

Application Reference	DC/090553
Location:	Phoenix House Bird Hall Lane Cheadle Heath Stockport SK3 0RA
PROPOSAL:	Full planning permission for demolition of buildings and structures to construct an employment development (Use Classes B2, B8 and E(g)(ii)(iii)) with ancillary office space (Use Class E(g)(i)) and associated service yards, car parking, landscaping and infrastructure works.
Type Of Application:	Full Application
Registration Date:	21.12.2023
Expiry Date:	21.3.24
Case Officer:	Paula Fitzgerald
Applicant:	Stockport MBC
Agent:	Spawforths

DELEGATION/COMMITTEE STATUS

Planning & Highways Regulation Committee – Scale of the proposed development

DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the demolition of buildings and structures to construct an employment development (Use Classes B2, B8 and E(g)(ii)(iii)) with ancillary office space (Use Class E(g)(i)) and associated service yards, car parking, landscaping and infrastructure works. The proposed development is referred to as Cheadle Eco Business Park, and the supporting statement for the application comments;

‘The Proposed Development seeks to create an exemplar, flexible and sustainable eco business park, providing a variety of employment units for distribution, manufacturing and hybrid workspaces, capable of responding to market needs.’

Stockport Metropolitan Borough Council (SMBC), owners of the site, successfully secured £13.9 million from the Government’s Town Fund as part of a wider strategy to rebalance the national economy. The Application Site will receive £4.4 million of the Towns Fund to provide an Eco Business Park which aims to demonstrate market leading, high environmental technologies and performance, alongside delivering economic growth and job creation.

The proposals consist of six new units across the site:

Unit A – the largest unit located to the western boundary of the site (4,069sqm floor area). Overall height 10m.

Blocks B and C form part of one large building split in to the following 5 units, overall height 8.5m:

Unit B1 – located within the centre of the site with an internal floor space of 4,069 sqm

Unit B2 – the smallest of the units across the site with an internal floor space of 1,467sqm

Unit B3 – located on the front of Bird Hall Lane with an internal floor space of 731sqm

Unit C1 – located within the centre of the site sitting alongside Bird Hall Lane C2 1,842 sqm

Unit C1 – located next to C2 internal to the site, 1610 sqm

Proposed materials will consist of a mixture of profiled cladding; roof – goosewing grey, lower walls – horizontal ‘alaska grey’ cladding, upper walls – ‘oyster grey/albatross cladding. All main staff and company entrances will be differentiated with aluminium frame windows set within timber cladding.

Access will be taken from Oakhurst Drive which will serve HGVs, LGVs and staff access, onto service yards and parking areas. There is an existing access/ gate from Bird Hall Lane located in the northeast corner of the Site which will be maintained as an emergency and maintenance access. The site will operate on a 24 hour basis.

Each unit will have its own service area including dock levellers for heavy goods vehicles. Staff parking, including disabled spaces, EV charging spaces and cycle parking are detailed. Across the site there will be; 177 car spaces (including accessible spaces), 46 EV spaces and 38 cycle spaces.

The application is supported by the following documents:

- Design & Access Statement
- Sustainability Statement (with BREEAM Pre-Assessment Report)
- Transport Assessment
- Travel Plan
- Lighting Impact Assessment
- Proposed External Lighting
- Energy Statement
- Air Quality Assessment
- Noise Impact Assessment
- Preliminary Arboriculture Impact Assessment
- Biodiversity Net Gain Assessment
- Ecological Assessment
- Landscape Visual Appraisal
- Planting Plan and schedule Trees, Shrubs and hedges
- Planting Plan and schedule – Planting Mixes
- Outline Construction Environmental Management Plan
- Phase 2 Geo – Environ Investigation Report
- Flood Risk Assessment & Drainage Strategy
- Crime Impact Assessment
- Security Needs Assessment
- Planning Statement

Health Impact Assessment
Employment Skills Report
Glint & Glare Assessment
Desk based Heritage Assessment
Vehicle Tracking

SITE AND SURROUNDINGS

The application site is located to the western side of Bird Hall Lane forming part of an established Employment Area (saved policy E3.1 of the UDP). The Site measures approximately 2.86 hectares (7.07 acres) located approximately 2 miles east of Cheadle Town Centre and approximately 2.5 miles west of Stockport.

The site has a clear frontage along Bird Hall Lane featuring a mixture of two and three storey red brick buildings. The central elements of the site are accessed from Oakhurst Drive in which you can see a mixture of industrial buildings including a large brick chimney and some open storage. The largest building, referred to as Enterprise House fronts onto Bird Hall Lane. There is landscaping to the peripheral edges of the site, particularly to the north, east and southern boundaries, including areas of grassland, shrubs, bare ground, and a number of scattered trees which are most noticeable along Bird Hall Lane.

There are a variety of other established employment uses in the immediate area which includes land on the western side of Bird Hall Lane. Beyond the immediate employment area are residential areas.

The site is located within a sustainable location with easy access to the local road network and connections to the motorway network. The nearest train stations are at Davenport and Cheadle Hulme and there are a range of bus routes which run along Bird Hall Lane.



The extract above shows the application site as existing taken from the agents supporting planning statement

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“PCPA 2004”) requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan includes-

- Policies set out in the Stockport Unitary Development Plan Review adopted 31st May 2006 which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004; &
- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document adopted 17th March 2011.

Saved policies of the SUDP Review

EP1.9 Safeguarding of Aerodromes and Air Navigation Facilities

E1.1 Location of New Industrial Development

E1.2 Location of New Business Premises and Offices

E3.1 Protection of Employment Areas

MW1.5 Control of Waste from Development

<https://www.stockport.gov.uk/topic/current-planning-policies>

LDF Core Strategy/Development Management policies

CS1 Overarching Principles: Sustainable Development, Addressing Inequalities and Climate Change

SD1 Creating Sustainable Communities

SD3 Delivering the Energy Opportunities Plans

SD6 Adapting to the Impacts of Climate Change

CS7 Accommodating Economic Development

AED3 Employment Development in Employment Areas

AED5 Education, Skills and Training Provision

CS8 Safeguarding and Improving the Environment

SIE1 Quality Places

SIE3 Protecting, Safeguarding and Enhancing the Environment

SIE5 Aviation Facilities, Telecommunications and Other Broadcast Infrastructure

CS9 Transport & Development

T1 Transport & Development

T2 Parking in Developments

T3 Safety & Capacity on the Highway Network

<https://www.stockport.gov.uk/topic/current-planning-policies>

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

Local Employment and Training - provides guidance and assistance to developers and end users of developments. It outlines how we intend to work with and support

employers to maximise local employment and skills benefits from new developments.

Sustainable Transport - should be read by the developers of any development that would be expected to result in a change in traffic patterns.

Sustainable Design and Construction - is a comprehensive document laying out the drivers and benefits of sustainable design and construction.

<https://www.stockport.gov.uk/topic/current-planning-policies>

National Planning Policy Framework (Dec 2023)

Of specific relevance to the site Chapter 6 – building a strong, competitive economy

Para. 85 “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.....”

Para. 87 “Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.”

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

<https://www.gov.uk/government/collections/planning-practice-guidance>

Stockport Climate Action Now (Stockport CAN)

The Council declared a climate emergency in March 2019 and agreed the ambition to become carbon neutral by 2038. As well as large-scale improvements in health and wellbeing around the world, bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities.

Subsequently, in December 2020 the Council adopted the Stockport CAN Climate Change Strategy, it sets out the initial actions that Stockport Council will take to make a difference on climate change over the next five years as it begins the journey to net-zero 2038. This document is read alongside current planning policies and is being used to inform work in developing a new local plan.

RELEVANT PLANNING HISTORY – The application site has been subject to various applications but none are relevant to the current proposals.

NEIGHBOUR'S VIEWS

The receipt of the application has been publicised by way of a site notice and notice in the local press and letters to 28 surrounding business premises. At the time of writing this report no representations have been received.

CONSULTEE RESPONSES

SMBC Nature Development Officer – No objections subject to conditions.

SMBC Arboricultural Officer – No objections subject to conditions.

There are no legally protected trees within this site or affected by this development. A full tree survey has been submitted as part of the full planning application to show the condition and amenity levels of the existing trees and where applicable which trees could be retained.

Amendments have been made during the course of the application, addressing initial concerns and the amount of new tree planting across the site and the species. There is now an uplift in trees by 25% along the eastern boundary and access road between units. Tree species have been updated with native species to replace those native species have been added to the planting mix. BNG net gain still remains high at 744%.

Conditions to be attached on protection of existing trees during construction.

SMBC Climate - No objections and welcomes the proposals in relation to measures to reduce carbon. It is however disappointing that no green roofs or walls are incorporated within the design.

SMBC EHO (Air Quality) – No objections.

SMBC EHO (Noise) – No objections subject to conditions

SMBC EHO (Contaminated Land) – No objections subject to conditions.

United Utilities – awaiting final comments

Environment Agency – no objection in principle subject to comments and conditions

Local Lead Flood Authority (LLFA) – no objection subject to condition

GMAAS – no objection subject to condition.

Public Health SMBC - no objection

Manchester Airport Aerodrome Safeguarding Authority - No objection subject to conditions and informatives.

Active Travel England –no detailed comment on the application other than referring to their standing advice in relation to the promotion of sustainable modes of travel.

SMBC Highway Engineer – No objection subject to conditions.

The existing site, although now vacant, has circa 16845 sq.m of commercial floorspace. The proposed site would comprise a total built area of 10,686m² for Use Class E(g)(ii)(iii), Research and Development and Industrial processes, B2 General Industrial and B8 Storage and Distribution, with ancillary office space. Provision within the development would be made for 177 car parking spaces and 38 cycle parking spaces. The existing principal access on Oakhurst Drive is to be retained and improved to afford access to the proposed development, with the access on Bird Hall Lane to the north-east corner of the site to be retained as a gated emergency/maintenance access.

In considering the application, the determinants from a traffic and transportation perspective are site accessibility, traffic generation, highway impact and site internal operational matters.

Accessibility

When considering the accessibility of the site, the presence, suitability and safety of public transport opportunities and the walking and cycling infrastructure are necessary in promoting sustainable travel choices, in providing alternative travel options for staff and thereby reducing the likely dependence on car travel. High quality facilities for non-car travel modes are critical in facilitating 'Eco'/green development that in its own right should be putting greater weight on its transportation credentials.

The NPPF is clear that opportunities to promote walking, cycling and public transport use should be identified, pursued and taken up, that suitable access is achieved for all users and development should give priority first to pedestrian and cycle movements both within the scheme and with neighbouring areas (Paragraphs 108, 114 and 116). Development will be required to consider the needs of the most vulnerable road users first and should create new routes to fill gaps in the walking and cycling network (Core Strategy Policies CS9 and T-1).

The locality is relatively well served by public transport with a couple of bus services providing up to 6 buses in total each hour connecting with the town centre, Cheadle District Centre and Wythenshawe. I also note that bus stops situated close to the site have shelters, timetables and raised kerbs for access. In summary, I consider there is opportunity for staff to choose bus travel for access purposes. Whilst rail stations are remote from the site and the opportunity for rail travel is reduced, there is potential for connected trips for those who essentially do not have access to a car for longer distance journeys.

In terms of walking and cycling as a realistic travel mode, I have some significant concerns with the standard of some infrastructure and the absence of specific pedestrian and cycle user facilities within the surrounding area. High quality, safe and suitable infrastructure should exist to help persuade staff to choose walking and cycling for commuting and other shorter journeys. Dedicated and separate space within the highway should be provided for walking and cycle traffic, where people

can feel safe, relaxed, secure and travel without delay. Protection and priority should also be given to people cycling and walking at junctions and crossing points on the highway. I note that there is some cycle infrastructure along other parts of Bird Hall Lane, that being a mix of on and off carriageway but nothing that actually connects with this site. The infrastructure is dated and is not particularly favourable or design compliant having regard to LTN1/20 standards.

During consideration of the application I raised a number walking and cycling network deficiencies in the area that I considered the application should be addressing. These being:

the sub-standard width of the footway on Oakhurst Drive fronting the site, requiring widening where feasible to 2m;

the absence of any convenient, suitable and controlled pedestrian and cycle crossing facilities within the two signal controlled junctions on Bird Hall Lane close to the site, asking that suitable facilities are integrated into the junctions/signals;

the need for segregated cycle facilities along Bird Hall Lane, asking to provide a 5m wide footway cycleway across the site frontage to Bird Hall Lane and

the need for a suitable and safe walking and cycling connection through Adswold Park, requiring revision and upgrading to an existing narrow route.

I subsequently acknowledged that the expectation of an upgrade to the traffic signals would arguably probably be out of proportion to the quantum of development that is proposed and it may not be representative of cost effective mitigation. Whilst I remained and still do, of the opinion that footway widening on Oakhurst Drive for pedestrian benefit and Bird Hall Lane for cycleway provision, plus some intervention within the Park, are entirely relevant and necessary, the applicant has agreed to deliver Oakhurst Drive improvements and has committed to a financial contribution of £50,000 towards other interventions. Whilst I am welcoming of this it will always remain my opinion that the provision of convenient and safest possible routes and facilities should be provided as this has the greatest potential to influence modal choice and thereby reduce car travel dependence and I do not feel the degree of mitigation and benefit that would be likely to be accrued via a financial contribution would be sufficiently meaningful or representative of complete satisfaction of planning policies. I note however and appreciate that my concerns will be balanced against other aspects of the development in determination of the application.

Traffic generation and highway impact

To determine the traffic that was generated by the existing development, peak period turning counts were undertaken in November 2023. This establishes a current position however it is known that the site has not been operating at full capacity for some time so the surveys will clearly under estimate what is a realistic fall-back position.

In order to predict the traffic that will be generated by the proposed development, reference has been made to a similar development elsewhere in Greater Manchester. This is not an unreasonable approach although I feel that it would have been more appropriate to do a comparison with the Aurora site in Stockport.

The comparison exercise predicts that the proposed development is unlikely to generate materially any more traffic in the peak periods when compared to the existing site use. Notwithstanding this, when I undertake a comparison using trip

rates that were utilised for the Aurora site, this shows that the proposed development could generate marginally more traffic than the observed flows associated with the current site use. Nevertheless, the findings and figures do not suggest that the development traffic would be at a volume that would have a severe impact on operation on the adjoining highway network and there is sufficient spare capacity within the signal controlled junctions on Bird Hall Lane to accommodate any increase in traffic that may arise as a consequence of redevelopment.

Site layout

As commented earlier, the site layout utilises the existing access point on Oakhurst Drive with some minor improvement for vehicle swept path purposes. The layout of the main spine road into the site and accompanying footpath provision is acceptable, dropped kerbs to be provided at plot entrances and crossing points can be covered under conditional control.

Swept path analysis that had been provided shows that articulated size vehicles and all other vehicles can reasonably negotiate a route through the development and access the service doors to each building.

The internal walkway arrangement has been amended to afford suitable and safe access through the development to individual buildings. Matters of access control and the use of the northern site access point for emergency vehicular use, pedestrians and cyclists only can be addressed under conditional control. I welcome the provision of cycle parking to a level that exceeds the Council's minimum standards and the general apportionment around the site, however I would be concerned should such facilities be simply stands and canopies. The applicant is considering providing staff cycle parking internal to buildings with some incidental visitor parking external. This would be welcomed and acceptable and I am satisfied that the overall detail of cycle parking can be addressed via conditional control.

Car parking provision across the site is 177 spaces that includes accessible spaces and 46 spaces with electric vehicle (EV) charging facilities provided. A simple application of the Council's parking standards and considering for a B2 use the maximum provision would be 237 spaces. As such, the development accords with the spirit of the standards but provision at a level of circa 75% of standards emphasises the need for the site to be highly accessible to all modes of travel and thereby reduce any likely reliance on car travel and demand for parking space. I can support this level of provision but only as part of a package that restrains car usage, requiring the delivery of the accessibility improvement discussed earlier.

The overall provision of general car parking bays is acceptable with sufficient provision laid out to best serve individual units. Some minor revisions have been requested to drawings to ensure that adequate provision and layout of accessible and motorcycle parking will be provided. Whilst this could be covered by condition it is preferable to have an acceptable layout prior to determination of the application.

The submission identifies that 26% of parking bays will be provided with a facility for the charging of electric vehicles. This I welcome but note that at least one accessible space within each plot needs providing with a charge facility and all other spaces must have cable ducting provided to them to allow charge point provision in the future. These are matters capable of conditional control.

The applicant has agreed to cover the costs of the Council to review, amend and implement traffic regulation orders on Oakhurst Drive to ensure that any overspill parking is managed so not to cause highway operational and safety issues. The TRO sum will need securing under an appropriate legal agreement or mechanism.

Conclusion

Whilst I am supportive in principle of the proposed development and I note that traffic generation does not give rise to any concerns, there are accessibility deficiencies and mitigation that I consider should be addressed as part of the development. This would ensure that the site would have convenient, suitable and the safest possible access for all modes of travel. Whilst my concerns have been raised and I am concluding that the scheme has shortcomings when assessed against national and local planning policies, I hope that these will be given balance in any decision made. I also note that the site has and is reliant on a significant fallback position which may make it difficult to sustain any refusal of permission.

GMP Secured by Design – No comments received.

ANALYSIS

The UDP Proposals Map identifies the application site as being within a designated Employment Area. The proposals consist of six new units across the site to create an exemplar, flexible and sustainable eco business park, providing a variety of employment units for distribution, manufacturing and hybrid workspaces, capable of responding to market needs. The main issues for consideration are therefore the provision of employment floorspace in this location, the impact of the development upon the character of the area and amenities of neighbouring occupiers, parking provision, traffic generation and highway safety, pollution, ecology, trees, drainage and crime prevention. These issues are explored below.

Principles of Development

Saved policies E1.1 & E1.2 confirm that new industrial developments, business premises and offices will be permitted within designated employment areas. All sites must be appropriate in size and scale to their surrounding area and must not conflict with other UDP Review policies for housing, retail and the protection of the environment as well as having good access to the highway network and public transport. This position is reflected in saved UDP Review policy E3.1 and CS policy CS7. CS policy AED3 confirms that the Council will protect employment areas for employment generating uses. Para 85 of the NPPF confirms that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The impact of the development upon the surrounding area in terms of its scale and size is considered below as are access issues. Subject to an acceptable assessment in this respect the proposal accords with saved policies E1.1, E1.2

and E3.1 together with policies CS7 and AED3 of the Core Strategy and the government's policy position within the NPPF.

Impact on the Character and Amenity of the Area

Core Strategy policy CS8 welcomes development that is designed and landscaped to a high standard and which makes a positive contribution to a sustainable, attractive, safe and accessible built and natural environment. This is reiterated in policy SIE-1 of the Core Strategy which confirms that development which is designed to the highest contemporary standard, paying high regard to the built/and or natural environment within which it is sited, will be given positive consideration. Specific regard should be paid to the use of materials appropriate to the location and the site's context in relation to surrounding buildings (particularly with regard to height, density and massing of buildings).

Paragraph 131 of the NPPF states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The character of the locality is derived from the variety of industrial and employment generating uses adjacent to the site and within the wider Europa Park and Cheadle Heath area. In terms of built form, there is a variety of development ranging in size and scale as well as architectural form.

The proposed development is considered to be of an appropriate size, siting and design having regard to the established character of the area. The application includes a sufficient level of detail in relation to materials of external construction. The design of each of the units ensures that there is a clear and obvious frontage to the main staff entrances, with a different use in materials on the entrance elevations. The importance of hard and soft landscaping throughout the site also plays a key role in the overall design and appearance. The proposal is considered compliant with Core Strategy policies CS8 and SIE1 in terms of its impact on the character of the area.

Impact on Residential Amenity

Core Strategy policy H1 confirms that development should provide for good standards of amenity. This is reinforced in Core Strategy policy SIE-1 confirming that satisfactory levels of privacy and amenity for future, existing and neighbouring users and residents should be provided, maintained or enhanced. The closest occupiers to the site are those associated with the adjacent commercial, industrial and office developments; there are no residential occupiers within close proximity. The application is supported by a Noise Impact Assessment and Officers are satisfied that noting the commercial nature of the adjacent occupiers, that proposed in terms of its use will cause no harm to amenity in accordance with Core Strategy policies CS8 and SIE1 and the NPPF.

Parking and Highway Safety

Policy CS9 of the Core Strategy DPD requires development to be sited in locations accessible by walking, cycling and public transport. The Council will support development that reduces the need to travel by car. This position is followed through in policy T1. Policy T2 requires parking in accordance with the maximum standards and policy T3 confirms that development which will have an adverse impact on highway safety and/or the capacity of the highway network will only be permitted if mitigation measures are proposed to address such impacts. Developments shall be of a safe and practical design.

The NPPF at Chapter 9 seeks to ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Safe and suitable access to the site should be achieved for all users and the design of parking areas, other transport elements reflects current national guidance. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be cost effectively mitigated to an acceptable degree.

Para 115 of the NPPF notes that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Accessibility

The site is located within a sustainable location, well served by public transport with up to 6 buses in total each hour connecting with the town centre, Cheadle District Centre and Wythenshawe. Bus stops are situated close to the site have shelters, timetables and raised kerbs for access and provide opportunity for future staff to the site, to choose bus travel. Whilst rail stations are remote from the site and the opportunity for rail travel is reduced, there is potential for connected trips for those who essentially do not have access to a car for longer distance journeys.

A number of concerns regarding accessibility to and within the site were raised with highways. The following is a summary and of the interventions and amendments made to the development:

- Widening of Oakhurst Drive to 2m has been achieved and will be secured as part of a condition. This will assist in pedestrian movement to the west of the site in the direction of Council Lane
- Two signal controlled junctions were raised to allow safe crossing at Bird Hall Lane. Whilst this was recognised as a future enhancement to the site and surrounding, proportionately it was not considered to be appropriate for this development alone, and would not likely to be cost effective mitigation.
- Detailed discussions have taken place regarding the need for segregated cycle facilities along Bird Hall Lane. There are existing sections of sub-standard cycle paths along Bird Hall Lane but are broken by junctions and do not form part of a wider cycle network. In assessing the impact of the widening of Bird Hall Lane, considering the potential loss of tree cover and soft landscaping along the eastern boundary of the site, together with the creation of drainage 'swales' internal to the site, on balance, it was not considered that it was proportionate to the overall scheme. Whilst there are no

dedicated cycle paths to the site, there are facilities within the development such as secure cycle storage and pathways which cyclists can use.

- An agreement has been reached over a Traffic Regulation Order (TRO) ON Oakhurst Drive. This will be secured through a Section 278 legal agreement and will ensure that any overspill parking is managed so not to cause highway operational and safety issues.
- A further financial contribution has been agreed of £50,000 which will go towards future enhancement plans within the area and will be secured by a legal agreement.
- Various alterations to the internal layout including increased pedestrian permeability and safer routes into the main employee entrances have been designed in and updated on amended plans

Traffic Generation

In terms of generation and highway impact the site has a 'fall back' position (the existing use of the site), highways have concluded that vehicular traffic associated with the development would not give rise to a severe effect on highway operation or an unacceptable impact on carriageway user safety.

Site layout/Parking

The internal layout of the site is considered acceptable and swept path analysis shows that articulated size vehicles can reasonably travel through the site and access the service doors to each building safely.

Provision of cycle parking across the site exceeds the Council's minimum standards, and following further negotiations with the applicant, a mixture of internal (within the buildings) and external cycle storage will be achieved across the site. The final detail will be secured by condition.

Car parking provision across the site is 177 spaces that includes 12 accessible spaces and 46 with electric vehicle (EV) charging facilities provided. Detail for the implementation of the EV charging will be conditioned.

The internal walkway arrangement has been amended to afford suitable and safe access through the development to individual buildings. Matters of access control and the use of the northern site access point for emergency vehicular use, pedestrians and cyclists will be conditioned.

There is a significant fall-back position for the site based on its previous uses and its context within a wider industrial park. The traffic generation and internal layout of the site presents the opportunities for future employees at the site to use various modes of transport. It is considered that the development is acceptable overall having regard to the wider site improvements proposed and financial contributions towards future enhancements to the wider area. The development would not have an unacceptable impact on highway safety, sufficient parking is proposed to serve the development and the development would not result in cumulative impacts on the road network that would be severe.

On the basis of the above, Members are advised that the proposal accords with policies CS9, T1, T2 and T3 and of the Core Strategy DPD and the NPPF.

Climate Change

Policy CS1 seeks to ensure that all development meets a recognised sustainable design and construction standard where viable to do so. All development will be expected to demonstrate how it will contribute towards reducing the Borough's carbon footprint by achieving carbon management standards.

Policy SD1 confirms that the Council will look favourably upon development that seeks to achieve a high rating under schemes such as BREEAM.

Policy SD3 requires development to demonstrate how it will assist in reducing carbon emissions through its construction and occupation through the submission and approval of an energy statement. Notwithstanding this Members will be aware that changes to Part L of the Building Regulations in June 2022 focus on greater fabric performance, lower energy demand, and a move away from fossil fuels (gas and oil boilers) to electric heating systems. The changes should cut carbon dioxide (CO₂) emissions from new homes by around 31% and non-domestic new builds by 27%. In existing buildings, regulations will typically apply to new build extensions or the installation of new materials or technology. These standards for energy efficiency are now higher than that required by policy SD-3.

The NPPF at para 157 confirms that the planning system should support the transition to a low carbon future. It should help shape places in ways that contribute to radical reductions in greenhouses gas emissions, encourage the reuse of renewable resources and support renewable and low carbon energy and associated infrastructure.

The energy statement submitted advises that the scheme is compliant with Part L of the Building Regulations and will exceed the policy requirements of SD3, CS1, SD1 and SD3 along with the relevant paragraphs of the NPPF.

- solar PV panels on the roofs estimated to generate approximately 270.028kWh per annum. The issue of a 'glint and glare assessment was raised by the policy team which has already been carried out
- high performance thermal envelope proposed for the buildings
- air source heat pumps which are supported

Comments from the Planning Policy team in relation to the lack of measures such as green roofing are noted, however the inclusion of such is understood not to be feasible due to the pitch of the roofs proposed. The inclusion of PV Panel is welcomed, with confirmation within the glint & glare assessment that there would be no harm to safety in accordance to saved UDP Review policy EP1.9 and CS policy SIE5.

Members are advised that the proposal accords with the relevant development plan policies and whilst further measures would be welcomed, they cannot be insisted upon.

Drainage

Saved UDP Review policy EP1.7 confirms that development will not be permitted where it would be at risk of flooding or increase flooding elsewhere. Core Strategy policy SD6 requires all development to be designed in such a way as to avoid, mitigate or reduce the impacts of climate change. In this respect development is required to incorporate sustainable drainage systems so as to manage run off water from the site.

Para 165 of the NPPF confirms that when determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Major developments should incorporate sustainable urban drainage systems (para 175).

Members should be aware that the historic use of the site for landfill and industrial activity has the potential to pose a contamination risk especially to controlled waters. In consultation with the Environment Agency, a set of appropriate conditions have been set out including; *Remediation Strategy (to deal with the risks of contamination) Piling/Foundation designs, Infiltration of surface water and a Verification report. These are required to ensure that any risk is managed and mitigated.*

The application has been supported with a site specific Flood Risk Assessment and various detailed plans. These have all been reviewed by the Environment Agency, the Local Lead Flood Authority and United Utilities. Based on the information submitted it is considered that subject to appropriately worded conditions that the proposal accords with saved UDP Review policy EP1.7, Core Strategy policy SD6 and para's 167 and 169 of the NPPF.

Biodiversity (including landscaping and trees)

Saved UDP Review policy NE1.2 confirms that the habitats and biodiversity of sites of biological importance will be protected and enhanced where possible. The Core Strategy at policy CS8 confirms that development will be expected to make a positive contribution to the protection and enhancement of the Borough's natural environment and biodiversity.

Para 135 of the NPPF outlines that planning decisions should ensure that developments include effective landscaping, with trees making an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should ensure opportunities are taken to incorporate trees in development, that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicant's and local planning authorities should work with highway officers and tree officers to ensure that the right trees are planted in the right places and that solutions are found that are compatible with highway standards and the needs of different users (para 136).

An Ecological Appraisal of the site was undertaken by Tyler Grange Ltd with habitat surveys undertaken initially in November 2021 and updates in July 2023. A Biodiversity Net Gain assessment and report was undertaken in 2023 using the Defra Metric 4.0 to assess baseline conditions and inform the impact assessment.

Using the habitat survey results from the Ecological Appraisal above the site proposals were used to calculate a site baseline value of 2.53 habitat units and the development proposals would lead to a net gain of +791% Habitat Unit and +10.46% Hedgerow Unit onsite net gains with all trading rules satisfied.

The site currently comprises mostly hardstanding and buildings. A total of 3 no. trees and some amenity grassland is proposed to be lost to development. However, the majority of existing ecologically important habitats will be retained, including species-rich native hedgerows and trees, and enhanced and development will be constrained to existing hardstanding and building footprints. Habitat creation includes multifunctional swales (with benefits for biodiversity and drainage), neutral grassland (wetland meadow mix), attenuation features, mixed scrub, hedgerows and >41 scattered trees. A vast majority of trees to be planted will be native tree species and the planted hedgerows and mixed scrub contain good variety of native species with provision of fruit bearing species as well.

There are no legally protected trees within this site or affected by this development. A full tree survey has been submitted as part of the full planning application to show the condition and amenity levels of the existing trees and where applicable which trees could be retained.

Amendments have been made during the course of the application, addressing initial concerns and the amount of new tree planting across the site and the species. There is now an uplift in trees by 25% along the eastern boundary and access road between units. Tree species have been updated with native species to replace those native species have been added to the planting mix. BNG net gain still remains high at 744%.

Conditions are proposed on any planning permission to secure; *Landscape and Ecological Management Plan (LEMP), Biodiversity Enhancements, Breeding birds, Lighting Design Strategy and Invasive Species.*

On the basis of the above, Members are advised that the proposed development accords with the NE1.2 and CS8 of the development plan and Para 135 and 136 of the NPPF.

Pollution (noise, air, land)

Policy SIE3 along with advice contained within the NPPF at Chapter 15 seek to protect against pollution whether that be from contamination in the ground, dust or noise. Submitted with the application are various reports addressing these issues including a Phase 1 geo-environmental site assessment, a noise report and air quality assessment. Members are advised that subject to the imposition of conditions the proposed development will cause no harm in terms of pollution. On this basis the proposal is compliant with Core Strategy policy SIE3 and Chapter 15 of the NPPF.

Crime

Policy SIE1 of the Core Strategy together with para's 119 and 130 of the NPPF seek to ensure that developments create safe living conditions. To address this policy position the application includes a Crime Impact Statement which advises

that subject to the following measures there will be few issues arising from a crime perspective:

- Secure the future development site appropriately.
- Secure the storage facility boundary with appropriately high and secure fencing and gates.
- Construct the building to Secured by Design Standards.
- Use access controls to regulate movements into the site and building.
- Install appropriate lighting, CCTV and intruder alarms and
- Prepare a customer agreement and lone worker policy.

A Crime Impact Statement has been submitted with the application. It is recommended that the recommendations listed in sections 11 - 15 of the report are reviewed and implemented and will be secured by condition.

On this basis and subject to the imposition of conditions as suggested, Members are advised that the proposal is compliant with policy SIE1 of the Core Strategy together with para's 100 and 101 of the NPPF.

Archaeology

A desk based Heritage Assessment was submitted in March 2024 and builds upon the Heritage Statement.

In terms of archaeology, the application is supported by a written scheme of investigation to be carried out prior to the commencement of development in the event that planning permission is approved. GMAAS being the statutory consultee on this document advise that as the existing buildings and potential below-ground archaeological remains are of only regional or local significance (as opposed to national), that such investigations can be secured by condition. With no evidence to suggest a contrary approach, Members are advised that the proposed development includes appropriate measures for the recording of archaeological remains.

Conditions are proposed to ensure investigation are carried out and recording of any matters of interest. The proposal is considered to be compliant with Core Strategy Policy SIE3 and para 209 of the NPPF.

Conclusions

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 of the NPPF indicates that these should be sought jointly and simultaneously through the planning system.

Paragraph 11 of the NPPF applies a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay. In so far as the development sought by this application, Members are advised that the development plan is up to date and for the reasons set out in this report it is considered that the proposals accord with the development plan.

In considering the planning merits of the proposal against the requirements of the NPPF, the proposal is considered to represent sustainable development. On this basis, in accordance with the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is recommended for approval.

RECOMMENDATION: Grant subject to the imposition of conditions, informative and the signing of a legal agreement to secure £50,000 towards improvements to Pedestrian and Cycling.