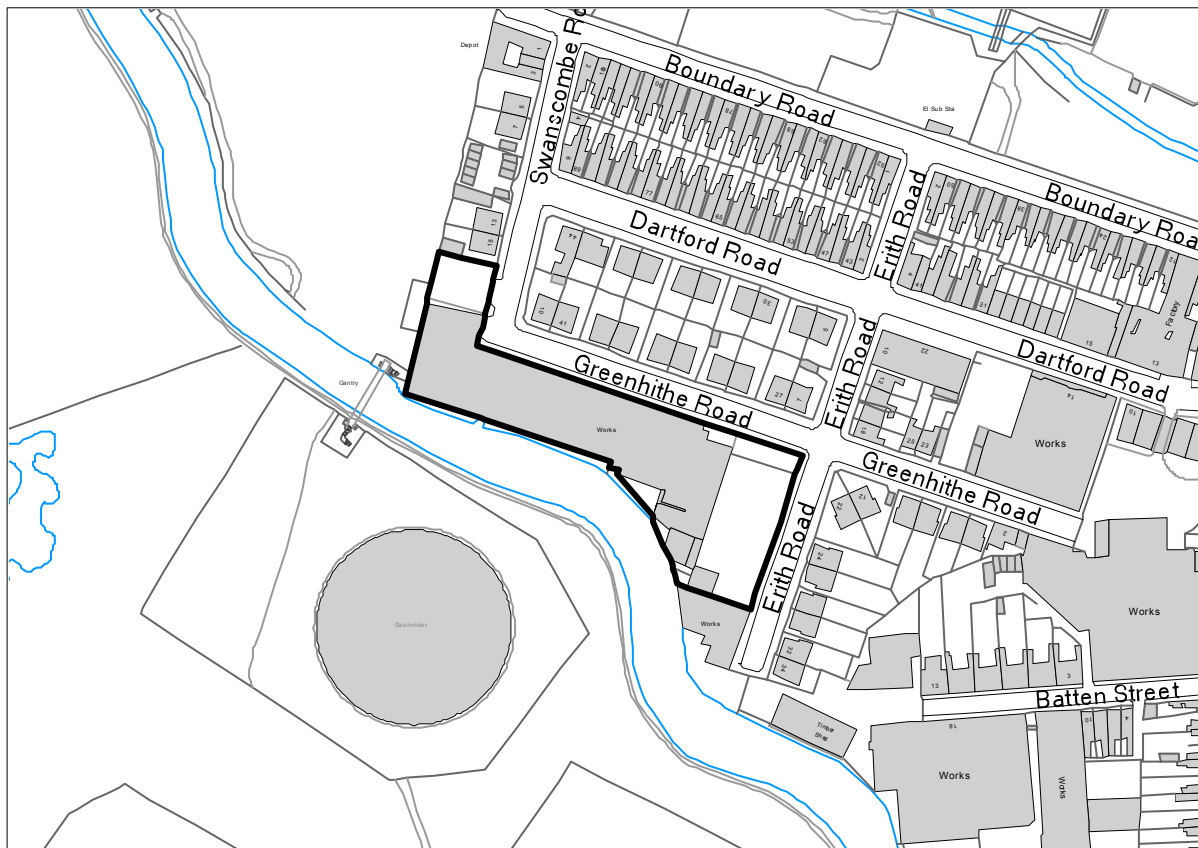


Recommendation: Conditional approval	
20141811	GREENHITHE ROAD, RIVERSIDE DYEWORKS
Proposal:	TWO STOREY EXTENSION TO FACTORY (CLASS B2) (AMENDED PLANS)
Applicant:	COLOURS DYERS (UK) LTD
App type:	Operational development - full application
Status:	Smallscale Major Development
Expiry Date:	24 April 2015
WJJ	WARD: Freeman



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Summary

- This application has been brought to Committee as the recommendation is for approval and six objections have been received.
- The main issues are the impact on the character and appearance of the area, residential amenity and parking.
- Six representations have raised concerns about noise, light, privacy, bright building lights, parking and fires at this site.

Introduction

The site is an industrial site which backs onto the canal. Around the site on the other sides of Erith and Greenhithe Roads are dwellings.

Background

In 1997 an extension to dye works (19971453) was refused for the following reason:

The proposal would be detrimental to the amenities of nearby properties due to the increase in floor space and bulk of the building, which would represent an over-development of a restricted site and result in loss of outlook to residential properties on Greenhithe Road, increase in traffic, parking and inappropriate loading/ unloading facilities. The impact would be further intensified by potential provision of a full mezzanine floor or subdivision of the premises. As such the proposal would be contrary to policy E2 of the City of Leicester Local Plan.

An appeal against this decision was dismissed.

The Proposal

The proposed extensions will replace a previous single storey element which existed behind a boundary wall which remains in place.

Amended plans have been submitted which lower the height of the eaves facing Erith Road from 7.12m to 6.4m.

Policy Considerations

Development plan policies relevant to this application are listed at the end of this report.

The site is within a Local Wildlife Site, the Inner Hazard Zone for the Aylestone Road Gas Holders and within a Landfill Buffer where methane may build up.

With regards to fluvial flooding the site is within Flood Zone 3b with greater than a 1 in 30 year risk of flooding. It is also within 20m of the river Soar's bank which raises potential concerns regarding maintenance of the canal.

With regards to pluvial flooding most of the site is within a Hotspot where flooding is likely to occur. The remaining part is within a Critical Drainage Area (CDA) which is unlikely to flood but where rapid runoff leads to flooding in the Hotspots.

Supplementary Planning Guidance – Vehicle Parking Standards

Consultations

Health & Safety Executive – No objection

Environmental Services, Land Contamination – No objection subject to condition ensuring any land contamination is cleaned up.

Environmental Services, Noise Team – No objection subject to conditions

Environment Agency – No objection subject to conditions

Highway Authority – No objection subject to conditions

Canal & River Trust – No objection

Severn Trent Water – No objection subject to condition covering drainage

Representations

There are six objections on grounds of:

- increased noise
- loss of sunlight
- loss of privacy
- light pollution from building lights at night
- on-street parking problems due to lack of on-site parking for employees
- there have been a number of fires at this site in recent years.

Consideration

Principle

The site is within a Primarily Employment Area. In principle an extension is acceptable here.

Residential amenity

The site is close to dwellings which are on the other side of Greenhithe and Erith Roads. They will be 13 metres distant from the proposed extension.

Amended plans have been submitted which lower the height of the eaves facing Erith Road from 7 metres to 6.4metres. While slightly higher than the single storey element that was here before, the proposed two storey extension will be lower than many houses and similar in height to the existing adjacent building to the south on Erith Road.

Erith Road is of a type and width where one would expect to find two storey buildings on each side. Given these factors I consider that while the two storey extension will have a greater impact on the houses on the other sides of Greenhithe

and Erith Roads than the existing boundary wall and former single storey element it will have an acceptable relationship.

I am concerned about the impact of noise from activities in the building on neighbouring residents. I therefore recommend conditions be attached to control this.

I note the concerns of residents regarding external lighting and I consider it is appropriate to control this by condition. Lighting can also be designed to have a minimal impact on wildlife.

Character and appearance

The extension is in a style similar to the existing factory buildings and is not higher than neighbouring buildings. It will maintain the character and appearance of the area.

Transport & parking matters

The site is within an area that suffers from a high level of on-street car parking. Daytime parking restrictions are in force, which prevents parking along the northern side of Greenhithe Road and along sections of neighbouring streets between 8am and 6:30pm Monday to Friday.

The site currently provides eight car parking spaces. The site is within Parking Zone 4. For this area the parking standards indicate the factory, including the proposed extension, should provide fifty spaces. Given the proposed two storey extension replaces a single storey extension and that only a small part of it has a first floor the increase in demand for parking should be low.

The applicants have provided plans showing a loading and unloading area within the proposed extension. This should keep delivery vehicles on the highway to a minimum and would be an improvement over current arrangements. They have also indicated they are happy to agree a Travel Plan and a Delivery Management Plan. I recommend these are secured by condition.

I also recommend conditions are attached to ensure kerbs are altered to reflect the access arrangements. On balance the scheme offers the opportunity to improve the parking and delivery situation in this area.

Other matters

The requirement to meet 18% of the energy needs of the site through on-site renewable energy can be met through rooftop solar photovoltaic panels. I recommend this be secured by condition.

Due to past industrial uses of the site I recommend a condition be attached to ensure the site is investigated for land contamination and cleaned up if necessary.

The site currently has near complete coverage with hard surfaces from which water rapidly runs off. There is however a small permeable area next to the river. The applicants have indicated water from the roof can be diverted to a permeable area at

the rear and from there into the Soar. This will reduce the rate of water runoff from the site and I recommend it is secured by condition.

To protect the development from flooding I recommend conditions covering the floor level and egress in the event of a flood be applied.

The Environment Agency have indicated this development raises no concerns regarding maintenance of the canal.

Conclusion

The proposal will expand an existing business without causing significant harm to the character and appearance of the area, residential amenity or highway safety/function.

I recommend APPROVAL subject to conditions.

CONDITIONS

1. START WITHIN THREE YEARS
2. The doors to the building shall be kept closed at all times when machinery is being operated or processes undertaken within the building, except to allow access or egress. (In the interests of the amenities of nearby occupiers, and in accordance with policy PS11 of the City of Leicester Local plan.)
3. No vehicles shall enter or leave the premises for the purpose of delivery of raw materials or despatch of finished goods outside the hours of 0730 to 1800 daily and there shall be no movement of plant or equipment (fork lift trucks, pallet trucks, etc) along the roadway before 0730 daily. (In the interests of residential amenity and in accordance with policy PS11 of the City of Leicester Local Plan.)
4. No machinery shall be installed or operated nor shall any processes be undertaken which are detrimental to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. (In the interests of the amenities of nearby occupiers and in accordance with policy PS11 of the City of Leicester Local Plan.)
5. The proposed building shall be used as a warehouse and offices ancillary to that of the existing factory and not for any other use at any time. (To protect the amenity of neighbouring residents in accordance with policy PS11 of the City of Leicester Local Plan)
6. The use shall not commence until details of any external lighting has been submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details. (To protect the amenity of nearby residents and to avoid harm to wildlife in accordance with policy PS10 of the City of Leicester Local Plan and policy CS17 of the Core Strategy)

7. No development shall be carried out until the site has been investigated for the presence of land contamination, and a Site Investigation Report incorporating a risk assessment and, if required, scheme of remedial works to render the site suitable and safe for the development, has been submitted to and approved by the local planning authority. The approved remediation scheme shall be implemented and a completion report shall be submitted to and approved in writing by the local planning authority before any part of the development is occupied. Any parts of the site where contamination was previously unidentified and found during the development process shall be subject to remediation works carried out and approved in writing by the local planning authority prior to the occupation of the development. The report of the findings shall include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. (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 in accordance with policy PS11 of the City of Leicester Local Plan.)
8. The use of the extension shall not commence until the Sustainable Drainage System (SuDS) shown on the plan received on the 16th of March 2015 has been implemented. It shall be retained at all times. (To reduce the rate of surface water runoff in accordance with policy CS02 of the Core Strategy)
9. The development shall not commence until details of foul and surface drainage (including the SuDS) has been submitted to and approved by the local planning authority. The development shall not be occupied until drainage has been installed in accordance with the approved details. (To ensure drainage is acceptable and in accordance with policy CS02 of the Core Strategy)
10. The floor levels shall be no lower than 58.1 m above Ordnance Datum (AOD). (To protect the development from flooding in accordance with policy CS02 of the Core Strategy.)
11. The development shall not commence until safe route(s) into and out of the site to an appropriate safe haven have been submitted to and approved by the local planning authority. The use of the extension shall not commence until they have been implemented in accordance with the approved details. They shall be maintained and kept clear at all times. (To provide an acceptable means of access and egress in the event of a flood and in accordance with policy CS02 of the Core Strategy.)

12. Development shall not commence until full design details of the proposed solar photo voltaic installations to meet the required target of 18% of renewable energy of the total predicted energy demand for the site shall be submitted to and approved by the local planning authority. Before the development is occupied satisfactory evidence will be required demonstrating satisfactory operation of the approved scheme, including on-site installation, in accordance with the approved details. The installations shall be maintained in working order for the life of the development. (To ensure sustainable energy efficiency in accordance with saved Policy BE16 of the City of Leicester Local Plan)
13. All street works shall be constructed in accordance with the Council's standards contained in the `6Cs Design Guide` (view from www.leicester.gov.uk/6cs-design-guide). (To achieve a satisfactory form of development, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
14. No part of the development shall be occupied until footway crossing(s) have been provided at each vehicular access in accordance with the Council's standards contained in the `6Cs Design Guide` (view from www.leicester.gov.uk/6cs-design-guide). (To ensure a satisfactory means of access to the highway, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
15. No part of the development shall be occupied until any redundant footway crossings and/or damaged or altered areas of footway or other highway have been reinstated in accordance with the Council's standards contained in the `6Cs Design Guide` (view from www.leicester.gov.uk/6cs-design-guide). (For the safety and convenience of pedestrians and other road users, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
16. Space shall be kept available within the curtilage of the site to allow for loading and unloading always to take place within the site. (In the interests in highway safety, and in accordance with policy AM01 of the City of Leicester Local Plan and Core Strategy policy CS3.)
17. The use of the extension shall not commence until a Delivery Management Plan has been submitted to and approved by the local planning authority. It shall be complied with at all times. (To avoid traffic and parking problems and in the interests of highway safety in accordance with policy AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy.)
18. No part of the development shall be occupied until a Travel Plan for the development has been submitted to and approved in writing by the City Council as local planning authority and shall be carried out in accordance with a timetable to be contained within the Travel Plan, unless otherwise agreed in writing by the Council. The Plan shall: (a) assess the site in terms of transport choice for staff, users of services, visitors and deliveries; (b) consider pre-trip

mode choice, measures to promote more sustainable modes of transport such as walking, cycling, car share and public transport (including providing a personal journey planner, information for bus routes, bus discounts available, cycling routes, cycle discounts available and retailers, health benefits of walking, car sharing information, information on sustainable journey plans, notice boards) over choosing to drive to and from the site as single occupancy vehicle users, so that all users have awareness of sustainable travel options; (c) identify marketing, promotion and reward schemes to promote sustainable travel and look at a parking management scheme to discourage off-site parking; (d) include provision for monitoring travel modes (including travel surveys) of all users and patterns at regular intervals, for a minimum of 5 years from the first occupation of the development brought into use. The plan shall be maintained and operated thereafter. (To promote sustainable transport and in accordance with policies AM01, AM02, and AM11 of the City of Leicester Local Plan and policies CS14 and CS15 of the Core Strategy).

19. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the City Council as 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) the loading and unloading of plant and materials; (iii) the storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works. (To ensure the satisfactory development of the site, and in accordance with policies AM01, UD06 of the City of Leicester Local Plan and Core Strategy policy CS3.)
20. This consent shall relate solely to the amended plans (ref: 14/384/001 RevD & 002 RevB) received by the local planning authority on the 8th of April 2015, unless otherwise submitted to and approved by the local planning authority. (For the avoidance of doubt.)

NOTES FOR APPLICANT

1. The site lies adjacent to the River Soar which is a statutory 'main River'. Under the provisions of the Water Resources Act 1991, and the Environment Agency's Byelaws, any works in, over, under or within 8 metres of the top of the bank of the watercourse will require the prior formal consent of the Agency in addition to the planning permission hereby granted.
2. Condition 11 assumes an estimated net total annual operational energy demand of 744,647 kWh/yr. The agreed scheme will need to operate to a satisfactory performance in terms of a renewable energy actual percentage of actual consumption, which shall be confirmed at the time of condition discharge.

3. The Highway Authority's permission is required under the Highways Act 1980 and the New Roads and Street Works Act 1991 for all works on or in the highway. For new road construction or alterations to existing highway the developer must enter into an Agreement with the Highway Authority. For more information please contact highwaysdc@leicester.gov.uk.
4. In relation to the condition on Travel Plan, the applicant is advised to contact the Travel Plan Officer on 0116 4542849 for guidance.

Policies relating to this recommendation

- 2006_AM02 Planning permission will only be granted where the needs of cyclists have been incorporated into the design and new or improved cycling routes should link directly and safely to key destinations.
- 2006_AM11 Proposals for parking provision for non-residential development should not exceed the maximum standards specified in Appendix 01.
- 2006_E03 Planning permission granted for the development of appropriate B1, B2 and B8 uses in Primarily Employment Areas and not for changes to other uses unless it meets criteria.
- 2006_GE02 Permission not normally granted if development adversely affects Sites of Importance for Nature Conservation, Local Nature Reserves and the Regionally Important Geological Sites.
- 2006_PS10 Criteria will be used to assess planning applications which concern the amenity of existing or proposed residents.
- 2006_PS11 Control over proposals which have the potential to pollute, and over proposals which are sensitive to pollution near existing polluting uses; support for alternative fuels etc.
- 2010_CS02 Development must mitigate and adapt to climate change and reduce greenhouse gas emissions. The policy sets out principles which provide the climate change policy context for the City.
- 2010_CS03 The Council will require high quality, well designed developments that contribute positively to the character and appearance of the local natural and built environment. The policy sets out design objectives for urban form, connections and access, public spaces, the historic environment, and 'Building for Life'.
- 2010_CS08 Neighbourhoods should be sustainable places that people choose to live and work in and where everyday facilities are available to local people. The policy sets out requirements for various neighbourhood areas in the City.
- 2010_CS10 The Council will seek to ensure that Leicester has a thriving and diverse business community that attracts jobs and investment to the City. The policy sets out proposals to achieve this objective.
- 2010_CS14 The Council will seek to ensure that new development is easily accessible to all future users including by alternative means of travel to the car; and will aim to develop and maintain a Transport Network that will maximise accessibility, manage congestion and air quality, and accommodate the impacts of new development.
- 2010_CS15 To meet the key aim of reducing Leicester's contribution to climate change, the policy sets out measures to help manage congestion on the City roads.
- 2010_CS17 The policy sets out measures to require new development to maintain, enhance and strengthen connections for wildlife, both within and beyond the identified biodiversity network.