

Allerdale Borough Council

**Planning Application
Development Panel Report**

Reference Number: FUL/2022/0222

Valid Date: 6/10/2022

**Location: Hanger 43, Silloth industrial estate, the
airfield, Silloth**

Applicant: Mr D A Harrison

**Proposal: Resurfacing and extension of the existing yard
for storage of concrete products including
new replacement surfacing.**

RECOMMENDATION

GRANT (subject to conditions)

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The proposal relates to an expansion of the neighbouring concrete product storage facility on the neighbouring land. Therefore albeit the airfield is not an allocated employment site , the principle of the development is acceptable under the provisions of DM4 of ALPP1
Highways	The proposal would utilise the existing airfield access entrance onto the B5302 Wigton-Silloth highway which serves the applicants existing yard. The merits of the access are therefore acceptable.
Residential amenity	The proposed expanded site is closer in proximity to the nearby residential properties on Solway Lido caravan park and Barracks bridge. However the proposal seeks to utilise existing and proposed concrete boundary panel fencing around the perimeter which will be further

	<p>screened by supplementary landscaping. The Environmental health officers raised no objections subject to conditions. Officers consider that subject to satisfactory mitigation measures the proposal would not result in any significant loss of amenity to nearby properties, especially with the backdrop of other industrial landuses on the airfield. It is therefore considered the proposal complies with policy S32 of ALPP1</p>
Drainage	<p>The proposal will result in the creation of a large hard surfaced area for the storage landuse. It is recommended that the means to control surface water discharge of the site be reserved by condition</p>

2. Proposal

- 2.1. The application was called in for panel's consideration by a local councillor
- 2.2. The application site is located on the south western edge of the range of former WW2 airfield buildings at Silloth airfield which occupies peripheral location on the eastern outskirts of the town. The majority of the remaining airfield buildings are used for a diverse range of industrial purposes.
- 2.3. The applicant seeks consent to expand his existing concrete product storage yard at the airfield onto the application sites adjoining 0.7ha area of land. This enlargement will be enclosed by both the existing concrete wall on the north-western border adjacent to Solway Lido and a similar new southern perimeter concrete wall to screen the properties of Barracks bridge. The boundary walls will be supplemented by additional landscaping. The yard will be used for the storage of finished concrete products and its surface will be capped. The site intends to operate 7am to 6pm Monday to Saturday.
- 2.4. Access to the site is via an existing internal road which links to the airfields highway infrastructure via an access onto the B5302) highway.
- 2.5 The plans for consideration are;

Figure 1 Site location plan

Figure 2 Site plan

2. Site

- 2.1. Albeit the site was within the grounds of the airfield it is presently a level redundant area of grass scrub wasteland with the former demolished/partially demolished structures / buildings located in the vicinity of the site. A proportion of the application site has already been covered by the demolished materials as a sub base for the proposal.
- 2.2. The residential caravans of Solway Lido are stationed on the north-western side of the site and the line of residential bungalow properties forming Barracks Bridge are sited to the south west (with a 6-65 m buffer)
- 2.3. The site is located within the wider buffer zone of the Frontiers of the Roman Empire World Heritage Site (the nearest schedule monuments/listed buildings are more than 400m from the site).

3. Relevant Planning History

- 3.1. Previous planning consent 2/2014/0903 was granted and implemented for the erection of a 2.4m tall concrete wall along the north western boundary of the applicants existing plant/storage premises which extends part way around the boundary of the current application site.
- 3.2. Demolition consent (DEM/2021/0004) was recently granted for the demolition of a range of redundant airfield outbuildings /structures located along the access corridor towards the applicants existing yard area. Works commenced on the demolition of these brick structures during the Summer months.
- 3.3. The council received a complaint that the demolished materials were being distributed across the neighbouring land. A subsequent site visit identified these engineering works as being unauthorised which prompted a meeting with the landowner.
- 3.4. The current application seeks to regularise these works.

4. Representations

- 4.1. **Holme Low Parish Council** Advise that a neighbouring resident has expressed some concerns and that they have not received a neighbour notification letter.
- 4.2. **Silloth town council** – No reply to date
- 4.3. **Highway Authority /LLFA-** No objections subject to condition relating to surface water drainage (the scheme indicates connection to the existing drainage but no plans are provided)

4.4. **Environmental Protection-** No objections subject to a construction management plan condition. Consider 7am is too early in view of reversing beepers seek an alternative 8am start to hours of working.

4.5. The application was advertised both on site and the neighbours notified.

One letter of objection was received on the grounds of:

- the proposal brings the storage yard closer to dwellinghouses
- increased noise from the proposal-
- the existing airfield buildings shield houses from other industrial uses on the airfield.
- the plan suggest the sites existing northern access will be blocked which will result in a greater volume of vehicles using the new access which is closer to dwellinghouses thus increasing noise/dust.
- the proposed extended boundary wall should also need to include the access to reduce noise and dust.
- some existing tree details were removed during the demolition process. Any landscaping needs to apply to all properties to assist in lessening the visual impact and help in water dispersion
- dispute the application forms claim that works have not commenced which only ceased following investigations by the planning department
- the former demolition works were extremely noisy and generated dust with the breaking and hammering of brick material (including hours outside those approved under the demolition consent) and also extending the existing car park.
- the works were done under a prior approval consent and went beyond returning the site to ground level.
- the document is inaccurate that all demolition works have been completed.
- insufficient information of the size of the buffer areas from dwellinghouses.
- replacement trees are required for all those that have been felled
- the proposed working hours are excessive.
- disputes that policy S3, S6, S14, S22, S27 and S31 are applicable as it relates to a larger facility
- consider Policies S2, S4, S32 and DM4 concerning the impact on residential amenity are material considerations.
- the removal of trees is affected by policies S35 and DM17
- the application supporting evidence is contradictory with reference that it is solely for storage and therefore not have any significant noise emissions, but its hard surface will support the regular use of vehicles (including HGV'S) going across the site-this suggest there would be greater levels of noise from the HGV's
- conflicting advice on traffic movements stating no increase in output but the number of vehicle movements may lessen if approved.
- details of the boundary walls need clarifying
- close proximity of the dwellings to the storage yard
- lack of details on dust either from concrete or vehicle movements which is a problem in dry spells and windy conditions with HGV's traffic movements generating dust clouds which has increased through the removal of buildings

and trees. This may be increased with section SO5f, SO6d and S36 referring to air quality and amenity with where necessary the adoption of mitigation measures.

- lack of details re lighting
- lack of details relating to the construction of the yard
- the hard surface on the site will increase noise/dust.
- no details on the daily use of the yard
- the environmental impact is also contrary to the respective parts of the NPPF
- given the past history, if approved question the governance and monitoring of the application details to avoid unauthorised works being continued for longer

5. Environmental Impact Assessment

5.1. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The development is neither within Schedule 1 nor 2 and, as such, is not EIA development.

6. Duties

6.1. The proposal does not affect the site of a listed building or any Conservation Area, nor does it likely have a significant effect upon a Natura 2000 designation.

7. Development Plan Policies

7.1 Allerdale Local Plan (Part 1)

Policy S1	Presumption in favour of sustainable development
Policy S2	Sustainable development principles
Policy S3	Spatial Strategy and Growth
Policy S4	Design principles
Policy S5	Development principles
Policy S12	Land and premises
Policy S22	Transport principles
Policy S29	Flood Risk and Surface Water Drainage
Policy S30	Reuse of Land
Policy S32	Safeguarding amenity
Policy S33	Landscape
Policy S35	Protecting and enhancing biodiversity and geodiversity
Policy S36	Air, water and soil quality
Policy DM4	Expansion and intensification of employment sites
Policy DM14	Standards of Good Design
Policy DM17	Trees, hedgerows and woodland.

7.2 Allerdale Local Plan (Part 2)

Policy SA2	Settlement limits
------------	-------------------

8 **Other material considerations**

National Planning Policy Framework (NPPF) (2021)

Allerdale Borough Council Plan 2020-2030

Environmental Bill 2021

9 **Policy weighting**

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

10 **Assessment:**

Principle

- 10.1 Policy S12 of the Local Plan advises that proposals outside of allocated employment land or that are currently used for employment uses will be discouraged and developments directed in sequence to existing allocations and then previously developed land within the settlement. Where proposals are able to demonstrate why they cannot be appropriately located, they will be considered on their merit taking into account local impacts and other Plan policies.
- 10.2. The site is not located within an allocated employment site. However significant weight is attributed to Policy DM4 which supports the expansion of existing employment sites subject to its scale not having an adverse effect on transport, housing, provision of services and neighbouring landuses (including the amenity of residential properties/ landuses). There are additional local plan policies relating to these considerations plus strategic objectives (SO's) seek to ensure a satisfactory standard of development.
- 10.3. Weight is also attached to the fact that the site is partially brownfield and the remainder whilst grassed forms part of the wider airfield complex i.e. achieving the objectives of Policy S30.
- 10.4. Therefore subject to addressing any environmental constraints the principle of the development is acceptable.

Highways

- 10.5. The site is served by the internal road network of the existing airfield which already supports a high volume of HGV traffic with a direct link onto the B class highway. The County highway authority raise no objections. Officers therefore anticipate the intensification of the applicants storage use will not have a

significantly adverse impact on highway safety in compliance with Policy S22 of ALPP1.

Environmental amenity

- 10.6. Policy S32 of ALPP1 seeks to ensure development maintains satisfactory standards of residential amenity, whose criteria are also referred to in other local plan policies. Officers acknowledge the site lies within close proximity to the neighbouring residential properties within both Solway Lido and the detached bungalow premises on Barracks bridge.
- 10.7. In terms of visual amenity a former approved 2.4m high concrete panel wall already exists along the majority of the border to the neighbouring Solway Lido site which is occupied by residential units. The buffer between the existing wall and the caravan site has been planted. The applicant proposes to expand this treatment around the remaining perimeter of the expanded site. Officers consider this combined with supplemental planting does not result in any substantial visual harm to the outlook from the dwellings (a condition limits the storage height to 3m)
- 10.8. As a storage landuse officers do not consider the proposal will result in significant levels of noise and the hours are to be restricted which are greater than those of the airfield most of which are unrestricted. However 7am is considered too early in the morning with the potential for residential disturbance especially when accounting for any reversing bleeper alarms and therefore officers in discussion with Environmental Health seek to restrict the hours commencing to 8am. Normal working hours on Saturday is consider acceptable as most working businesses operate hours and the additional hours have to be balanced alongside the other units at the site.
- 10.9. Another final environmental concern is the impact from dust. As the proposal relates to finished products rather than raw concrete materials it is not envisaged there will be significant levels of dust, which will be further mitigated by the proposed enclosure walls. It is acknowledged that storage landuse traffic (including HGV's) may generate dust but the council had not received any complaints to this issue prior to the demolition works.
- 10.10. Therefore it is considered unreasonable to apply any dust control mitigation measures to the operational use of the site especially given the sites dual accesses especially given the capped surface of the yard.
- 10.11. However it is recognised that the demolition works alternatively, given the nature of this activity with the breaking up of materials has the potential (albeit short term) the potential to cause disturbance as demonstrated in the Summer. Officers therefore consider it appropriate to apply a Construction management plan to mitigate any impact from these operations.
- 10.12. Details of the lighting scheme are awaited .Subject to the hours of illumination reflecting the same normal working hours the details are acceptable.

10.13. Officers highlight that the Environmental health officer raises no objections to the proposal subject to a construction management condition. Although officers would not endorse all the recommended generic criteria e.g. vibration by the Environmental health officer, the reports condition encompasses the main criteria as to ensure a satisfactory standard of development. Therefore subject to the adopting of mitigation measures officers consider the proposal will not result in any significant harm to the amenity of nearby properties in compliance with policy S32 and S36 of ALPP1.

Drainage

10.14. The application is supported by a drainage strategy. It advises the site is located in flood zone 2. The applicant states the proposal constitutes a less vulnerable landuse and is a compatible landuse under the Environment Agency's vulnerability matrix. The applicant contests there are no other alternative sites in flood zone one and that there is a locational need for the business.

10.15. Whilst officers question the sequential test relating to alternative sites, it is recognised that this represents a logical and well related expansion of the applicants business premises with the need for an adjoining rather than detached site.

10.16. Officers therefore consider the proposal is acceptable in terms of flood risk.

10.17. The applicant's proposed drainage strategy is to drain into a culverted watercourse which runs beneath the site. Whilst officers do not oppose this they seek the adopted of the surface water drainage hierarchy to explore Sud's alternatives (to be reserved by condition) Furthermore the creation of a large surface area has discharge implications and therefore should the culvert option be determined it is considered it should be restricted to greenfield run off rates with an allowance for climate change to avert any increased flood risk potential from the proposal.

10.18. The proposal therefore complies with Policy S29 of ALPP1.

Ecology

10.19. The site is largely open in character. The redundant buildings to be demolished already have the benefit of consent with supporting ecology evidence indicating bat activity was low and the surrounding land was of low ecological interest.

Heritage

10.20. Given the separate of the site from protected heritage assets it is consider there will be no harm to the historic environment. Despite its location within the Hadrian's wall WHS buffer zone it would similarly not impact on this designation given its ancillary role to established landuses and buildings at the airfield

11. Local Financial Considerations

- 11.1 Having regard to S70 (2) of the Town and Country Planning Act, Local Financial considerations relate to Business Rates Revenue

12. Conclusions

- 12.1. The proposal relates to an expansion of a well-established local industrial company on the airfield site who seek to expand their existing storage facilities. The principle of the development which is well related to the existing storage yard is therefore acceptable subject to addressing any environmental constraints.
- 12.2. Whilst acknowledging the proposed business use of the application brings it closer to residential properties than that of the existing yard , given the backdrop of the other business operations at the airfield and the imposition of mitigation conditions to limit the impact , it is considered the storage nature of the landuse would not result in significant harm
- 12.3. Officers therefore consider the merits of the proposal can be supported in accordance with the councils adopted local plan policies.

13. RECOMMENDATION

GRANT subject to the following conditions

Annex 1

CONDITIONS

Time Limit:

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

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In Accordance:

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:**

Figure 1 Site location plan

Figure 2 Site plan

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Pre-commencement conditions:

- 3. No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:**

(a) Procedure to monitor and mitigate noise, light and dust from the construction and demolition.

(b) Measures to control the emissions of dust and dirt during construction and demolition

(c) Programme of work for Demolition and Construction phase;

(d) Hours of working and deliveries;

(e) Details of lighting to be used on site;

The approved statement shall be adhered to throughout the duration of the development.

Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring properties during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.

- 4. Prior to the commencement of the use of the site, details of the lighting scheme for the development (including siting and design), details of all lamps plus levels and hours of illumination shall be submitted to and approved by the Local Planning Authority. The lighting details should be solely implemented in accordance with the approved details.**

Reason: To safeguard the amenity of nearby residential properties from the operational use, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

5. **Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

Post-commencement/Pre use commencing conditions:

6. **All planting comprised within the approved landscaping scheme within the approved Figure 2 site plan shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.

7. **The approved means of enclosure outlined on the approved Figure 2 site plan, shall be constructed prior to the approved landuse being brought into use. All means of enclosure so constructed shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.**

Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area and safeguard the amenity of neighbouring properties in compliance with Policy S32 of the Allerdale local plan (Part 1).

8. **No materials stored on the site hereby approved shall exceed 3m in height**

Reason: To safeguard the visual amenity of the site in accordance with policy S32 of the Allerdale Local Plan (Part 1)

9. **The use hereby permitted shall be restricted to the hours of operation between 8am and 6pm on Mondays to Saturdays, and not at all on Sundays or Bank Holidays.**

Reason: In the interests of preserving the amenity of neighbouring residents, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

10. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes B8 or B1 of Part C of Schedule 2 of the said Order, or any other alternative storage use than finished concrete**

products shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the appearance of the site and safeguard the amenities of adjacent properties in compliance with Policy S32 of the Allerdale local Plan (Part 1).

Other:

.

Advisory Note

