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File No: CHE/18/00377/FUL
Plot No: 2/1506

ITEM 4

PROPOSED WRAP AROUND INDUSTRIAL SHED EXTENSION TO EAST AND SOUTH OF EXISTING FACTORY UNIT AND EXTENSION OF EXISTING CAR PARK CUTTING INTO AND INCLUDING RETAINING WALL IN EXISTING BANK SIDE AT CARRWOOD HOUSE, CARRWOOD ROAD, SHEEPBRIDGE IND. ESTATE, CHESTERFIELD, DERBYSHIRE, S41 9QB FOR MINTDALE ENGINEERING LTD.

Local Plan: Economic Growth CS13 / Development in Open Countryside
EVR2

Ward: Old Whittington

1.0 **CONSULTATIONS**

DCC Highways	Comments received 14/06/2018 – see report
Environmental Services	No comments received
Design Services	Comments received 12/06/2018 – see report
Derbyshire Constabulary	Comments received – no objections
Coal Authority	Comments received 21/06/2018 and 04/07/2018 – see report
Tree Officer	Comments received 19/07/2018 – see report
Forward Planning	No comments received
Yorkshire Water	No comments received
Ward Members	No comments received
Neighbours/Site Notice	No letters of representation received

2.0 **THE SITE**

2.1 The site concerns the land and premises of Mintdale Engineering who occupy Carrwood House off Carrwood Road, on the Sheepbridge Industrial Estate.

- 2.2 The premises, constructed with a predominantly brown brick finish, are two storeys and are located at the end of a shared driveway / access road. They have car parking surrounding the built footprint and a loading bay door located in the western elevation. To their northern elevation they have a gated compound which provides more parking and further access to their workshop.



- 2.3 The premises lie within the existing business and industrial zone designation however the parcel of land immediately north of the existing car park / compound lies within the landscaping fringe of the A61 Dronfield Bypass, which is currently designated as open countryside and other open space.

3.0 **RELEVANT SITE HISTORY**

- 3.1 Site Adjacent – CHE/14/00082/FUL - Industrial unit and associated service yard at International Drilling Services Ltd, Carrwood Road. Conditional Permission 23rd April 2014.
- 3.2 Site Adjacent - CHE/06/00924/OUT - Use of Land for factory extension and new exit at Mondi Packaging Ltd, Carrwood Road. Conditional Permission 17th June 2009.

4.0 **THE PROPOSAL**

- 4.1 The application submitted seeks full planning permission for a proposed wrap around extension to the existing premises and expansion of their current gated compound and car parking area to provide an additional 13 no. car parking spaces.

- 4.2 The proposed extension will create 545sqm of new floor spaces to expand the sites current operation as B1(c) Light Industrial. The extension will wrap around the eastern and southern elevations and will be two storeys in scale with a low pitched roofline. The ridgeline of the new extension will sit slightly higher than that of the original premises.
- 4.3 The application submission is accompanied by the following plans / documents:
001 Existing Plans
002 Existing Site Plan
003 Existing Elevations
005B Proposed GF Plan
006B Proposed FF Plan
007A Proposed Elevations
008 Location Plan
009 Site Sections as Existing
010 Site Sections as Proposed

Design and Access Statement
Geological and Mining Risk Assessment by Sub Surface North East Ltd

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

- 5.1.1 The site on which the original industrial unit (occupied by Mintdale Engineering Ltd) is situated lies within the existing business and industrial designation surrounding Sheepbridge Trading Estate, however the parcel of land owned by Mintdale Engineering Ltd and the subject of the proposed car park extension is located within an area designated within the Chesterfield Borough Council Local Plan 2006 as 'open countryside or other open land' which is protected by Policy EVR2 of the 2006 Plan.
- 5.1.2 Having regard to the nature of the application proposals and the site allocation / designation policies CS2, CS6, CS9 and CS20 of the Chesterfield Local Plan: Core Strategy (2011 – 2031), EVR2 of the Local Plan 2006 and the wider National Planning Policy Framework apply.

- 5.1.3 Having regard to the policy background set out above it is noted that this site was allocated as existing employment land in the 1996 Local Plan, however part of the site had its designation changed in the First Deposit Draft of the Replacement Local Plan (October 2003) to 'Open Countryside' (policy EVR2) as it had not been developed alongside adjacent land for industrial purposes. The new boundary was drawn along the northern extent of the developed industrial areas and no objections were received to this change at the time of that Plan and the change was subsequently included in the Replacement Local Plan when it was adopted in June 2006.
- 5.1.4 In 2014 and 2008 planning permission was granted for an industrial unit and service yard at IDS further along Carrwood Road under the same circumstances as now proposed on the basis the development would support economic growth and would not harm the open countryside / other open land designation as it would not extend the industrial use any further into the countryside than adjacent businesses already operating along Carrwood Road. A similar application for development within the EVR2 designation on the adjacent Mondi Packaging (now Inspire Pac) site was considered by the Planning Committee in February 2007 and the that application was also approved.
- 5.1.5 In this location, the EVR2 designation provides a visual and landscape buffer between the urban area and the Dronfield Bypass to the north, which marks the southern extent of the south Sheffield Green Belt. It helps to prevent the 'urbanisation' of this route into Chesterfield and allows the countryside to penetrate into the town on the southern side of the bypass. However, the proposed development site does not extend any further north into this landscape 'wedge' than the Mondi Packaging proposal to its west, and other sites further east on Carrwood Road. A landscaped belt of at least 50 metres is still to be retained along the bypass side. It could therefore be argued that granting planning permission in this location would not cause any greater harm to the EVR2's purpose in providing an undeveloped wedge as a buffer between the industrial area on Carrwood Road and the Dronfield Bypass. Infilling of the gap between existing industrial sites appears to be a logical form of development.

5.1.6 Policy CS2 of the Core Strategy allows consideration of whether a proposal needs to be in a specific location in order to make functional links to an existing use. As this proposal is for an expansion of an existing industrial use this is clearly appropriate development and the economic benefits of accepting this development outweigh the designation as open countryside.

5.2 **Neighbour Effect**

5.2.1 The proposed wrap around industrial extension sits to the side and rear of the established built footprint of Mintdale Engineering, which is located in an area entirely characterised by other industrial / commercial premises.

5.2.2 Neighbours adjoining the application site are all similarly industrial / commercial in nature and therefore providing the applicant can comply with the requirements set out by the Local Highways Authority to ensure the proposal is not detrimental to highway safety, there is unlikely to be any adverse impact upon the neighbouring industrial and commercial units along Carrwood Road.

5.3 **Appearance Issues**

5.3.1 The proposal is considered to be appropriately sited and designed and will not compromise the character and appearance of the surrounding area. The plans indicate the proposed new unit will be constructed of materials to match the existing unit on the site frontage.

5.3.2 Whilst it is noted that the development proposes extension into what is currently designated as the fringe of the open countryside, for the reasons given in section 5.1 above the development intrusion is minimal and can be accepted as a significant landscaped belt will still be retained.

5.3.3 The Council's **Tree Officer** has reviewed the application submission and commented:

'On the north boundary of the site is a wooded area that continues further to the north to the A61 Dronfield bypass. To implement the proposal a section of the woodland would have to be excavated and the trees removed. Under normal circumstances I would object to the loss of woodland, however the area to be developed is made up of ornamental conifers, Pine trees and Silver

Birch which have little if any amenity value and are not part of the ancient woodland further to the north and west.

Due to the density of wood and natural regeneration further back into the woodland it would be futile trying to plant new trees as they would not survive due to the competition from the existing trees and it would also introduce a tree stock not local to the area. Any exposed and scrapped ground beyond the new parking area would quickly rejuvenate with new tree and scrub.

It was noted that bird nesting boxes have been placed along the security fencing. I therefore propose that in mitigation against the loss of trees that habitat piles from the felled broadleaved trees are created set back from the new boundary 3 or 4 metres into the woodland and bird and bat boxes are installed along the boundary edge within the trees.'

5.3.4 Having regard to the comments of the TO it is considered that an appropriate planning condition can be imposed to secure ecological enhancement measures as recommended. These requirements were discussed with the applicant and are agreeable as the applicant owns the land up to the banking of the A61 carriageway.

5.4 **Highways Issues**

5.4.1 Comments received from the **Local Highways Authority** raising no objections subject to the applicant maintaining adequate off street parking and manoeuvring space.

5.4.2 Having regard to the comments made by the LHA above the application details the provision of 38 no. dedicated car parking spaces (which is an increase from their existing 25 no. spaces available under their current site arrangement).

5.4.3 The application proposes the addition of 545sqm new floor space which is to be used ancillary to the sites current operation as B1 (c) Light Industrial.

5.4.4 Based upon the size of the proposed extension the provision of at least 6 additional parking spaces would be expected (having regard to the parking standards outlined in the Core Strategy – 1 space per 80sqm) and therefore it is considered that the proposed alterations to the car park and the additional spaces being created are more than adequate to meet the provisions of policy CS20 of the Core Strategy.

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 06/06/2018; and by site notice posted on 13/07/2018 and advertisement placed in the local press on 19/07/2018 (to advertise the application as a departure from the Local Plan).

6.2 As a result of the applications publicity there have been no letters of representation received.

7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in

line with paragraph 38 of the National Planning Policy Framework (NPPF) – 24 July 2018.

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **RECOMMENDATION**

9.1 The proposed industrial building relates well to the existing units and the area generally in terms of its siting, scale, orientation, detailing and materials. Whilst overruling the 'open countryside / open land' designation, the development does provide economic growth and does not result in any residential amenity or highway safety issues. It is therefore considered that subject to appropriate planning conditions the development accords with the requirements of policies CS2, CS6, CS9 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider national Planning Policy Framework such that its benefits outweigh the departure from the EVR2 designation of the saved Replacement Chesterfield Borough Council Local Plan 2006.

10.0 **CONCLUSION**

10.1 It is therefore recommended that the application be GRANTED subject to the following:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

001 Existing Plans

002 Existing Site Plan

003 Existing Elevations

005B Proposed GF Plan

006B Proposed FF Plan

007A Proposed Elevations

008 Location Plan

009 Site Sections as Existing

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Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

03. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by The Local Planning Authority. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason - To ensure that the development can be properly drained.

04. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Reason - To fully establish the presence and / or otherwise of any coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard.

05. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

06. Work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

Reason - In the interests of nearby occupier amenities.

07. No development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

Reason - In the interests of highway safety.

08. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, further details of a package of ecological enhancement measures to be implemented on site to provide compensation for the loss of soft landscaping shall be submitted to the Local Planning Authority for consideration.

Ecological enhancement measures shall include bird and bat boxes and the formation of habitat piles (created from the felled broad leaved trees to be removed to facilitate the development). Only those details agreed in writing shall be implemented on site prior to the development hereby approved being brought into first use.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of promoting biodiversity enhancement and the area as a whole.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.