

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2017/1552/F	CASE OFFICER	Fiona Hunter
LOCATION:	THETFORD Trox UK Ltd,Caxton Way Thetford	APPNTYPE:	Full
APPLICANT:	Trox UK Ltd Caxton Way Thetford	POLICY:	In Settlemnt Bndry
AGENT:	REES PRYER ARCHITECTS LLP The Studio Drinkstone Office Park	ALLOCATION:	N
PROPOSAL:	Construction of a new warehouse building with under-croft car parking using existing access from Caxton Way; including new canopy above loading area		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	Y

REASON FOR COMMITTEE CONSIDERATION

Application is a major due to proposed floor area >1000sqm.

KEY ISSUES

Design
Highways Safety, Highways and Vehicle Parking
Amenity
Drainage and Flood Risk
Contamination
Tree Implications

DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the construction of a storage and distribution building (Use Class B8) and canopy together with associated parking. The proposed warehouse unit would provide 1,841sqm of floorspace and the principle wall material is silver/ grey trapezoidal profile metal cladding sheets.

The proposal includes under croft car parking providing 42 parking spaces, together with 12 external spaces (combined total of 56 spaces). The canopy would connect the new building to the existing factory building, which would be used for unloading.

The supporting statement details that the warehouse will be used for the existing Trox factory, directly to the south of the land to be developed and also within the application redline. Furthermore, that the existing site has little warehousing and the business has to currently rely on a number of rented premises elsewhere for the storage of raw materials and finished goods.

The site has extant planning permission (reference: 3PL/2017/0521/F) for a similar scheme, with a slightly

smaller footprint of 1,626sqm. The extant permission has approval for uplift of 9 car parking spaces whereas the current proposal would result in an uplift of 40 spaces.

SITE AND LOCATION

The application site comprises an irregular shaped piece of land extending to 2.16 Hectares bounded by circular road Caxton Way.

The area of site proposed to be developed is at the north of the planning unit and has been cleared, however, previously accommodated a industrial unit.

The development area of the site is to the north of the existing Trox factory, which manufactures and sells a range of air-conditioning and ventilation components. The Trox business at this site employs 150 people, in addition to temporary roles.

EIA REQUIRED

No.

RELEVANT SITE HISTORY

3DM/2016/0005/DEM	No Prior Approval	27-05-16
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Demolish disused factory building

3PL/2017/0521/F	Permission	03-08-17
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Erection of a storage and distribution warehouse (Use Class B8)

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

The following policies of the adopted Breckland Core Strategy, Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the proposals map have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Practise Guide have also been taken into account, where appropriate.

Policy SS1 Spatial Strategy
Policy CP3 Employment
Policy CP11 Protection and Enhancement of the Landscape
Policy CP13 Accessibility
Policy DC1 Protection of Amenity
Policy DC6 General Employment Areas
Policy DC13 Flood Risk
Policy DC16 Design
Policy DC19 Parking Provision

NPPF With particular reference to paragraphs 103, 19
NPPG National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

THETFORD T C

"No objections"

NATURAL ENGLAND

No objections. Recommends trees are removed outside of bird breeding season and that some ecological enhancements are conditioned.

FLOOD & WATER MANAGEMENT TEAM

Advises Local Planning Authority refer to their standard guidance.

TREE AND COUNTRYSIDE CONSULTANT

The proposal will require the removal of one tree subject to TPO, however this will have very little impact in terms of the overall appearance of the group.

Recommendation for a condition requiring works to take place in accordance with submitted Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) supplied by Landscape & Sculpture design Partnership, reference LSDP 11351.031 REV B.

ECONOMIC DEVELOPMENT

The Economic Development service supports the application.

"They are a major supplier in the UK and Northern Ireland employing 150 staff at Caxton way including skilled, semi-skilled and unskilled labour. The business is experiencing high growth which brings them to a point where they are in a position to build further on site warehousing on an area to the north of the existing building which will interconnect thus improving their shop floor, give them much needed additional space, less reliance on rented warehousing and upgrade their facility. This in turn leads to encouraging the possibility of further job creation/apprenticeships and business sustainability in an extremely competitive market. Car parking on Caxton Way is notoriously difficult and the underground parking element of this application will therefore ease congestion and traffic flow including HGV deliveries around the facility. The HGV movements for TROX UK will remain as existing but vehicle movements to and from rented warehousing will decline; the new building is primarily warehousing therefore vehicles will continue to use the current arrangements to the front of the site."

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection. Recommends conditions relating to nesting birds and works to cease if any protected species are encountered on site.

CONTAMINATED LAND OFFICER

No objection subject to conditions relating to unexpected contamination.

ENVIRONMENTAL HEALTH OFFICERS

No objection.

ENVIRONMENT AGENCY

No objection, subject to conditions relating to site investigations/ contamination and drainage.

Guidance provided including advising that the site is underlain by a Principal Chalk Aquifer, within the WFD Cam and Ely Ouse chalk groundwater body. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale. The site is located within a Source Protection Zone (SPZ), namely SPZ1 (inner protection zone). Phase 1 (Desk Study) Ground Contamination Report (November 2017) identified historical tanks at the site which could present risks to the controlled waters. Therefore, the site is considered to be of high sensitivity.

ANGLIAN WATER SERVICE

No Comments Received

ENVIRONMENTAL PLANNING

No Comments Received

NORFOLK COUNTY COUNCIL HIGHWAYS

No Comments Received

HIGHWAYS

No objection subject to conditions relating to visibility splays and works to be complete prior to first occupation.

REPRESENTATIONS

No representations were received.

ASSESSMENT NOTES

1. Principle of development.

1.1 National planning policy gives strong encouragement to sustainable economic development, with paragraph 19 of the NPPF stating that planning 'should operate to encourage and not act as an impediment to sustainable growth' and that 'significant weight should be placed on the need to support economic growth through the planning system'.

1.2 The application site lies within an area designated as a General Employment Area (GEA) where policy DC6 applies. Policy DC6 states that sites that are identified as GEAs on the proposals map will be protected for employment use and that proposals to accommodate new employment development will be permitted on GEAs where they do not consist of a town centre use and will not undermine the function of the wider employment area. The development does not consist of a town centre use as defined by the NPPF, nor will it undermine the function of the wider employment estate. The proposal is therefore compliant with Policy DC6.

1.3 A further consideration is the site has extant planning permission for warehouse granted on 28/08/2017, with a reduced floor space of 1,626sqm opposed to the current proposal for 1,841sqm. The principle of warehouse development at the site has therefore been established.

1.4 As such the proposed development is therefore acceptable in principle, subject to consideration of the design, highways, ecology, drainage and amenity impacts.

2. Design

2.1 Policy CP 11 & DC 16 advises that all developments should be of the highest quality in terms of architecture and landscape. Furthermore, developments should consider the context in which they sit and seek to embrace opportunities to enhance character and appearance of an area creating to a sense of place.

2.2 The application site falls within an industrial and employment area of Thetford which is characterised by large scale industrial buildings of simple and utilitarian design and substantial bulk. Therefore, the proposed design and appearance of the building would be in keeping with the existing industrial buildings surrounding the site.

2.3 The proposed buildings would not have significant wider townscape impacts given the restricted nature of any views of the buildings. In summary, it is therefore considered that there would be little harm caused to the character and appearance of the surrounding area and the proposals would accord with Policies CP11 and DC16.

3. Highways Safety, Highways and Vehicle Parking

3.1 HGV access to the application site would be gained via the existing main southern access off Caxton Way. The vehicles would turn right, and go past the eastern part of the existing factory before turning left under the proposed canopy area. HGVs would then exist via the existing exist point at the north-west of the site. This HGV routing is currently existing and in use.

3.2 Staff with cars would enter via a separate entrance if they wish to use the new parking spaces, at the southern part of the site. This assists the creation of a safe site by separating vehicle types.

3.3 The above access and movement arrangements are considered safe and acceptable.

3.4 The proposals include the provision of 56 car parking spaces, 42 of which would be in the undercroft and 12 externally. Overall, the development would result in an overall site uplift of 40 car parking spaces, due to the loss of 16 existing spaces.

3.5 Policy DC19 sets out that for a warehouse of this size, that there should be a maximum of 13 car parking spaces (after applying the policy 0.7 multiplier for Thetford). The development is clearly above this, however, the applicant has justified the quantum of parking by reviewing the overall Trox site requirements, all contained by the redline.

3.6 For a facility of this size (750sqm of office, 8870sqm of factory and 1841sqm of warehouse), Policy DC19 permits a maximum of between 126 - 134 car parking spaces after the 0.7 Thetford multiplier has been applied. The proposed new total car parking would be 125 spaces, below the maximum permitted.

3.7 Irrespective of the above policy assessment, national Planning Practice Guidance sets out that Local Planning Authorities should only impose maximum local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network (25-03-2015). This guidance is more recent than Policy DC19, and therefore the weight to be given the Policy DC19 in respect of maximum standards is diminished.

3.8 A further consideration is set out by the submitted Transport Statement which stipulates that the business wishes to future proof the factory, and that there is no capacity for car parking around Caxton Way if the business grows in the future. It is agreed that the Trox site is constrained, with limited opportunities for future

development and therefore it is sensible to deliver additional car parking now in the undercroft, rather than when there is a demand in the future. Clearly, it would be costly to re-build the warehouse at a later date if there was a need for additional car parking. Given the at capacity on-street parking, it will also assist in keeping the highway clear from obstructions to the benefit of highways safety and business operations.

3.9 The Highways Authority have commented with a no objection subject to conditions which we recommend are imposed.

3.10 On the foregoing basis, the car parking proposals are acceptable. In addition, the applicant has agreed to increase cycle parking from 10 new spaces to 19 new spaces. This meets the requirements for the requirement of Policy D19.

4. Amenity

4.1 The application site is located centrally within an existing industrial estate with existing industrial uses on all sides. Given the distance to the nearest dwelling (230m to the north-east) and the fact that the site is surrounded by other industrial or noise generating uses it is considered highly unlikely that the proposal would harm the amenities of the occupants of nearby properties or compromise surrounding uses. The Council's Environmental Health Officer has no objections to the proposals.

5. Drainage and Flood Risk

5.1 With regards to drainage and flood risk implications the site is located within Flood Zone 1 which have the lowest flood risk from seas and rivers. In addition, the site is not identified as an areas at risk of groundwater flooding.

5.2 Norfolk County Council as Lead Local Flood Authority have not commented as the site area falls below the current threshold for providing detailed comment.

5.3 The proposals seek to discharge surface water via an on site soakaway next to the proposed external parking area which would accord with the approach sought within SUDS guidance which seeks to utilise the most sustainable methods via infiltration if feasible. However, the EA have requested surface water is conditioned, for reasons outlined below.

6. Contamination

6.1 The site comprises a previously developed site in an existing industrial area. The Environment Agency note the site is located above a Principal Aquifer, within a groundwater source protection zone and therefore in a highly sensitive area, and have therefore recommended conditions to secure approval of a remediation strategy for the site and surface water drainage scheme. Whilst the applicant has submitted an SI and drainage strategy, the EA have requested further information on tanks historically being underneath the site before they can agree any drainage strategy.

6.2 Subject to the conditions requested by the Councils contaminated land officer and the Environment Agency it is considered that the site is suitable for the proposed use and that there would be no significant risk form ground or water pollution in accordance with development plan policies and the policies in the NPPF.

7. Tree Implications

7.1 The site contains a group of protected Scot Pine trees along the eastern boundary. The development will require the loss of one of these trees, which are covered by a TPO. The Council's Tree Officer has raised no objection subject to a condition requiring implementation of tree protection measures as proposed. Furthermore, he has advised in his professional view the loss of this single tree will have very little impact in terms of the overall appearance of the TPO group.

7.2 On the foregoing basis, the impact to existing trees on site is considered acceptable.

8. Conclusion

8.1 The proposal would be consistent with planning policies which support economic development. The proposal would be located in an existing industrial and employment area and would not result in any significant harm to the amenity of the surrounding area and to existing businesses in the surrounding area. No significant effects on highway safety or biodiversity are anticipated and subject to conditions the majority of protected trees on site would be safeguarded from significant harm, and the surrounding environment would be safeguarded from risk of ground and water pollution and flood risk.

8.2 Taking these matters into account it is concluded that the proposal would comply with Development Plan policies and would represent a sustainable development to which the NPPF's presumption in favour would apply. Therefore, it is recommended therefore that planning permission is granted subject to conditions.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3944 Contaminated Land - Desk Study/Site Investigation**
- No development shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- A. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 - B. The results of a site investigation based on (A) and a detailed risk assessment, including a revised CSM.
 - C. Based on the risk assessment in (B) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
 - D. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (C). The long term monitoring and maintenance plan in (C) shall be updated and be implemented as approved.

Reason for condition:-

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

This condition will require to be discharged

3946

Contaminated Land - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This condition is imposed in accordance with CP9 of the Breckland Adopted Core Strategy.

This condition will require to be discharged

3100

Materials

The development hereby permitted shall be constructed using the materials specified on the planning application form and approved drawings unless otherwise agreed in writing with the Local Planning Authority.

Reason for condition:-

To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC1 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

This condition will require to be discharged

ER18

Construction Method Statement

No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction

Reason for condition:-

The details are required prior to the commencement of the development in the interests of

highway safety and the amenity of the area and to ensure a safe development from the outset of the development.

This condition will require to be discharged

3802

Precise details of surface water disposal

Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason for condition:-

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

This condition will require to be discharged

3804

Precise details of foul water disposal

Prior to the commencement of development, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason for condition:-

The details are required to be submitted prior to the commencement of development to minimise the possibilities of flooding from the outset of the development. This condition is imposed in accordance with Policies DC1 and DC13 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009

This condition will require to be discharged

3007

Full Permission Time Limit (3 years)

The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.

Reason for Condition:-

As required by section 91 of the Town and Country Planning Act 1990.

3047A

In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

3920

Non-standard condition

Notwithstanding development permitted within class I of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order (England) 2015 or any subsequent re-enactments and amendments of, the development hereby permitted shall only be used for a purpose or purposes falling within use class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended), unless planning permission has otherwise been granted by the Local Planning Authority.

Reason for condition:- In the interests of highway safety and the provision of sufficient vehicle parking and to prevent the use of the buildings for main town centre uses in the interests of the vitality of Thetford Town Centre.

3920 Landscaping

Notwithstanding any details or description contained within the application documents, the development hereby permitted shall not be commenced above slab level until a landscaping scheme has first been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out in the first available planting season following the completion of the development. Any loss or failure of planting which forms part of the approved landscaping scheme within the first 5 years following the completion of the development shall be replaced in the next available planting season.

Reason for condition:- To ensure the satisfactory appearance of the development, in accordance with Policy DC1 and DC16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

3920 Tree protection

Operations on site shall take place in complete accordance with the approved Tree Protection Plan and AIA, prepared by Land and Sculpture Design Partnership, dated 12-04-17, reference 11351.031 Rev B. No other operations shall commence on site in connection with the development until the tree protection works and any pre-emptive tree works required by the approved Tree Protection Plan and AIA have been carried out and all tree protection barriers are in place as indicated. The protective fencing shall be retained in a good and effective condition for the duration of the construction of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from site, unless the prior written approval of the local planning authority has been sought and obtained.

Reason for condition:- To protect existing mature trees on site and ensure the satisfactory appearance of the development, in accordance with Policy DC1 and DC12 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

3920 Highways

Prior to the commencement of the use hereby permitted the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason:- To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

3920 Access

Prior to the first use of the development hereby permitted a visibility splay shall be provided to either side of each access in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason:- In the interests of highway safety.

3920 Non-standard condition

Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason for condition:-

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

3994 Note

NOTES:

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action. You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

3994 Non-standard note

Where remediation of contaminated land is required, the developer is advised to put in place measures to ensure that any future alterations/extensions to the development do not undermine completed remediation works and, if appropriate, that the future alterations/extensions include the same scheme of remediation as that included in the original development.

3994 Non-standard note

The Local Planning Authority has acted positively and proactively in determining this application, and by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within the statutory timeframe in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>

3962 NOTE: Highway notes attached

This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management Group. Please contact .

If required, street furniture will need to be repositioned at the Applicants own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

2014

Criterion E - Planning Apps Where Approved

Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to attach any particular condition/s to this permission, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.