoring programme and noise attenuation and mitigation measures for the construction phase have been submitted to and approved in writing by the Local Planning Authority. The measures and monitoring shall operate throughout the construction phase in accordance with the approved details.

REASON: To protect neighbouring residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- NONE

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Planning Policy Statements/Guidance Notes 1, 4, 9, 13, 23, 24 and 25, Policies 2 of The East Midlands Regional Plan and Policies 1, 8, 9, 13 and 14 of the North Northamptonshire Core Spatial Strategy. The issues relating to amenity and highways impact are material planning considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant policy considerations.

Officers Report

3.0 Information

Relevant Planning History

KET/2008/0334 – Production unit, offices and associated parking – APPROVED 26/06/2008

KET/2008/0332 – Extension to existing internal service road – APPROVED 17/06/2008

KET/2006/1136 – 3m landscaping bund to the east of The Grange industrial estate – APPROVED 04/04/2007

KET/2006/0735 – Road improvements to Harborough Road and Stoke Albany Road – APPROVED 29/12/2006

KET/2006/0734 – Reserved Matters: Phase 1 of business park – APPROVED 29/12/2006

KET/2004/0760 – Outline: Business Park – APPROVED 29/11/2005

Site Description

Officer's site inspection was carried out on 16/11/2011.

The site extends to an area of 0.48Ha within an established industrial estate, Magnetic Park. Magnetic Park lies to the north of Desborough with a modern residential development directly to the south which is separated by a 40m landscaping buffer including a 2m high grassed bund with planting above. The site itself represents the third phase of the larger industrial development and would be served by the existing estate roads. Land levels are consistent within the site with tree planting currently lining the highway boundaries.

Proposed Development

Warehouse for storage and distribution (B8) with associated offices, parking and servicing provision. The total floor area created would be 1999sq.m.

Any Constraints Affecting The Site

None.

4.0 Consultation and Customer Impact

Desborough Town Council

Welcome development for the creation of jobs but noted that this is the nearest development to the adjacent housing. Traffic movements should be restricted in the interest of amenity. Layout gives insufficient consideration to residents – servicing should be on the Great Bear side. The tree screen is inadequate in winter months and should be more sympathetic. Acoustic fencing should be installed. BREEAM 'Excellent' rating should be targeted. Water and energy savings are supported. Traffic and congestion are currently issues.

Highway Authority

No objection.

County Archaeological Service

No objection. The site falls within an area which was previously quarried and no potential therefore exists for remains.

Northamptonshire Police

Limited information has been provided in regards to security and crime prevention. A range of security measures should be secured to reduce the potential for crime, disorder and anti-social behaviour occurring.

Environment Agency

Having reviewed the Report on Ground Investigation we are satisfied that the development poses minimal risk to controlled waters. No objection subject to a condition requiring the reporting of any unexpected contamination during construction along with a requirement for any necessary remediation. The total impermeable area of the site should not exceed 0.42Ha as the remaining land is required for flood attenuation in relation to the adjacent site.

North Northamptonshire Joint Planning Unit

The proposal meets and just exceeds the 10% target for renewables and demonstrates reduced demand for energy and water in accordance with policy 14 of the CSS.

The proposed building provides street enclosure and an active entrance feature at the front which is welcomed. However, it would result in an extremely blank north elevation which lines the road creating a rather dead frontage despite the existence of small trees. This is undesirable given that this is the route to a number of public footpaths beyond the site and should be amended to meet policy 13h and i. Trailing plants could be a solution.

The Wildlife Trust

No ecological assessment has been provided in support of the application and insufficient information has therefore been provided to allow consideration of this matter.

Natural England

No comments received.

Environmental Health

No objection subject to the imposition of conditions in line with the previous outline planning permission for the site. These should control details of lighting, demolition and construction hours, noise attenuation and mitigation measures to operate during construction and restricted delivery and dispatching hours. The scheme should not be implemented other than in accordance with the submitted Noise Impact Assessment.

Neighbours

3 comments and objections for the following reasons:

- The tree planting screening improves views from the back of residential properties, helps to reduce noise and improves privacy.
- Any lighting should project away from residential properties to avoid light pollution.
- The stated opening hours will undoubtedly be extended.
- Trees are to be removed unnecessarily.
- Lorries will have a tight turning circle which is likely to result in high revs, noise, vibration and general disturbance.
- Increased traffic and servicing.
- Loading bays are located on the side of the building facing dwellings.
- Residential home was planned for this site.
- The existing bund should be increased in height and landscaping reinforced.
- Some of the landscaping originally proposed has not been provided.
- When would phase 2 commence.
- Vibration of residential properties during construction.

5.0 Planning Policy

National Policies

PPS1 – Delivering Sustainable Development

PPS4 – Planning for Sustainable Economic Development

PPS9 – Biodiversity and Geological Conservation

PPG13 – Transport

PPS23 – Planning and Pollution Control

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

Development Plan Policies

East Midlands Regional Plan

2 – Promoting Better Design

North Northamptonshire Core Spatial Strategy

1 – Strengthening the Network of Settlements

8 – Delivering Economic Prosperity

9 – Distribution and Location of Development

13 – General Sustainable Development Principles

14 – Energy Efficiency and Sustainable Construction

Supplementary Planning Documents

Biodiversity SPD (July 2011)

Sustainable Design SPD (February 2009)

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development;
2. Design, Character and Appearance;
3. Highways and Parking;
4. Amenity and Environmental Matters;
5. Ecology;
6. Crime and Anti-Social Behaviour;
7. Sustainable Design and Construction;
8. Hydrology.

1. Principle of Development

The site forms part of an established industrial estate which was allocated for employment land (B1, B2 and B8) in the Local Plan and subsequently granted outline planning permission in 2005 (KET/2004/0760). Reserved Matters approval was granted for phase 1 and 2 and two B8 warehouses have since been constructed and occupied.

This is a full planning application independent of the original outline approval however the site history identified above is a material planning consideration. The site falls within an area intended for development and is well related to the existing industrial buildings and infrastructure, as well as the built form of the town.

PPS4 recognises the important role of employment sites in creating sustainable communities and a strong economy and suggests that “Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably”.

Policy 1 of the Core Spatial Strategy (CSS) defines Desborough as a ‘Smaller Town’, a secondary focus for development where significant development opportunities are expected to exist, whilst Policy 8 seeks to encourage economic prosperity and supports job creation within the borough.

Policy 13 is supportive of development subject to a number of sustainable development criteria. Of particular relevance, development should:

- (d) have a satisfactory means of access and provide for parking, servicing and manoeuvring;
- (h) be of a high standard of design which would respect and enhance the character of its surroundings;
- (l) not result in an unacceptable impact on neighbouring amenity;
- (n) not have an adverse impact on the highway network or highway safety.

These matters are considered below.

2. Design, Character and Appearance

The proposed building would occupy a prominent site which would be highly visible on approach to the town and from the adjacent residential development.

The existing industrial buildings on the site have been designed to a high standard providing visual interest through the use of materials, interesting roof form and prominent office features to the front. Any new development must maintain these high standards as a gateway development for the town. PPS1 confirms “design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted”.

The proposed building would be of a much smaller scale than the adjacent warehouse, Great Bear. It would be functional and utilitarian in its design, presenting an appearance typical of storage and distribution uses. The scheme has been amended during the course of this planning application to address concerns regarding the initial design which included large blank elevations with little visual interest. The proposals now involve an ‘L’ shaped building with protruding office area to the front under a pitched roof. The office element provides some legibility to the scheme highlighting its entrance and reception using a glazed canopy and largely glazed façade onto Cockerel Rise. This provides visual interest when viewed from Stoke Road on approach to the town whilst the protrusion helps to break up the mass of the building. The remaining elevations are somewhat less inspiring owing to the nature of the building however the applicant has sought to provide some visual relief through the use of dark grey inset panels within an otherwise light grey building. These would help to provide visual breaks in the structure and tie the development in with the adjacent warehouses which incorporate a similar effect. A further variation of grey would provide horizontal banding along with dark green fascias, soffits and barge boards. Subject to a condition requiring accordance with the amended plans and the materials and finishes proposed the development is considered appropriate within its context.

3. Highways and Parking

The applicant has submitted a Transport Statement in support of the proposed development which concludes that the scheme can be accommodated by the existing highway infrastructure (as upgraded as part of the earlier phases at Magnetic Park). The original outline planning application was accompanied by a comprehensive Transport Assessment which identified capacity in highway infrastructure for the proposed uses and the relevant floor areas were subsequently restricted by way of planning condition. The permission allowed for 52,720sq.m of B2/B8 floor space along with 3298sq.m of ancillary offices. The development now proposed would remain beneath this threshold when considered in conjunction with phases 1 and 2. As such, the highway network has been designed to accommodate the proposed volume of traffic and no adverse impacts would result in terms of highway safety.

Both PPG13 and Policy 13 of the CSS seek to reduce reliance on private motor vehicles in favour of more sustainable modes of travel. The applicant has noted these aims and has provided a Travel Plan which seeks to promote modal shift. The document provides for the appointment of a Travel Plan Co-ordinator and a number of measures such as secure cycle storage provision, publication of bus timetables, car sharing scheme to encourage sustainable travel. Implementation of the plan should be secured by condition.

The applicant envisages that 10 full time employees would be accommodated by the development. 17 parking spaces have been provided to include capacity for both staff and visitors to the site.

The proposed development can be accommodated by the existing highway network without detriment to highway safety. The Highway Authority has raised no objection to the development.

4. Amenity and Environmental Matters

The proposed building would be sited parallel to Bear Way and accessed from an existing highway junction from Cockerel Way. A 2m high landscaped earth bund runs along the south east boundary of the site within a 40m wide landscaped buffer zone constructed as part of the previous planning permissions on the site. Although the proposed building is large in terms of height, scale and mass (owing to its nature) the existing bund would provide a good level of separation. This, together with the buildings orientation would avoid any significant adverse impact to neighbouring residential properties in terms of overshadowing or overbearing impact. The building will clearly be visible, particularly from rear first floor windows however the building would be seen in the context of the existing industrial estate and on a site long anticipated for employment development. The development would not result in a significant loss of amenity.

The proposed buildings and service yard would stand close to the adjacent residential development, albeit separated by the landscaping buffer. The applicant has submitted a Noise Impact Assessment which concludes that the proposed development would not result in significant noise given that the principal use of the building is for storage and very few vehicle movements are expected on a weekly basis. Measures are however proposed to minimise adverse impacts to neighbouring properties, namely reducing the service yard level to increase the sound attenuation provided by the existing earth bund. The Council's Environmental Health department are satisfied with the proposals subject to the imposition of conditions in line with the previous outline planning permission for the site. These should control details of lighting, demolition and construction hours, noise attenuation and mitigation measures to operate during construction and restricted delivery and dispatching hours. The scheme should not be implemented other than in accordance with the submitted Noise Impact Assessment. Subject to these conditions, no significant adverse impact would result to amenity.

5. Ecology

The site forms part of an established industrial estate and the surrounding area has been subject to significant engineering works through the creation of the adjacent earth bund, construction of highway infrastructure along with the nearby warehouses. In addition, the site was previously quarried. The site is currently laid to grass with young trees to the boundary which are largely to be retained as part of the scheme. Although the Wildlife Trust considers that insufficient information has been provided, the development does not fall within

the criteria for assessment specified in the Council's adopted Biodiversity SPD. For the reasons set out above, the proposal will not have a significant impact on ecological interests.

6. Crime and Anti-Social Behaviour

Northamptonshire Police have suggested that the scheme incorporate a series of security measures to prevent the likelihood of crime and anti-social behaviour. The applicant has suggested a range of proposals including the use of laminated glass, CCTV, intruder alarms and secure weld mesh fencing. The proposed measures are considered to be commensurate to the scale and nature of the proposal and these should be secured by condition in accordance with the requirements of CSS policy 13.

7. Sustainable Design and Construction

Policy 14 of the Core Spatial Strategy states that developments should meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. Applicants should demonstrate that development incorporate techniques of sustainable construction and energy efficiency, makes provision for waste reduction and recycling, and provision for water efficiency and water recycling. The application includes a Sustainability Appraisal which sets out measures to exceed the requirement of the Building Regulations and to achieve 10% of the developments energy requirements from photo voltaic panels. A Water Saving Statement outlines measures including reduced capacity toilet cisterns and low usage mixer taps. Conditions should be used to ensure that the development is implemented in accordance with these documents.

8. Hydrology

The Environment Agency has confirmed that the proposals present a minimal risk to controlled waters and raise no objection to the proposal subject to a condition requiring the reporting and remediation of any contamination discovered which was previously not identified.

Conclusion

The proposed development accords with both national and local planning policies and there are no material considerations that indicate against the scheme; as such, planning permission should be granted.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

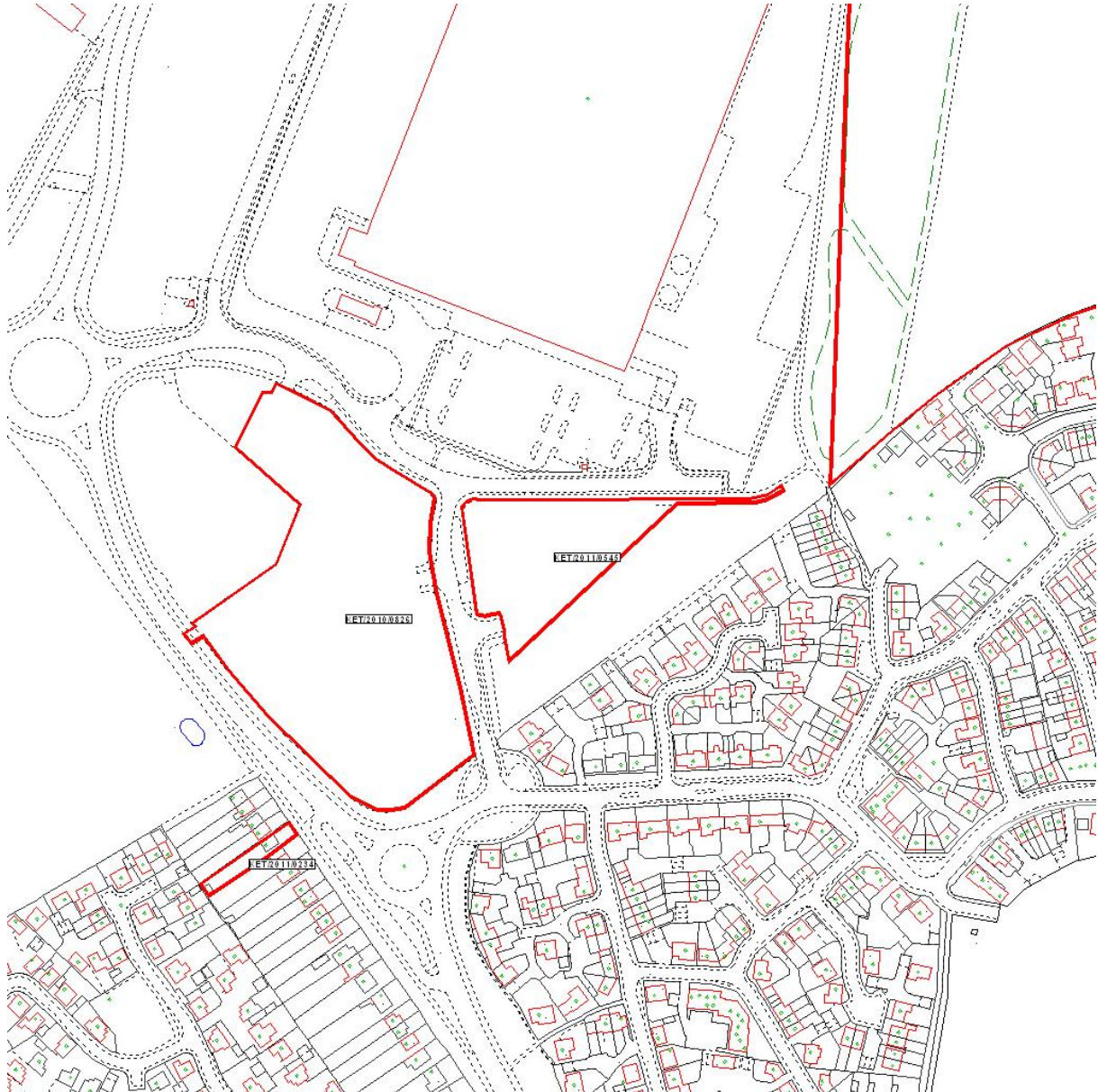
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Date:

Michael Boniface, Development Officer on 01536 534316

SITE LOCATION PLAN

Magnetic Park (Phase 3), Cockerel Rise, Desborough
Application No.: KET/2011/0545



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