

Development Control Committee
Meeting to be held on 11th July 2018

Electoral Division affected:
West Lancashire East

West Lancashire Borough: Application number LCC/2018/0023

Erection of detached vehicle repair/maintenance workshop and office accommodation building with the provision of photovoltaic solar panels on the southern half of the roof of the building, and an associated five space car park. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

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Executive Summary

Application - Erection of detached vehicle repair/maintenance workshop and office accommodation building with the provision of photovoltaic solar panels on the southern half of the roof of the building, and an associated five space car park. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour and finish of building materials, use restriction, lighting, and disposal of foul and surface waters.

Applicant's Proposal

Planning permission is sought for the erection of a detached portal frame building to be used as a repair/ maintenance workshop and office accommodation. Photovoltaic solar panels would be installed on the south facing pitch of the roof. A five space car park would also be provided to be used in association with the offices and workshop.

The building would have maximum dimensions of 67m x 21m with a pitched roof with a maximum ridge height of 11.4m. The workshop would have 8 x vehicle entrance/exit roller shutter doors to each measure 5m high x 6.6m wide, and 4 x personnel steel access doors. The walls and roof of the building would be constructed from corrugated steel cladding, except for the front (south facing) wall of the office section that would be constructed from a mixture of aluminium cladding and glazing and the lower 2.3m on the east, north and west elevations that would be in concrete blockwork. The cladding would be powder coated in a light blue/grey colour.

Part of an adjacent earth bund along the site boundary would be removed and a concrete panel retaining structure placed along it to provide the space for the building.

The south facing pitch of the roof of the workshop would include photovoltaic panels, and the north facing pitch of the building would include roof lights.

Description and Location of Site

The application site is part of an existing waste management site/ waste transfer station and skip business located at the eastern end of Simonswood Industrial Estate approximately 800m from the northern edge of Kirkby.

Vehicular access to the industrial estate is from the south side of Stopgate Lane, and then to the application site via the internal road that runs through the industrial estate. The applicant's site has an area of 5.7 hectares and consists of an open yard area used for the storage, sorting, crushing and screening of waste materials. A waste transfer building, an office building, and a building used as a vehicle repair/maintenance workshop and to house biomass boilers, are located on the west, north and south sides of the site, respectively. The site has planted screen mounds along the northern and southern boundaries with heights of 6m and 7.25m, respectively.

Beyond the northern boundary are agricultural fields and then the boundaries of the nearest residential dwellings on Sidings Lane that are approximately 180m to the north-west of the application site. To the east is another inert waste processing company, to the south is the Kirkby to Wigan railway line with agricultural fields beyond, and to the west is a vehicle repair, MOT, de-pollution and breaking area for end of life vehicles and land used for the storage of shipping containers.

The application site is currently occupied by a hardstanding area for the storage of skips and machinery. The proposed building would be located parallel and adjacent to the earth bund along the northern boundary, and would extend to the north-east corner of the site.

Background

The application site forms part of an existing waste management site that has been the subject of a number of planning permissions, the two most recent being as follows:

Planning permission for an extension to the existing portal framed shed to house 4 no. biomass boilers with associated fuel silos and drying floor, was granted in April 2017 (ref: LCC/2017/0007).

Retrospective planning permission for the provision of a concrete panel retaining structure to the earth bund along the northern boundary, the erection of an enclosure to house a 300kw biomass boiler with a 5.8m high exhaust stack and the provision of

an associated fuel silo and ash bin, was granted in December 2017 (ref: LCC/2017/0060).

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 11 – 14, 17 - 19, 56 - 66, 93 -98, 123 and 125 are relevant with regard to the requirement for sustainable development, core planning principles, building a strong and competitive economy, the requirement for good design, meeting the challenge of climate change, noise and light pollution.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP)

Policy NPPF 1	Presumption in favour of sustainable development
Policy DM2	Development Management

West Lancashire Local Plan 2012-2027 Development Plan Document (DPD)

Policy GN3	Criteria for Sustainable Development
Policy EC1	The Economy and Employment Land – Managing development on employment land - Other Significant Employment Sites – Allocated Waste Sites
Policy EN1	Low Carbon Development and Energy Infrastructure

Consultations

West Lancashire Borough Council – Object on the basis that due to its size and scale the proposed building would have an adverse impact on the character of the local area contrary to Policy GN3 of the West Lancashire Local Plan DPD.

Simonswood Parish Council – No observations received.

Knowsley Metropolitan Borough Council - No observations received.

Environment Agency – No objection. It is commented that the proposed development is on a site that is regulated by the Environment Agency. If the proposed development involves new waste activities or there will be a change to the site boundary where permitted waste activities take place, the site operator will need to vary the existing permit.

LCC Highways Development Control - No objection. It is commented that the proposed development should have a negligible impact on highway safety and highway capacity within the vicinity of the site.

United Utilities: Recommend that a condition be included on the granting of any planning permission to require that foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Health and Safety Executive – No observations received.

Representations – The application has been advertised by press, site notice and neighbouring residents have been notified by letter. No representations have been received.

Advice

Planning permission is sought for a building for use as offices and a repair / storage workshop for vehicles associated with the waste management site. The applicant has advised that the current vehicle repair/maintenance workshop on site is inadequate for the site's current repair/maintenance demands as a significant number of vehicles and machines operate on the site. The provision of the additional workshop would ensure a significant reduction in the number of off-site journeys required for repair/maintenance and would also save money. The office accommodation would provide additional essential space for increased support staff that have outgrown the existing office block. The building would be located along the internal road that runs through the site and so would be easily accessible for vehicles and machinery that would use the workshop. It would also be near the existing site's car park and office block that are located on the west side of the proposed building.

The main issues associated with the application are the need for the development, the visual impact, noise and the disposal of foul and surface waters.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development it is not only necessary to take into consideration the relevant policies of the Development Plan but also the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One (LMWLP), and the West Lancashire Local Plan 2012-2027 Development Plan Document (DPD)

The site is located within Simonswood Industrial Estate that is subject to Policy EC1 of the West Lancashire Local Plan DPD. This policy supports a mix of industrial, business, and storage and distribution uses within the allocated area. The proposed

building would be used in association with an existing industrial use of a waste management operation at the site and hence conforms with Policy EC1.

In relation to design issues, West Lancashire Borough Council have objected on the basis that the size and scale the proposed building would have an adverse impact on the character of the local area contrary to Policy GN3 of the local plan.

Policy GN3 requires that proposals for development should be of high quality design and have regard to visual amenity through sensitive design including appropriate siting, orientation, scale and materials.

In response, the proposed building is located within the boundary of the Simonswood Industrial Estate which includes a number of existing large industrial buildings and container storage sites that are at least as high as the proposed building and which would prevent views from many locations. The building may be visible from some locations on Stopgate Lane but would be located close to the earth bund along the northern boundary of the site that has a height of 6m, plus vegetation on top, that would help to screen views of the building from this direction. The views of the proposed building from the south would be largely obscured by the recently constructed extension to the existing portal framed shed and the 7.25m high earth bund along the southern boundary. Taking this into consideration, it is considered that the visual impact of the proposed building would be acceptable in relation to Policy GN3 and the objection of the Borough Council is not supported. However, a condition should be imposed that the building be finished and maintained in the proposed powder coated light blue/grey colour throughout its presence on the site.

To ensure that the development would not have any noise impacts on the amenities of the nearest residential properties on Stopgate Lane and Sidings Lane, the building should also be restricted to the proposed uses.

The NPPF states that the planning system plays a key role in securing radical reductions in greenhouse gas emissions, minimising vulnerability and providing reliance to the impacts of climate change, and supporting the delivery of renewable energy infrastructure which is central to the economic, social and environmental dimensions of sustainable development. To help increase the use and supply of renewable energy, the NPPF advises that planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable sources. The building would incorporate photovoltaic panels which would allow generation of electricity. The visual impacts of the panels are considered acceptable and hence comply with Policy EN1 of the West Lancashire Local Plan DPD.

Whilst no lighting is currently proposed, it may be introduced in the future, and so to ensure that any lighting used would not cause light pollution or glare to the countryside and the wider area, a condition is proposed requiring details of proposed lighting to be submitted for approval.

United Utilities have commented on the foul and surface water drainage arrangements for the development. In line with their recommendation, a condition should require that foul and surface water should be drained on separate systems

and where this is not possible, attenuation measures be incorporated to reduce peak flows to sewers.

Subject to the imposition of the aforementioned conditions, the development would accord with the policies of the NPPF and the Development Plan.

A note should also be attached to any permission to advise the applicant that if the proposed development involves new waste activities or there will be a change to the site boundary where permitted waste activities take place, the site operator will need to vary the existing permit.

In view of the nature, location and purpose of the proposal it is considered that no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 30 May 2018.

b) Submitted Plans received by the County Planning Authority on 30 May 2018:

Drawing No. P185.1_200B - Site Location Plan

Drawing No. P185.1_202B - Block Plan

Drawing No. P185.1_204B - Proposed Site Plan

Drawing No. P185.1_205B - Proposed Plans and Elevations

Drawing No. P185.1_206B - Proposed Site Sections

Drawing No. P185.1_207B - Proposed Drainage Plan

c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan –

Site Allocation and Development Management Policies – Part One, and Policies GN3, EC1 and EN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Building Materials

3. The steel cladding used for the external elevations and roof of the building shall be coloured light blue/grey (RAL 7040) and shall thereafter be maintained in that colour.

Reason: To protect the visual amenities of the area and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Site Operations

4. The building shall only be used as a vehicle repair/maintenance workshop and office accommodation.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Floodlighting

5. No external lighting and floodlighting shall be erected on the building unless it is in accordance with a scheme and programme, which has first been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:

- a) Type and power of lights
- b) Types of masking or baffle at the lighting head
- c) Number and size of lighting units
- d) Light spread diagrams showing lux levels at the site boundary and calculation of the impact of these on adjacent properties
- e) Times of use of lighting.

Thereafter the lighting and floodlighting shall be erected and operated in accordance with the approved scheme and programme.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to reduce light pollution and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and

Safeguarding of Watercourses and Drainage

6. No development shall commence until a scheme for the drainage of foul and surface water from the building has been submitted to and approved in writing by the County Planning Authority.

The scheme shall include measures to ensure that foul and surface waters are drained to separate systems.

If surface waters can only be drained to a sewer, the scheme shall contain details of the measures that will be employed to attenuate the rate of discharge to sewer including volume of storage and discharge rates to be achieved.

The approved drainage measures shall be installed prior to the construction of the building and shall thereafter be maintained in full working order.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2018/0023	30 May 2018	Rob Jones/534128

Reason for Inclusion in Part II, if appropriate

N/A