

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 5: LIST OF PLANS.

DATE: 10 February 2004

<b>PLAN:</b> 01	<b>CASE NUMBER:</b> 03/02484/RENEW
	<b>GRID REF: EAST</b> 433630 <b>NORTH</b> 459940
<b>APPLICATION NO.</b> 6.83.57.Q.RENEW	<b>DATE MADE VALID:</b> 23.05.2003
	<b>TARGET DATE:</b> 18.07.2003
	<b>WARD:</b> Claro

**APPLICANT:** Firecrest Ltd

**AGENT:** Arch-Tech Design

**PROPOSAL:** Renewal of Unimplemented Planning Permission no 6.83.57.M.FUL for the erection of 3 no B2 industrial units.

**LOCATION:** Interprint Market Flat Lane Scotton Knaresborough North Yorkshire HG5 9JA

### REPORT

This application was reported to Area 2 Development Control Committee on 14th October 2003, where members agreed to defer consideration of the application so that traffic counts on the roads in the vicinity of the site could be carried out. Traffic counts were carried out by the County Highway Authority on Market Flat Lane, and on Low Moor Lane, either side of the junction with Market Flat Lane, at the same location as traffic counts have previously been undertaken, in 2001. In addition the applicants commissioned a traffic count specifically counting traffic generated by the Nidd Vale Business Park. The results of both sets of counts, and an analysis of the results is provided in section 3 of the Assessment of Main Issues below.

### SITE AND PROPOSAL

The site lies adjacent to Interprint on Market Flat Lane in Lingerfield. The site is previously developed and is surrounded by a mix of uses, a large printworks, Interprint lies immediately to the south east of the site, and a classic car restorers lies immediately to the south west. These two uses share the same access out onto Market Flat Lane as the application site. To the north west of the site lies an intensive chicken farm, and there is a caravan site located to the north east of the site.

The application proposes the renewal of planning permission reference 6.83.57.M.FUL, which granted consent for 3no B2 units of a total floorspace of 600sqm with car parking for 16 cars, turning and loading facilities.

### MAIN ISSUES

1. Principle

2. Environmental Health Issues
3. Access and Parking

### **RELEVANT SITE HISTORY**

6.83.57.G.PA - Industrial/Warehouse development: Approved 29.09.87

6.83.57.L.PA - Erecting new works and offices: Approved 05.03.1991

6.83.57.M.FUL - Erection of 3no B2 industrial Units: 01.06.1998

### **CONSULTATIONS/NOTIFICATIONS**

#### **Parish Council**

Scotton

#### **Environmental Health**

No objections subject to conditions

#### **Economic Development Officer**

Supports application demand for this type of workspace is increasing

#### **H.B.C Land Drainage**

Adequate provision for disposal of surface water shall be made within the development

#### **Environment Agency**

No objections subject to conditions

### **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 27.06.2003

**PRESS NOTICE EXPIRY:** 27.06.2003

### **REPRESENTATIONS**

#### **SCOTTON PARISH COUNCIL - Comments received 12th June 2003:-**

"Since the original planning permission was granted the Nidd Valley Business Park (formerly Nidd Valley Industrial Estate) has come into existence. Thus there are now two business parks in Market Flat Lane, only a short distance apart. These villages are in a rural area which cannot easily accommodate either industrial or business developments and there are now significant traffic problems which have never been alleviated by any form of traffic restriction, in spite of promises that at least speed restrictions would be imposed. Furthermore, all these industrial/business developments are within a very short distance of the village school. Further developments will add to the traffic problems and the Parish Council seek safeguards to ensure that the speed of traffic throughout the area will be severely limited as a precursor to all future developments in the business parks and as an essential requirement for the prevention of any serious accident."

Further comments received 12th September 2003: Refer to letter appended to report at Appendix 1.

**OTHER REPRESENTATIONS** - A total of 104 letters of objection have been received making the following comments:

Increase in volume of traffic on rural roads

Increase in traffic hazard

Adverse effect on the village character and quality of life in a quiet rural area

Detrimental impact on local Leisure Tourism businesses and resultant loss of income

Unacceptable noise pollution levels

Inappropriate location/excessive commercial development for size of village

Concern over disposal of surface water and the effect on the water table

No advantage to the local economy

Environmental Impact report requested

Concern that premises will not be regularly inspected to monitor Environmental Health issues

Mass, scale and building materials inappropriate

Contravenes Local Plan Policies

Previous planning consent has expired

A petition of 189 signatures has also been received. The 189 signatures are:

"upset that their enjoyment of such a peaceful setting will be ruined by the proposed industrial development causing unacceptable noise and congestion in what is predominantly a rural and leisure area"

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None undertaken.

#### RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

PPG4 Industrial and Commercial Development and Small Firms

PPG13 Planning Policy Guidance 13: Transport

LPE02 Harrogate District Local Plan Policy E2: Retention of Industrial/Business Land and Premises

LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity

## **ASSESSMENT OF MAIN ISSUES**

**1. PRINCIPLE** - The application seeks the renewal of planning permission reference 6.83.57.M.FUL, which granted consent for 3no B2 industrial units, together with associated car parking and turning, the access being taken via the existing access onto Market Flat Lane used by Interprint. As a renewal permission should be refused only where there has been a material change in planning circumstances since the original permission was granted, or continued failure to begin the development will contribute unacceptably to uncertainty about the future pattern of development within the area or where the application is premature because the permission still has a reasonable time to run. In this case it is not considered that there have been any material changes in planning circumstances since the original permission was granted, the renewal of the application would not create uncertainty about future patterns of development, and the proposal is not premature. The principle of the renewal of the application is therefore acceptable.

**2. ENVIRONMENTAL HEALTH ISSUES** - The previous application did not impose any hours of use restrictions or noise restrictions. The Environmental Health officer has not requested any conditions of this sort to be imposed, they have however commented that conditions should be imposed to require submission of further information in respect of gas migration and contamination issues, the precise wording of these conditions had not been confirmed at the time of writing. The Environment Agency have also requested that conditions be imposed requiring an assessment of the development's impact on groundwater quality and in relation to contamination, and surface water drainage.

**3. ACCESS AND PARKING** - The Highway Authority have no objections to the proposal subject to the imposition of conditions. Despite there being no conditions relating to highway issues on the previous permission, conditions requiring provision of satisfactory visibility and provision of parking and turning areas are proposed. At the Area 2 Development Control Committee on 14th October 2003 members were concerned about traffic, and specifically that, for various reasons there has been an increase in traffic since the permission in 1998 was approved. Members therefore agreed to defer consideration of the applications until traffic counts had been undertaken to establish whether there has been any significant increase in the level of traffic on the roads in the vicinity of the site, which would represent a material change in circumstances since the granting of permission in 1998. The results of the County Highway Authority's counts are appended to this report at Appendix 2. These show the percentage increase in traffic between January 2001 and December 2003. The traffic count of the traffic associated with the Nidd Vale Business Park is also attached to this report at Appendix 3. The Highway Authority have analysed the results of both surveys and conclude that "the traffic increase on Low Moor Lane (15% in 3 years) is higher than national growth rates but I would not consider this a big enough traffic increase to constitute a material change in planning terms. Traffic on Market Flat Lane has increased by only 5%. Traffic generated by Nidd Vale Business Park has been surveyed at 140 vehicles/day".

**CONCLUSION** - The application is a renewal of a previous planning permission which was still valid when the renewal was submitted. There are not considered to be any material changes in circumstances since the previous approval to warrant a different decision, and therefore approval is recommended.

**CASE OFFICER:**

Ms Sara Purvis

## RECOMMENDATION

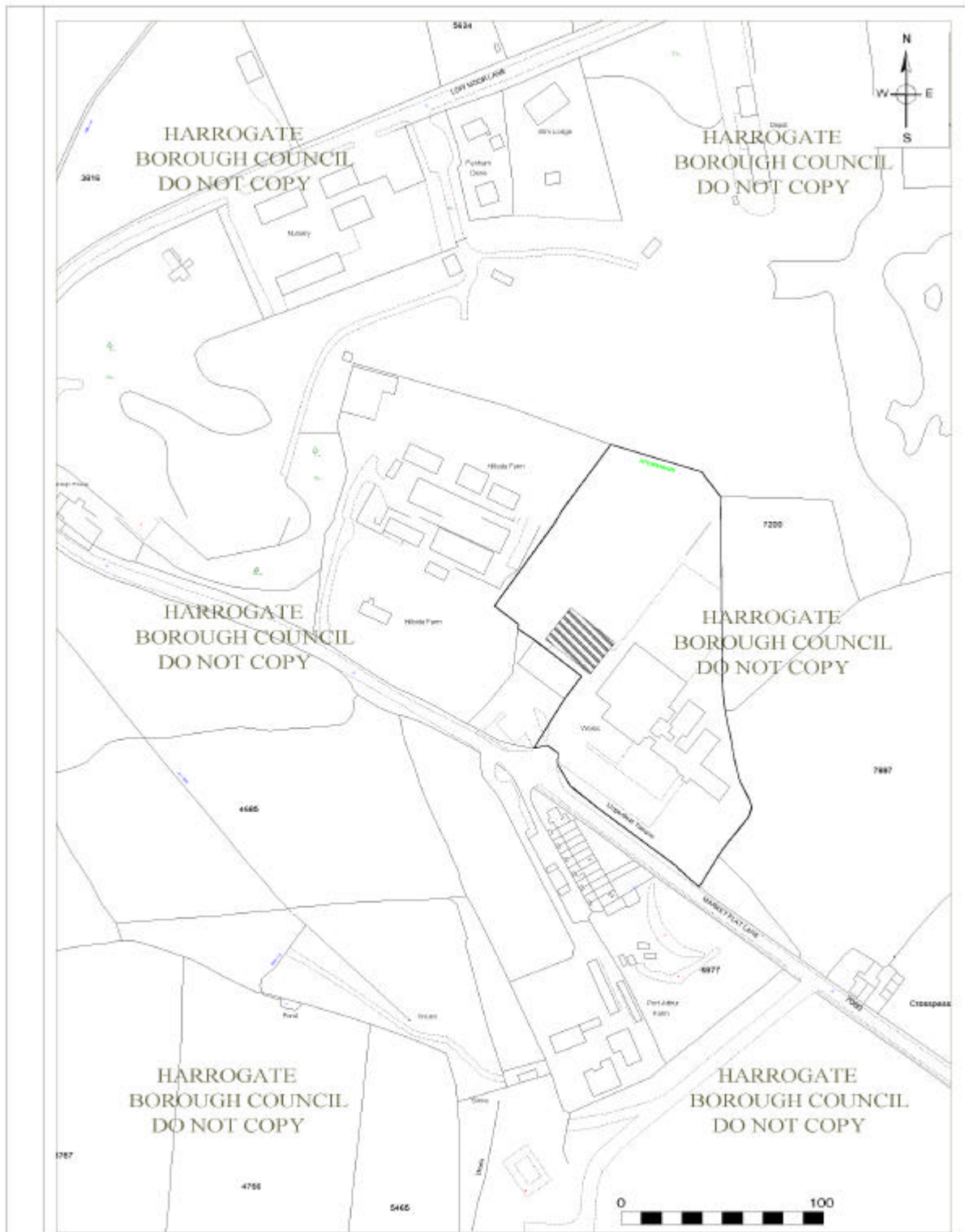
That the application be APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 HW10 VISIBILITY SPLAYS
- 5 HW18 PROV'N OF APP'VD PARKING/MANOEUVR'G/TURN
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 8 CB05A BUNDING OF TANKS
- 9 No development approved by this permission shall be commenced until the applicant has undertaken an investigation to assess the impact of the development of the site on the water environment; identify the risk of pollution and specify any remedial measures required; and a report detailing these measures has been submitted to and approved by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the measures approved.
- 10 If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the applicant has submitted and obtained approval from the Local Planning Authority and addendum to the method statement. This addendum must deal with how this unsuspected contamination shall be dealt with.
- 11 Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil interceptor designed and constructed to have capacity compatible with the site being drained. Roof water shall not pass through the interceptor.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 HW10R ROAD SAFETY REQUIREMENTS
- 5 HW18R ROAD SAFETY REQUIREMENTS
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CB05AR PREVENT POLLUTION OF WATER ENVIRONMENT
- 9 To assess risks to the water environment; to prevent pollution of the water environment.
- 10 To ensure that the development complies with the approved details in the interests of the protection of controlled waters.
- 11 To protect the groundwater quality in the area.





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### Area 2DC Committee

10/02/2004

App No.: 6.83.57.Q.RENEW

Case No.: 03/02484/RENEW

Scale: 1:2500 (at A4 size)

Item No: 1

Drawn by J Brown

Site Area: 1.63 hectares



Produced for Development Control Area Planning Committee for site identification purposes only.

