

**REPORT TO:** Development Control Committee

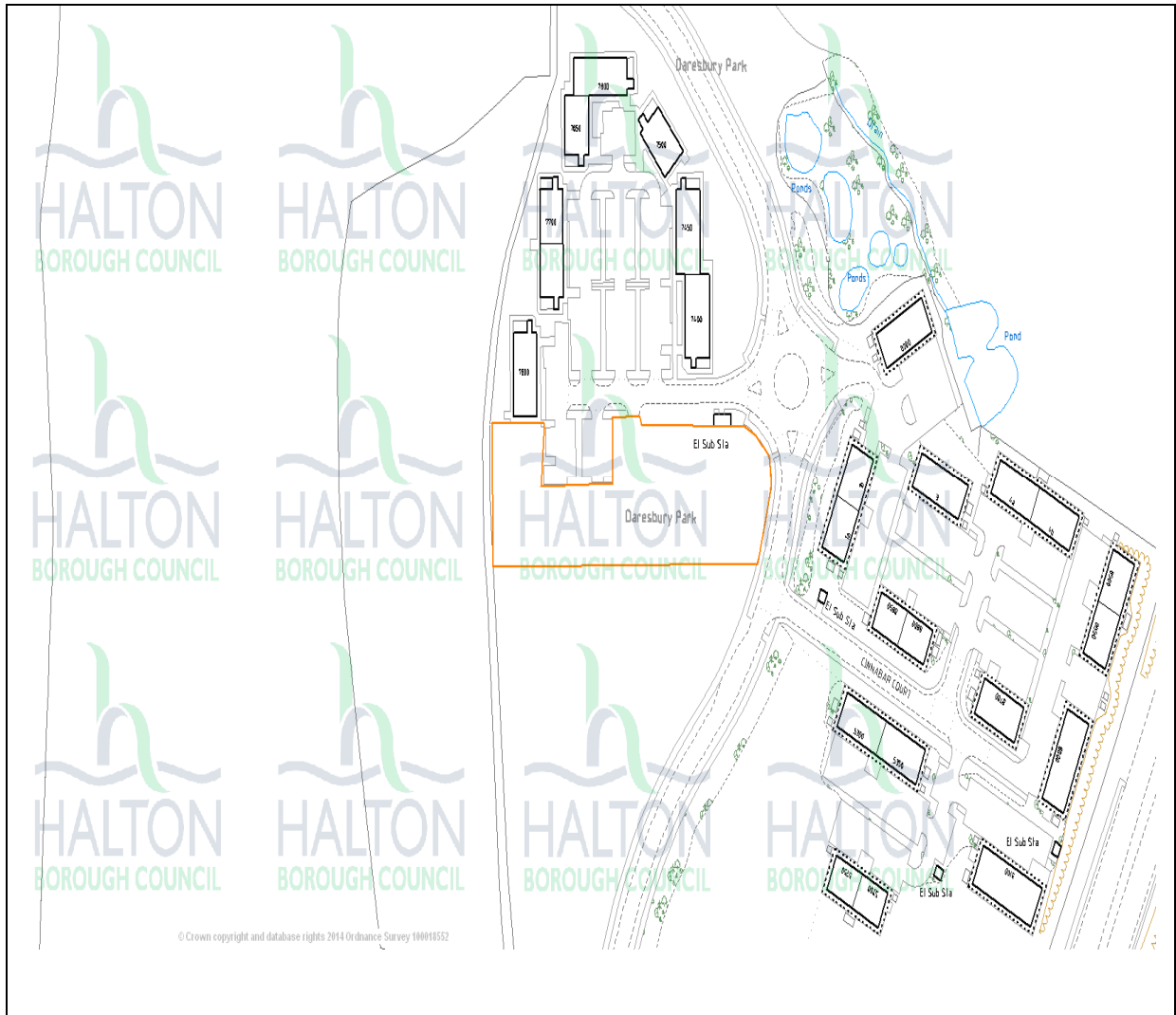
**DATE:** 12 May 2014

**REPORTING OFFICER:** Strategic Director, Policy & Resources

**SUBJECT:** Planning Applications to be determined by the Committee

**WARD(S):** Boroughwide

<b>APPLICATION NO:</b>	14/00052/FUL
<b>LOCATION:</b>	Land to North of Red Brow Lane, Daresbury Park, Runcorn
<b>PROPOSAL:</b>	Erection of 3 no. office (B1) units
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>CASE OFFICER:</b>	Jeff Eaton
<b>AGENT(S) / APPLICANT(S):</b>	Knight Frank LLP
<b>DEVELOPMENT PLAN ALLOCATION:</b>	Regional Investment Site
<b>DEPARTURE REPRESENTATIONS:</b>	No
<b>REPRESENTATIONS:</b>	None
<b>RECOMMENDATION:</b>	Approve subject to conditions
<b>SITE MAP</b>	



## 1. APPLICATION SITE

### 1.1 The Site and Surroundings

The application site, as stated on the planning application form, covers an area of 0.2 hectares.

The site is located within the boundary of Daresbury Park, adjacent to the junction 11 of the M56 motorway.

The site is bounded by Chester Road (A56) to the east, Red Brow Lane and Daresbury Hotel to the south, and open countryside to the north and west.

This development would form part of the existing Daresbury Park, office development.

### 1.2 Planning History

There is extensive planning history for the Daresbury Park development, the following permissions that are relevant to this application, include;

- Application no.99/00510/FUL: Proposed erection of three storey office building with associated car parking and site access road at Plot 3. Approved with conditions 12<sup>th</sup> October 1999.
- Application no.02/00050/S73: Proposed variation of condition no's 2 and 3 of permission 98/00253/OUT to extend time period for compliance/implementation at Phases 3 & 4. Approved with conditions 20<sup>th</sup> March 2002.
- Application no.02/00054/OUT: Outline application for use of land for employment purposes (use classes B1a and B1b), with associated landscaping and parking at Phases 3 & 4. Approved with conditions 20<sup>th</sup> May 2002.
- Application no.03/00653/FUL: Proposed infrastructure and landscape works for plots B1(a), B1(b) and A3 uses permitted by permissions 98/00253/OUT and 02/00054/OUT at Phases 3 & 4. Approved with conditions 11<sup>th</sup> September 2003.
- Application no.04/00501/S73: Proposed variation of conditions 2 and 3 on permission 02/00054/OUT to extend time period to 20/05/2010 and 20/05/2012 respectively at Phases 3 & 4. Approved with conditions 5<sup>th</sup> October 2004.
- Application no.07/00600/REM: Proposed B1 Office Park with car parking/lighting and ancillary development. Approved with conditions 15<sup>th</sup> November 2007.
- Application no.10/00182/S73: Proposed variation of condition no.s 2 & 3 of planning consent 02/00054/OUT to replace extant planning permission and extend the time limit for implementation by a further 10 years. This is still pending consideration.

### 1.3 Background

Daresbury Business Park was recognised as a regional strategic site within the Regional (Economic) Strategy. The sites were designated to act as 'flagship' developments for the North West and hence the standards of design, energy conservation, landscaping and urban design should be high and make a positive contribution to environmental quality and sustainability.

## 2. THE APPLICATION

### 2.1 Proposal Description

The proposal comprises three office buildings, which are accessed off the road that links into Red Brow Lane. The buildings are to be set out as:

-580 sq.m (Unit 1) office unit, with 25 parking spaces; including two disabled spaces;

-939 sq.m (Unit 2) office unit, with 41 car parking spaces; including four disabled spaces; and  
-484 sq.m (Unit 3) office unit, with 20 car parking spaces; including two disabled spaces.

These will be two storeys, which will match the existing surrounding buildings, including the use of the same materials.

There will be areas of landscaping incorporated into the site layout.

## 2.2 Documentation

The planning application is supported by a Planning, Design and Access Statement, Drainage and Flood Risk Assessment, Preliminary Ecological Assessment, Landscape Plans and associated plans showing the elevations and layouts of the buildings.

## **3. POLICY CONTEXT**

### 3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise.

### 3.2 Halton Unitary Development Plan (UDP) (2005)

The site is located within an area shown as a Regional Investment Site. The following policies are of relevance to this proposal;

- BE1 General Requirements for Development
- BE2 Quality of Design
- H3 Provision of Recreational Greenspace
- TP6 Cycling Provision as part of New Development
- TP7 Pedestrian Provision as Part of New Development
- E5 New Industrial and Commercial Development

### 3.3 Halton Core Strategy (2012)

The following policies, contained within the Core Strategy are of relevance to this proposal;

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS4 Employment Land Supply and Locational Priorities
- CS7 Infrastructure Provision
- CS11 East Runcorn
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change
- CS21 Green Infrastructure
- CS23 Managing Pollution and Risk

### 3.4 Relevant Supplementary Planning Guidance (SPDs)

There are no SPDs of relevance to this application.

## 4. **CONSULTATIONS**

- 4.1 Highways Agency – Have been consulted and have no comments in relation to the development.
- 4.2 HBC Highways – No Comments have been received.
- 4.3 Environment Agency – Provide standing advice relating to development less than 1ha in Flood Zone 1-surface water drainage information.
- 4.4 HBC Contaminated Land – No objections in principle, recommend a standard condition in relation to the submission of appropriate site investigations prior to the commencement of development.
- 4.5 United Utilities – No objection, however, recommended a condition in relation to surface water run-off.
- 4.6 HBC Open Space – If recommendations followed in the ecological report then should be little opportunity for species identified to use the site. The landscaping scheme is similar to the rest of the business park.
- 4.7 Natural England - Provide standing advice in relation to protected species. Green Infrastructure is encouraged within the scheme, along with biodiversity enhancements and landscape enhancements.
- 4.8 Health and Safety Executive – Does not advise against the granting of planning permission.
- 4.9 Cheshire Wildlife Trust – Has provided the following comments;
  - Advise that a full Great Crested Newt survey is required.
  - Further information is required in relation to the quality of the grassland.

- Concur with the advice provided in relation to the presence of badgers in the ecology report; which is recommended to be included as a condition.
- Concur with the recommendations in the ecological report, in relation to bats and recommend that this is included as a condition.
- Recommend a condition in relation to no scrub clearance being carried out during the bird nesting season.

4.10 The comments raised are considered within the report.

## **5. REPRESENTATIONS**

5.1 There were 32 neighbour consultations sent out, to adjoining businesses. There have not been any representations received.

## **6. ASSESSMENT**

### **6.1 Assessment against Planning Policy**

The site is allocated as a Regional Investment Site.

Since the most recent applications, which relate to this site, were approved, the only change in planning policy is that the Core Strategy (Halton's Local Plan) has been formally adopted. Daresbury Park is now included in Policy CS11: East Runcorn.

The whole area of East Runcorn constitutes a Key Area of Change within the Core Strategy (paragraph 14.1 of the Core Strategy), however, the Daresbury element, which includes Daresbury Park, is allocated as a Strategic Site. The element of the policy that relates to Daresbury Park (part b of Policy CS11) states:

*'(b) The office and knowledge based facilities at Daresbury Business Park will be increased through the delivery of a further 40ha of B1 (a) and (b) development.'*

The second part of the policy provides the principles of development.

In relation to National Planning Policy, the National Planning Policy Framework (NPPF) is of relevance. The key theme running through NPPF is a presumption in favour of sustainable development, which should then run through the plan-making process and be carried through when making a decision. The introduction of NPPF, does not change the decision making process in that the development should still accord with the development plan unless material considerations indicate otherwise. However the NPPF is a material consideration in relation to this development.

The proposal accords with the CS11 of the Core Strategy, as it is will provide a further 0.2ha of office space. There are also previous outline planning applications that have been approved for office development, therefore the principle of development is acceptable.

## 6.2 Design, Character and Amenity

The applicant has provided a Planning, Design & Access Statement to support the application, which looks at the design, character and amenity of the proposal.

The three buildings will all be two storeys high, which will be 6.5m high to the eaves.

The external finishes of the buildings will all consist of Ibstock Himley Worcester Mixture facing brickwork with bucket handle pointing and coloured mortar ref. Light Brown D by Cemex Ltd. This will be mixed with rendered panels to be 10mm thick render system, which is Sterling White.

The windows have aluminium frames , which are powdered coated with top hung vents, in Grey RAL 7005matt. The roof is to be Kingspan KS1000 composite panels coloured Merlin Grey. The fascias will be Alaska Grey colour and soffits will be in oyster colour. The details are provided on plan no.s M2791-5002, M2791-8002 and M2791-4002.

The landscaping areas are detailed on drawing no.DPOV/01, which includes a planting schedule.

The details provided in relation to both the elevations and landscaping will match the existing and therefore is acceptable.

## 6.3 Highways

A transport assessment was not required to be provided as part of the application, however due to its location adjacent to junction 11 of the M56 motorway the Highways Agency was consulted.

The Highways Agency has no objections to the proposal.

The development has adequate parking levels and access is taken from the existing network within Daresbury Park.

## 6.4 Pedestrian and Cyclists

There are pedestrian areas provided around the buildings themselves, however, the remainder of the site includes shared surfacing. There are no separate walkways provided between the buildings or linking into the car park. This is the approach taken across other phases within Daresbury Park.

There is cycle provision provided for each unit. There are 3 no. cycle parking bays provided for Unit 1, 4 no. cycle parking bays provided for Unit 2 and 3 no. cycle parking bays for Unit 3.

The details are acceptable for this application.

## 6.5 Open Space and Green Infrastructure

There are no protected trees in the area, however, there needs to be assurance that there is no net loss of biodiversity. This is will discussed under the heading of Ecology, below.

The landscaping scheme is similar to that on the other phases of the business park and therefore fits in with the overall ethos. There is no requirement to provide open space within the development.

The details provided are acceptable for this application.

## 6.6 Ecology

Cheshire Wildlife Trust (CWT) has provided comments in relation to the biodiversity issues. The ecological survey, submitted with the application, has identified seven ponds within 50-100m of the development site. Four of the ponds have been assessed as having average or good suitability to host Great Crested Newts, however, were deemed to be immaterial due to the presence of an access road separating the ponds from the site.

The CWT do not see the access road as being a barrier, especially as the road is not busy during the evening/night time when the newts would be most active. Therefore they consider the proposed development site provides a suitable habitat for newts in the area. It is recommended that a full Great Crested Newt survey is required.

In relation to the grassland, the ecological survey has identified the grassland as being species poor semi-improved. Due to the timing of the survey and the lack of specific detail it is considered that it is not possible to judge whether this grassland would be capable of restoration to BAP (Biodiversity Action Plan) quality. It is recommended that further information is provided and the assessment of the grassland is repeated during the summer months, so that the true value of the site can be determined and that the level of compensation/mitigation agreed is proportionate to the losses incurred.

There is an active badger sett within 250m of the proposed site. CWT concur with the advice provided in the ecological report and this should be secured by a suitably worded condition.

The surrounding habitat is suitable for foraging bats. CWT also concur with the advice provided, in relation to bats, within the ecological report and suggest that bat friendly lighting, bat boxes and planting of native trees and shrubs are provided. This can be conditioned accordingly.

It is also recommended that a condition is added that there should not be any works, including shrub clearance, carried out outside the bird nesting season (1<sup>st</sup> March to 31<sup>st</sup> August inclusive) unless the site is first checked by a qualified ecologist prior to commencement. This can be conditioned accordingly.



The comments have been provided to the applicant/agent and there are on-going discussions in relation to the detailed requirements. Whilst there can be conditions added in relation to the recommendation from the ecological report for bats and badgers, the survey in relation to Great Crested Newts will need to be provided prior to a decision being made. The case is the same in relation to the grassland, as it needs to be demonstrated that the true value of the site can be determined so that the level of compensation/mitigation agreed is proportionate to the losses incurred.

## 6.7 Flooding & Drainage

United Utilities has provided comments in relation to the site being drained on a separate system with foul draining into the public sewer and surface water draining in the most sustainable way. The developer is asked to consider options, with the priority being to consider an adequate soakaway or adequate filtration system first.

It is also recommended that due to the volume of surface water draining from the site that permeable paving on all driveways and other hard-standing areas including footpaths and parking areas is used. Environment Agency has provided standing advice in relation to this.

The Drainage & Flood Risk Assessment, submitted with the application states that the site drainage will comprise of a separate surface and foul water drainage system. The surface water will be discharged into the existing surface water public sewer located in the site access road adjacent to the eastern boundary, connected via the drain trail provided into the development plot. It then goes on to state that an unrestricted discharge to the sewer is allowed as on-site attenuation is provided within the downstream drainage network.

The Drainage & Flood Risk Assessment then goes on to say that the surface water discharge from external hard standing/car parking areas shall be passed through a suitable design oil interceptor prior to discharge to the sewer.

The above is acceptable subject to the conditions suggested by United Utilities in relation to surface water and the drainage on a separate system.

## 6.8 Contamination

A Geo environmental desk study report (February 2014) was submitted with the application. HBC's Contaminated Land Officer agrees with the recommendations in the report, which includes the carrying out of site investigations. These should be submitted, along with recommendations for any remediation, which can be dealt with by way of a condition.

## **7. CONCLUSIONS**

The principle of the development of the site as B1 office use has already been established through the approval of previous permissions. It also complies with Policy CS11 in the Council's Core Strategy. However, there are still requirements for a detailed survey in relation to the grassland and Great Crested Newts to be provided. These details are required prior to determining the application, and therefore it is requested that the delegated powers are given to the Operational Director-Policy, Planning & Transportation in consultation with the Chair of Development Control Committee, to make the decision once the details have been received and consulted on.

It is therefore considered that the proposal is acceptable and recommended for approval subject to the appropriate conditions.

## **8. RECOMMENDATION**

That the delegated powers are given to the Operational Director-Policy, Planning & Transportation in consultation with the Chair of Development Control Committee, to make the decision once the details in relation to grasslands and Great Crested Newts have been received and consulted on, subject to the following conditions and to add any other necessary conditions;

## **9. CONDITIONS**

1. Standard 3 year permission.
2. No surface water to be discharged either directly or indirectly to the foul sewer network.
3. The site must be drained on a separate system, with only foul drainage connected into the foul sewer.
4. Measures/recommendations as outlined in the ecological survey in relation to bats and badgers should be adhered to.
5. Site investigations & remediation required as set out in the Geotechnical Report.
6. Any clearance of vegetation needs to be carried out outside the bird nesting season.
7. Wheel Cleaning Facilities.

## **10. SUSTAINABILITY STATEMENT**

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.