

ITEM NO:

Location: **Benchmark
Jubilee House
Jubilee Road
Letchworth Garden City
Hertfordshire
SG6 1WU**

Applicant: **Mr J Copping**

Proposal: **Increase in height of the portal frame unit (as approved by application 15/00119/1). Addition of a second storey to the office block (adjacent to Jubilee Road). Improve (by over-cladding), the elevation of the office block that borders Jubilee Road.**

Ref. No: **18/02224/FP**

Officer: **Jo Cousins**

Date of expiry of statutory period: 23 November 2018

Reason for Delay

None applicable.

Reason for Referral to Committee

Site area.

1.0 Policies**1.1 North Hertfordshire District Local Plan No.2 with Alterations**

Policy 8 - Development in Towns

Policy 16 - Areas of Archaeological Significance and other Archaeological Areas

Policy 36 - Employment Provision

Policy 37 - Business Uses (B1 Use Class)

Policy 55 - Car Parking Standards

1.2 Submission North Hertfordshire Local Plan 2011-2031

Section 2: Strategic Policies-

SP1: Sustainable development in North Hertfordshire;

SP2: Settlement Hierarchy;

SP3: Employment;

SP6: Sustainable transport;

SP9: Design and Sustainability;

Section 3 – Development Management Policies -
ETC1: Appropriate uses in employment areas;
T1: Assessment of transport matters;
T2: Parking
D1: Sustainable Design;
NE8: sustainable drainage systems;
NE9: Water quality and environment

1.3 **National Planning Policy Framework**

Section 1 - Building a strong, competitive economy
Section 4 - Promoting sustainable transport
Section 7 - Requiring good design
Section 12 - Conserving and enhancing the historic environment

1.4 **Supplementary Planning Document: Vehicle Parking at New Development**

2.0 Relevant History

- 2.1 Change of use of part of warehouse to light industrial granted standard conditional permission on 9th April.
- 2.2 Change of use of part of building from light industrial to warehouse granted standard conditional permission to warehouse granted standard conditional permission in June 1988.
- 2.3 Change of use from Class B8 to use within Class B2 (General Industrial) granted standard conditional permission 6th December 2000.
- 2.4 Retention of plant and extraction flues granted standard conditional permission February 2002.
- 2.5 Permission granted by the Planning Control Committee in November 2015 for an extension to the south east of the existing light industrial unit and ancillary works to provide a portal frame unit.

3.0 Representations

- 3.1 **Highways Authority** – the scheme is the same as that previously considered in so far as highway considerations are concerned. The plan showing the swept path analysis is the same as that submitted in 2015 and the Highways Authority has confirmed that it does not wish to restrict the grant of permission and does not recommended any conditions.
- 3.2 **Environment Agency** – confirm that the previously recommended conditions would still apply in this instance. See conditions as set out in the recommendation below.

- 3.3 **Environmental Health (Contaminated Land)** - made comments in relation to the contaminated land site investigation report submitted with the previous application. Confirm that given the nature of the development has not significantly changed, with minimal or no made ground with visual and olfactory evidence and analysis to suggest contamination, it is not necessary that a land contamination condition be imposed upon the grant of permission in this instance.
- 3.4 **Archaeology** - recommended the imposition of the standard conditions as set out in the recommendation below.
- 3.5 **Waste and Recycling** – previously raised no objections on the basis that the external storage area would remain unaffected by the planning application and as access to the site would remain the same.
- 3.6 **Lead Local Flood Authority** – Consulted as previous issues covered by the Environment Agency are now within their remit. No comments received at the time of preparing this report. Any comments received will be reported verbally at the meeting.
- 3.7 **Neighbour notification/site publicity** – no comments received

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The site is a commercial site on the corner of Jubilee Road and Baldock Road.

4.2 Proposal

- 4.2.1 The proposal is for an extension to the south east end of the existing light industrial building, as a variation to a previous scheme granted permission in 2015. The extension would be approx. 31 metres in width, 52 metres in depth and has increased in height from 9.2 metres to 13.2 metres at it's greatest points. The Design & Access Statement states that the form of the industrial unit would be portal frame, clad with plastic coated, profiled composite cladding panels in goose grey with poppy red panel trims. The extension would be noticeably higher than the existing two storey building which scales at approx. 8 metres high.
- 4.2.2 In addition the current application proposes a second floor over the existing two storey element along Jubilee Road. The addition would be approx. 11 metres high and the length along Jubilee Road would be approx. 133 metres. The width would be 8.6 metres at the Jubilee Trade Centre entrance and approx. 15 metres wide at the Baldock Road junction (where it would join the extension referred to at 4.2.1 above. The extension would be finished using a cladding panel system which would also be applied to the elevation of the office block that border Jubilee Road with a colour finish of Grey Gul and Merlin Grey to the main entrance, capping's, corner pieces and around doors.

4.2.3 The submitted details confirm that the proposed second floor will provide office accommodation for staff that will be displaced from the existing first floor which is to be used for operational requirements such as assembly and storage. The new second floor would include a Directors suite and restaurant with a small roof terrace.

4.2.4 The submitted details confirm that Benchmark are one of the largest privately owned employers in Letchworth. No additional staff would be employed and the site currently has 100 full time staff and 50 part-time staff at periods to satisfy production demands. The details confirm a displacement of 31 car spaces that would be relocated to established over-flow car parking in the vicinity of the site. 19 spaces are confirmed at the current site and a further 80 spaces on the Jubilee Estate.

4.3 **Key Issues**

4.3.1 **Introduction**

The key issues in the determination of this application are:

- use,
- principle,
- Design/visual impact,
- highways safety,
- adequacy of the proposed parking,
- surface water matters,
- Archaeology
- Landscaping
- Other matters.

4.3.2 **Use**

Planning permission was granted in 2000 for change of use from Class B8 (Storage & Distribution) to use within Class B2 (General Industrial) for use by Benchmark Ltd. The application form states that the current and proposed use is B1(c) (Light Industrial). The Design & Access Statement explains that Benchmark Fabrications Ltd (BFL) design, manufacture and install retail and shop fixtures and displays. The view has been taken that this would fall within B1(c) (Light Industrial) and the application has been considered on this basis. It is clear from the planning history that Benchmark Fabrications Ltd (BFL) has been using this building for over ten years, therefore the lawful use of the building would be B1(c) Light Industrial. The reason for the proposed extension is to add manufacturing and storage space to improve efficiency and to improve the staff offices and facilities at the site.

4.3.3 Principle

There would be no objection in principle to the extension of this building and the principle has already been accepted under reference 15/00119/1. The proposed extensions would support a local business and would accord with the purpose of the planning system to contribute to sustainable development and the objectives set out in the National Planning Policy Framework. Furthermore the application would accord with the policies set out in the existing and emerging Local Plan. The site lies within an Employment area where Policy 36 states that: ***For employment uses, the Council will permit proposals, particularly for small firms, for development and redevelopment to meet the needs of the available labour supply and changes in the local economy.***

The emerging Plan Policies also support the proposal. Policy SP2 states: ***The Council will proactively encourage sustainable economic growth, support new and existing businesses and seek to build on the District's strengths, location and offer.***

4.3.4 Design/Visual Impact

The extension previously granted has been increased in height and the new second floor addition would be a substantial extension to the Jubilee Road elevation. However the overall design approach would maintain the linear form along Jubilee Road and the re-cladding of this elevation would be a positive visual improvement. The walls and roof of the new building would be constructed in grey steel panels and would be of a more contemporary design than the existing building and see together with the second floor addition would update the appearance of the host building. The site is within an industrial area and there are other similarly constructed more modern industrial buildings in the area, and as such I consider that the proposal would have an acceptable visual impact. A condition has not been recommended that samples/details of the materials to be used be submitted, as it is considered that the details of materials are clear from the plans and details provided.

4.3.5 Highways

The Design & Access Statement states that the increased efficiency as a result of the development would result in increased vehicular movements to and from the site, albeit in a more controlled environment. The Highways Authority have no objection given that the swept path analysis remains as previously granted and is acceptable and that there is no increase in staff at the site. There would be no significant increase in traffic generation and adequate cycle provision exists here. The site is in a sustainable location close to public transport routes.

4.3.6 Parking

Parking was a key issue in the determination of the previous application. The current application proposes the same number of spaces and the number of full time employees remains at 100. On this basis the 99 car parking spaces (19 on site and 80 in the overflow) would be sufficient. The agent confirmed that the full-time contingent of 100 will not increase and indeed the need for an occasional increase to 150 staff at times (required to satisfy large, time constrained orders) will potentially reduce as a direct consequence of the more efficient ways of working.

4.3.7 The applicants estimate that 31 on-site parking spaces will be lost as a consequence of the proposed extension. However, a plan has been submitted that shows additional car parking within easy walking distance of the site. Based on the car parking standards set out in the Supplementary Planning Document: Vehicle Parking at New Development, the 99 parking spaces proposed would be considered sufficient parking provision given the operational requirements of the site.

4.3.8 **Surface water matters**

The Environment Agency confirm that the comments applied to the 2015 application stand in relation to the Flood Risk Assessment and Preliminary Risk Assessment for contamination. They consider that the conditions advised would still apply in the instance as set out in my recommendation below.

4.3.9 The Lead Local Flood Authority have been consulted in relation to impact on surface water/flood risk. Their consultation response had not been received at the time of writing the report and an update will be provided at the committee meeting.

4.3.10 **Archaeology**

The site lies adjacent to an area of archaeological significance and more particularly cropmarks which are likely to represent archaeological features. The County Archaeologist maintains that conditions be imposed in this instance as the hardstanding is to be removed in the area that the portal frame unit is to be erected.

4.3.11 **Landscaping**

The proposal would involve the removal of two trees, but these are not worthy of protection by a Tree Preservation Order. There are other trees on the site that would be retained. There is an area of grass and hedging to the south east of the site and it is considered that no further landscaping is required.

4.3.12 **Other matters**

There are flues on the site in the location of the proposed portal frame extension. In relation to the 2015 application the agent confirmed the following with regard to these flues: ***"The flues are a part of a MDF dust extract unit which collects dust arising from working with MDF and other particulate boards. The unit collects the dust and shavings into bags for off-site disposal. The extract unit remains in its current position (it is 'jacked-up' and temporarily supported to enable the new building to be built around it in its current position). 'Air in-take louvres' on the south elevation of the proposed building (and several inlets in the existing facility) provides the general 'air make-up' feeds for this, and several other units which have extraction services."***

The flues are therefore not considered to be a problem and no comments were raised by Environmental Health.

4.4 **Conclusion**

- 4.4.1 The extensions proposed would have an acceptable visual impact and it is considered that they would not have an adverse impact on highways safety or parking. The proposal would not have an adverse impact in terms of archaeology or contamination subject to the recommended conditions. At the time of writing the report a consultation response had not been received in relation to the views of the Lead Local Flood Authority and members will be updated on this matter at committee, hence the recommendation below.

4.5 **Alternative Options**

- 4.5.1 None applicable in this instance given that the scheme presented in its present form is considered acceptable.

4.6 **Pre-Commencement Conditions**

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

- 6.1 That planning permission be **GRANTED** subject to any flood risk/surface water matters being resolved and subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No development approved by this planning permission 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:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.
3. Based on the risk assessment in (2) 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.
4. 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 (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters. This site is located above a Principal Aquifer and Source Protection Zone 2 (SPZ2). The site is in an area where groundwater is known to be impacted by chlorinated solvents, and the previous land uses are potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant/contaminant linkages to controlled waters. This condition is in line with National Planning Policy Framework (NPPF), and Environment Agency Groundwater Protection: Principles and Practice.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: 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) and Environment Agency Groundwater Protection: Principles and Practice.

5. 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: Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater.

6. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
 1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

7. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (6).

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

8. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (6) and the provision made for analysis and publication where appropriate.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.