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| APPLICATION NO | PA/2010/0405 |
| APPLICANT | CLS Civil Engineering |
| DEVELOPMENT | Planning permission to erect industrial units within use classes B1(a) Business Office, B2 General Industrial and B8 Storage or Distribution, with associated external works and drainage |
| LOCATION | Land at Europa Way, Brigg |
| PARISH | BRIGG |
| WARD | Brigg and Wolds |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Member 'call in' (Councillor Rob Waltham - detrimental impact on street scene and safety of primary school children) Third party request to address the committee |
| POLICIES | |

Planning Policy Statement 25 – Development and Flood Risk: Development within Flood Risk Zone 3a 'high probability' shall be assessed against the sequential test to decide whether the site is suitable for less vulnerable development such as buildings being used for general industry, storage and distribution and business. A PPS25 compliant flood risk assessment should be submitted to demonstrate that the proposed development is safe from flooding without increasing flood risk elsewhere.

North Lincolnshire Local Plan: The site is defined in table 10 as CIN8 (Ancholme Business Park) as a Committed Industrial Site that is a 7.8 hectare site suitable for B1 (Business) and B8 (Storage and Distribution) uses.

Policy IN3 (Industrial and Commercial Development in the Urban Area, Principal Growth Settlements, South Humber Bank Area and Humberside International Airport) states that proposals for B1, B2 and B8 industrial will be permitted provided that the development respects its position and setting within the landscape and is compatible with the layout of any existing nearby or adjacent development.

Policy T1 (Location of Development) states that development proposals which generate a significant volume of traffic movements will be permitted provided that they are located in Brigg where there is good access to rail, water and air transport and good foot, cycle and public transport provision,

Policy T2 (Access to Development) states that all development must be provided with a satisfactory access and in larger developments should be served adequately by:

- readily accessible choice of transport modes;
- existing public transport services and infrastructure;

- additions or extensions to such services linked to the development; and
- the existing highway network.

Policies DS1 (General Requirements) and DS16 (Development and Flood Risk) also apply.

CONSULTATIONS

Highways: Advise conditions (3-6).

Environment Agency: No objections subject to conditions.

Anglian Water Developer Services: Suggest informative comments be attached to any planning permission.

TOWN COUNCIL

No objection or comments.

PUBLICITY

Neighbouring properties have been notified and two site notices posted. Forty letters, and a petition containing 202 signatures, were received objecting to the proposed development on the following grounds:

- the development will result in additional vehicles being parked on Atherton Way thereby resulting in congestion problems
- it is not an appropriate site for additional industrial development being located opposite the primary school
- the location is inappropriate for the siting of a wind turbine
- the proposed wind turbine will be detrimental to the health of autistic children who attend the primary school opposite the site
- risk to pedestrian and child safety as a result of increased traffic and additional vehicles being parked on Atherton Way
- access to the site is directly opposite the entrance to the primary school which could result in traffic congestion at peak times
- allowing development would result in further industrialisation of the area to the detriment of pedestrian safety
- traffic flows are heavy in this part of Brigg, which will be exacerbated by the proposed development
- increase in HGV traffic into the area
- impact on human health through noise disturbance and pollution

An amended plan was received on 17 May 2010. An additional letter of objection was received, raising no further material planning issues.

ASSESSMENT

The application site is an overgrown piece of land to the north of Brigg Primary School sited on the junction of Atherton Way and Europa Way. The land is sited on a designated industrial estate immediately to the south of the M180 motorway. A drain crosses the site and the land to the east remains unused. The site is located approximately 850m to the north of Brigg town centre.

An amended plan was received on 17 May 2010 showing the removal of the wind turbine from the eastern boundary and the re-positioning of the cycle and motorcycle spaces with the bin stores.

The main issues in determining this application are whether the proposed development will result in increased traffic congestion, whether an increase in vehicle numbers poses a hazard to pedestrian safety and whether the site is appropriate for industrial development.

The first point of note is that the site is located on a designated industrial estate and the area to the south and west of the development site is dominated by B1, B2 and B8 industrial uses along Europa Way and Atherton Way. Therefore the proposed development is not out of keeping with the uses in the area, nor is it considered to introduce inappropriate uses into this part of Brigg. With regard to a precedent being set for further industrialisation of the area, any future planning application would be considered on its own merits. As the area is designated for industrial use the capacity and ability of the highway to carry different types and volumes of vehicles has already been assessed. This includes the predicted increase in vehicle flows generated from the development site and the potential for further vehicle flows as the area develops for industrial use in the future.

With regard to the impact of development upon pedestrian safety it should be noted that there is an existing public footpath that runs from Grammar School Road to the pedestrian access on the north-eastern boundary of Brigg Primary School. This means that pedestrians approaching the school from the largely residential area around Grammar School Road will be able to access the school on foot without encountering any traffic associated with the proposed development site. Furthermore there is an existing highway path along the full stretch of Atherton Way to enable pedestrians to access Brigg Primary School from its western pedestrian entrance. The highway path along the north-western boundary of the school is protected by metal railings and there are parking restrictions along this section of Atherton Way. Therefore there are existing measures in place to protect pedestrians accessing the school from both directions.

The proposed development will have provision for the parking of 54 vehicles. The amount of parking provision has been considered by the Council's Highway department and it meets the current parking standards for industrial developments in North Lincolnshire. There is no perceived requirement for vehicles to be parked along Atherton Way during the day as there will adequate parking provision within the development site. Furthermore the design and access statement provided with the planning application states that no heavy goods vehicles will access the site and deliveries will be made by rigid goods vehicles at scheduled times. These deliveries could be scheduled outside of peak times, including school drop-off and pick-up times, to avoid potential conflict with the functions of the school.

The potential for traffic congestion will only arise when vehicle users are accessing the development site and drivers are dropping off and picking up pupils from the school at the same time. However it is the responsibility of those drivers who are accessing the school during peak times to ensure that they don't park their vehicles along Atherton Way in an irresponsible or unsafe manner. This will help to reduce any potential highway issues that may occur such as blocking up the access, parking on the bend on Atherton Way or parking too close to the site access so visibility is reduced.

The site access will be offset from the existing vehicle access to Brigg Primary School and will be sited close to the bend on Atherton Way. This will allow for drivers to have good visibility along both sections of Atherton Way thereby providing safe access and egress from the development site. Therefore the good visibility afforded to vehicle users at this point of Atherton Way should not result in vehicle manoeuvres that will endanger the lives of pupils attending Brigg Primary School or result in traffic congestion on Atherton Way.

As stated previously, the site is on a designated industrial estate with industrial units sited in the vicinity. The development that is proposed consists of seven light industrial units where the largest unit will not exceed 605m². Taking into account the current land uses in the area, the fact that the land is allocated for industrial use and for the reasons set out in the previous paragraphs of this report the proposed development is not considered to be detrimental to the lives of children attending the school, whether it be through noise disturbance, pollution or highway safety issues.

It should be noted that the proposed wind turbine has been removed from the scheme, as detailed in the amended plan received on 17 May 2010. Therefore the issues raised in relation to the installation of the wind turbine are no longer relevant to this application.

The Environment Agency originally objected to this proposal on the grounds that the flood risk assessment did not comply with PPS25 (Development and Flood Risk). This issue has now been addressed and the Environment Agency have withdrawn their objection subject to the proposal passing the sequential test. This site passes the sequential test due to the selection process undertaken in the allocation of this site as an allocated industrial site within the North Lincolnshire Local Plan.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.
The development hereby permitted shall be carried out in accordance with the following approved plans: CLS/C150/003 B, 22374/101 A, 22374/401 C, 22374/02 C and 22374/402 C.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until details of the method of constructing the vehicular access to the site have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

Within 3 months of the completion of the new access, any redundant access to the site shall be removed and the area reinstated to footway/verge (including the provision of full height kerbs) in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

5.

Any gates or gate positions at the vehicular access shall be set back a minimum distance of 5 metres from the nearside carriageway edge.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

6.

The development shall not be brought into use until:

- (i) the access roads to the service and customer parking area;
- (ii) the loading, off-loading and turning areas for all vehicles; and
- (iii) the parking spaces and access aisles (including surface markings);

have been provided and all these facilities shall thereafter be so retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

7.

Noise arising from the operation of the turbine shall not exceed 5dB above the wind-dependent background noise level at wind speeds up to 10m.s⁻¹ when measured as a LA90, 10min at the exposed facade of the nearest existing sensitive receptor.

Reason

To avoid the unacceptable loss of amenity to local residents through noise, which is contrary to policy DS1(iii) of the North Lincolnshire Local Plan.

8.

No development shall commence until a landscape and biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (a) details of measures to be carried out to avoid harm to nesting birds during development;
- (b) details of features to be included in the development to support nesting birds;
- (c) details of tree, shrub and hedge planting and aftercare, using only locally native species sourced from seed zone 402;
- (d) timings for the above works in relation to the demolition and development.

All works shall be carried out in accordance with the approved details and timings, and the bat roosting features shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason

To provide landscaping and conserve features of nature conservation importance in accordance with policies ST1, DS1 and LC12 of the North Lincolnshire Local Plan.

9.

No development shall take place until an archaeological mitigation strategy, as defined in a brief prepared by the North Lincolnshire Sites and Monuments Record Office, has been submitted to and approved in writing by the local planning authority. The strategy shall include details of the following:

- (i) measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
- (ii) methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
- (iii) post-fieldwork methodologies for assessment and analyses
- (iv) report content and arrangements for dissemination, and publication proposals
- (v) archive preparation and deposition with recognised repositories
- (vi) a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the strategy

- (vii) monitoring arrangements, including the notification in writing to the North Lincolnshire Sites and Monuments Record Office of the commencement of archaeological works and the opportunity to monitor such works
- (viii) a list of all staff involved in the implementation of the strategy, including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

10.

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings, subject to any variations agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

11.

A copy of any analysis, reporting, publication or archiving required as part of the mitigation strategy shall be deposited at the North Lincolnshire Sites and Monuments Record Office within six months of the date of completion of the development hereby approved by this permission or such other period as may be agreed in writing by the local planning authority.

Reason

To comply with policy HE9 of the North Lincolnshire Local Plan because the site lies in an area of archaeological interest.

12.

The development shall proceed fully in accordance with the flood risk assessment dated June 2010.

Reason

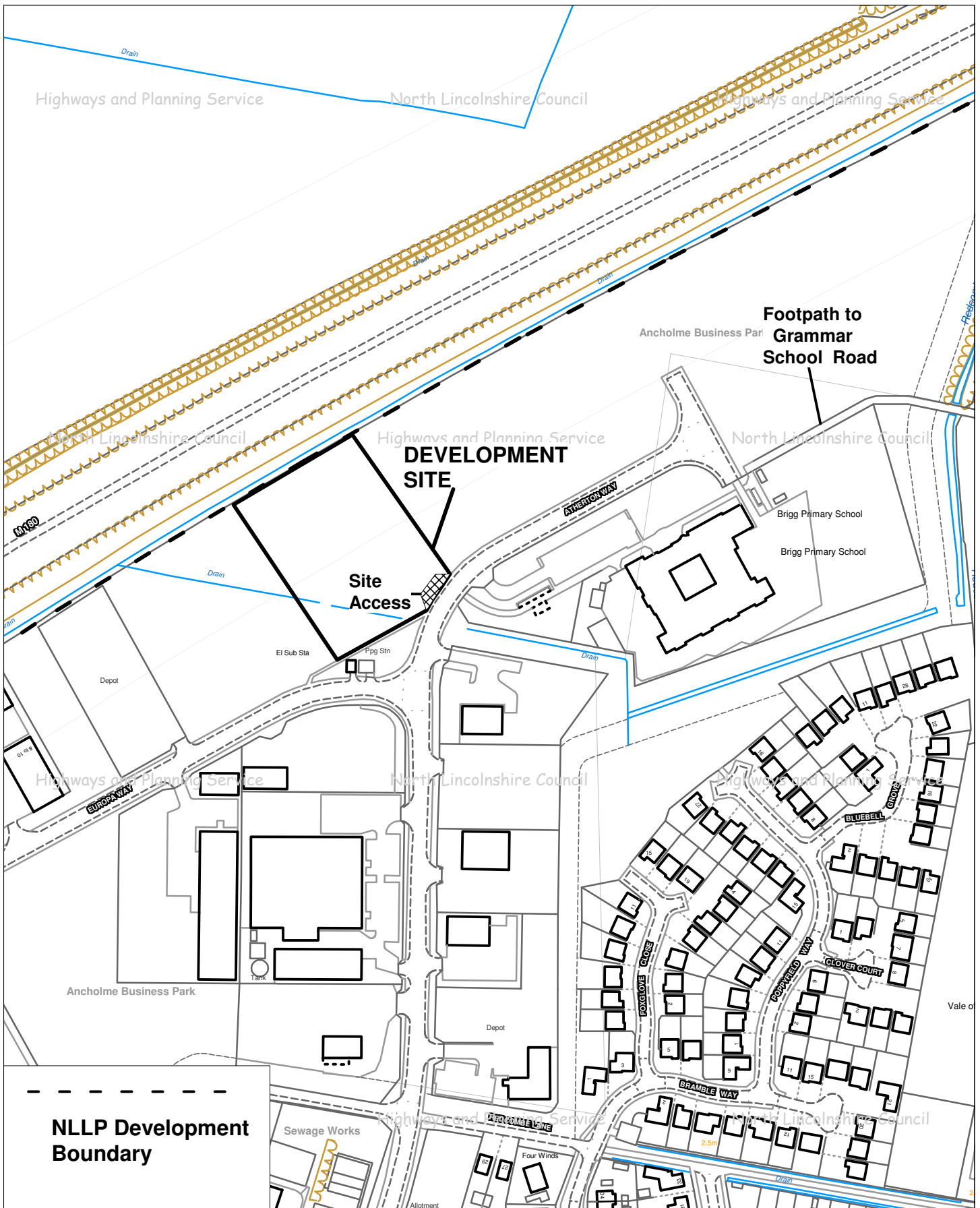
To comply with PPS25 in the interests of flood risk.

13.

The finished floor levels shall be no lower than 2.4m AOD.

Reason

To comply with PPS25 in the interests of flood risk.



Drawing Title: 2010.0405

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Highways and Planning Service

Service Director,
G Pople

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