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**10. FULL APPLICATION – EXTENSIONS TO FACTORY BUILDING AND NEW CAR PARK, CARBOLITE, ASTON, HOPE (NP/HPK/1015/0996, P.3659, 07/12/2015, 418336 / 383094, MN)**

**APPLICANT:** Mr Dan Bagshaw, Carbolite Ltd

**Site and Surroundings**

Carbolite Ltd design and manufacture industrial and laboratory furnaces. Their main site, and the site of this application, is adjacent to the Hope Railway Station and railway line, which runs along the northern boundary of the site.

The factory is sited in open countryside and is a prominent feature in the landscape as a result of its large scale and limited landscape screening, although this has become more established since the factory was constructed on the site around 25 years ago. The factory comprises two main buildings with a link between them. They are large two storey buildings and of typical industrial construction, with portal frames and panel sheeting. Some of the space is given over to offices, whilst much comprises the factory itself.

The area of land proposed for use for car parking is at the western end of the site. It adjoins the existing train station carpark, and fronts the railway line to the north and the private road that runs along the southern boundary of the site on the opposite side, which also fronts the neighbouring properties to the south.

At present, this area is levelled and has a mostly hardcore surface, although it is somewhat overgrown having apparently lain unused for some time. There are established trees and vegetation to the southern and western sides of the site, and to a lesser extent on the eastern side where a fence and gate separate the site from the station car park.

Parking for the business is currently provided adjacent to the factory building. The main site access is off Aston Lane to the east. In addition a private road in the ownership of the factory leads to the western end of the premises off station road, first passing the station. Access to the site at this end is however currently gated and unused.

A public footpath runs north to south at the western end of the site, passing between the area proposed for car parking and the factory site to its east. A further footpath runs east to west some 250m north of the site.

A number of nearby residential properties are scattered around the site. Some of these front the private road at the western end of the site, whilst others lie to the east and south of the factory buildings. The closest property is some 130m from the factory buildings.

The site is outside of any conservation area, and the Hallam Barn Grasslands Site of Special Scientific Interest lies some 500m to the north east.

**Proposal**

The proposed development consists of an extension to the eastern end of the easternmost factory building, widening and remodelling the link extension between the two existing factory buildings, and constructing a new car park to the western end of the site. This would be accessed from Station Road through the existing train station car park.

**RECOMMENDATION:**

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

1. **Statutory time limit**
2. **Completion in accordance with the submitted plans**
3. **Prior to the commencement of the construction of the factory extension, the new car park shall be constructed and made available for use.**
4. **The walls and roof of the building shall be clad to match the existing in terms of materials. Colour for the metal sheeting to be agreed prior to commencement**
5. **Projected noise assessment and proposed mitigation agreed prior to commencement**
6. **All external lighting to be agreed prior to commencement**
7. **Detailed design of car park barrier to be agreed prior to commencement**
8. **Details of space to be provided for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, and temporary replacement parking for existing employees to be agreed prior to commencement**
9. **Extended premises not to be taken in to use until onsite parking has been provided**
10. **Construction Management Plan to be agreed prior to commencement**
11. **Surface water attenuation tank with flow control to be installed in accordance with the recommendations of the Flood Risk Assessment prior to the extended premises being taken in to use**
12. **Landscaping scheme to be agreed prior to commencement**
13. **No removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August**
14. **Installation of two swift boxes and two bat boxes prior to commencement**

### **Key Issues**

- Whether the principle of extending the building is acceptable in planning policy terms
- Whether the development has an acceptable impact on the character and appearance of the site and wider landscape of the area
- Whether the development would harm the amenity of nearby properties
- Whether the development would have adverse impacts on the use or safety of any highway
- Whether the development poses a flood risk

### **History**

1992 – Planning permission granted for the erection of factory with office and car parking

1993 – Advertisement consent granted for erection of site sign

1995 – Planning permission granted for erection of security fence

1996 – Planning permission granted for extension to factory, new lorry turning area and additional rooflights

2012 – Advertisement consent granted for the installation of replacement signs

2015 – Pre-application advice sought by Carbolite in relation to an extension of the factory building and creation of a new car park. The proposed development was similar to that now applied for and the enquirer was advised by Officers that the proposal would be acceptable in principle, and that the proposed design was likely to be supported by Officers at point of application. Addition landscaping was recommended to the eastern end of the site, and Officers advised that the amenity of neighbours should be considered – particularly in relation to noise and lighting.

### **Consultations**

Derbyshire County Council – Highways – If the applicant can confirm that they have a legal right of access to the car park via the station car park then no objections are raised. Request that conditions are attached to any permission requiring details of space to be provided for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, and temporary replacement parking for existing employees to be agreed prior to commencement, and to prevent the extended premises being taken in to use before onsite parking has been provided.

Derbyshire County Council – Flood Team – No response at time of writing

Environment Agency – As this proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee they have no comment to make on this application.

Natural England – No objection in relation to impacts on nearby SSSI, no comment on landscape impact.

High Peak Borough Council – Environmental Health – No response at time of writing

Hope with Aston Parish Council – No objections

PDNPA – Ecology – No objections, but recommends conditions to avoid disturbing birds during the breeding season, to secure a landscaping plan to ensure no loss of biodiversity, to ensure lighting is sensitive to the needs of bats, and to enhance the site with bat and bird boxes.

PDNPA – Forestry – No response at time of writing

## **Representations**

12 letters of representation have been received in relation to the application at time of writing, 4 supporting it and 4 raising objections. Others make general comments, and raise some concerns without objecting to the proposal overall.

The grounds for support are:

- The proposal will tidy up the area
- The development will safeguard local jobs

The grounds for objection and concern are:

- Massing of the extension
- Glare from rooflights
- Concern relating to increases in flood risk and run-off
- Extension to car park could make it appear overly large
- The site is not appropriate for a factory or extension of such
- Loss of amenity space for staff
- the proposed extension will bring business premises closer to residential properties, from which it is poorly screened
- Colour of cladding will not match parent building
- there is potential traffic conflict at busy times of the day with train users
- Double yellow lines and assurances that staff would use the private car park are required as congestion and people parking on the road whilst using the station are already a problem.

A general comment requests that the existing west gate of the site is kept as it is (i.e. does not become a principal vehicular entrance to the site)

## **Main Policies**

Core Strategy: GSP1, GSP3, DS1, L1, L2, CC1, E2, T4

Policy DS1 allows for the extension of existing buildings in all settlements in the National Park.

Policy GSP1 requires all new development in the National Park to respect and reflect the conservation purpose of the National Park's statutory designation, and that major development should not take place within the Peak District National Park other than in exceptional circumstances.

GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

Policy L1 states that development must conserve and enhance valued landscape character.

Policy CC1 requires development to make the most efficient and sustainable use of land, buildings and natural resources, to take account of the energy hierarchy, to minimise flood risk, achieve the highest standards of water efficiency.

Policy E2 states that proposals to accommodate growth and intensification of existing businesses will be considered carefully in terms of their impact on the appearance and character of landscapes.

Policy T4 requires that developments requiring access by large Goods Vehicles must be located on and or readily accessible to the Strategic or Secondary Road Network.

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Local Plan: LC4, LC22, LE4, LT10

Local Plan policy LC4 states that where development is acceptable in principle it will be permitted provided it is of a high standard of design that respects and conserves the landscape, built environment and characteristics of the area.

Policy LC22 states that development will be permitted provided that adequate measures are included to deal with the run-off of surface water from the site, but that such measures must not increase the risk of a local water course flooding.

Policy LE4 states that Outside Local Plan Settlements, the expansion of existing industrial and business development will not be permitted unless it is of a modest scale in relation to the existing activity and/or buildings and does not extend the physical limits of the established use, does not harm the amenity and valued characteristics of the area or site, and if new or extended buildings are clearly justified.

Policy LT10 states that where planning permission is required for an expansion or alteration of a business, parking must be of a very limited nature or accompanied by on-street waiting restrictions, especially in areas served by good public transport.

These policies are consistent with the wider range of conservation and design policies in the Development Plan, which promote high standards of design and support development proposals that would be sensitive to the locally distinctive character of the site and its setting and the valued characteristics of the National Park.

National Planning Policy Framework

Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that these policies detailed are consistent with the core planning principles set out in paragraph 17 of the National Planning Policy Framework and the policies in the Framework when taken as a whole because both documents seek to secure high quality design, and promote the importance of landscape protection within the National Park.

**Assessment**

***Principle***

The proposal represents 'major development' as it creates over 1000m<sup>2</sup> of floorspace – one of the major development criteria detailed in the Town and Country Planning (Development Management Procedure) Order 2010. In planning policy – both national and local – the term major development is also referenced. Specifically, paragraph 116 of the NPPF and Core Strategy policy GSP1 resist major development in National Parks in all but exceptional circumstances.

A High Court decision in 2013 found that, for the purposes of planning policy, 'major development' should not have the same meaning as in the 2010 Order; rather it concluded that it should be considered in the context of the document it appears and that it is reasonable to apply the "normal meaning" of the words when interpreting the policies.

It is reasonable in this instance, therefore, to assess whether or not the development is major by reference to its impact on the National Park's valued characteristics as protected by planning policy. Officers consider that as an extension of a building that does not represent a change of use, does not extend the limits of the site, does not propose additional infrastructure, and does not lie within an area of ecological, historic, or archaeological designation, the development

cannot reasonably be considered to be major in term of its likely impacts. That is not to say that its impacts could not still be significant within the context of the site itself – something that is assessed against planning policy in the following discussions – only that the restrictions placed on major development by national and local policy are not considered to apply to the proposal.

When considering the acceptability of the principle of the development in local planning policy terms, policy DS1 sets out the Development Strategy for the National Park, and this does permit for the extension of existing buildings in principle.

The site lies in open countryside and for this reason there is restriction on the level of extension that is considered acceptable on this site however, as detailed by Local Plan policy LE4. In this case, the proposed development would not extend the physical limits of the site and is in accordance with LE4 in this regard.

With regard to its size, at 1200m<sup>2</sup> the extension cannot be viewed as small in the context of development within a National Park. However, it would be smaller than and subordinate to the existing building it would adjoin, would not significantly alter the use of the site, and would occupy a relatively small proportion of the overall site. As a result, it is considered modest in scale relative to the existing buildings and use of the site, as required by policy LE4.

In terms of justification for the extended building (a further requirement of LE4), the applicant has advised that the extension is necessary to consolidate their operation on to a single site. They currently rent other buildings outside of the Park, which they took on as their business expanded, resulting in additional and avoidable costs, production inefficiencies, and cross-park traffic between sites that they are seeking to reduce. It is therefore accepted that the siting of further buildings elsewhere would not be practical to the operation of the business, for the same reasons that the existing arrangement is problematic.

Based upon the above assessment, the principle of an extension of the size proposed is considered acceptable.

### ***Siting, design, and scale***

#### Link

The proposed link would run east to west between the two factory buildings. This runs along the southern side of an existing link between the two buildings and would not increase its height or prominence outside of the site. In design terms, the link amounts to a run of glazing along its full width with sheet metal cladding comprising the lower walls and roof, all coloured to match the adjoining buildings. This addition is considered to be discreet, and to conserve the appearance of the site.

#### Extension

The proposed extension would be attached to the eastern end of the factory buildings. It would occupy an area of land currently given over to staff parking and an outdoor staff seating area. It's siting is dictated by its functionality; namely to provide an extension to the operating space currently housed in the adjoining building. It has been designed to step down from the building it adjoins, and has a shorter length and width. The result is that, whilst still large, it remains subordinate to the existing development on the site and prevents the existing and proposed development appearing together as a very large and uninterrupted block.

The design is reflective of the existing buildings and of industrial development more generally; sheet metal clad walls under a low pitched roof with tall vertical rooflights lighting the space inside. The colour is proposed as 'coffee' to match the original. Matching the original colour is considered appropriate. Whilst the existing building has faded over the last 25 years, if this was to be matched then it would be likely to fade to an even lighter colour, increasing the buildings

prominence. It is considered better that it initially appears darker than the parent building and that it is allowed to then fade over time to match the existing. If permission is granted then it is recommended that a condition is imposed to secure the material and colour of the building.

In the context of the site the overall design is considered acceptable and the proposed finish would provide an in keeping and recessive appearance. For these reasons it is not considered to detract from or alter the character or appearance of the site and is in compliance with policies LC4 and LE4.

#### Car park

To compensate for the loss of parking where the extension is proposed, the applicant is seeking to develop a new car park to the west of the site. The area would be covered with grass paving grids and seeded, allowing it to retain a similar appearance to present once established, but with the addition of some parking space markers that would be fixed to the grids. In this regard the appearance of the site is considered to be conserved by the proposal. An automatic barrier would be installed to the eastern side of the car park to allow access through the station car park. In the context of the car park setting and existing station installations it is not considered that this would harm the appearance of the site.

Overall, the appearance of the development is considered to conserve the character and appearance of the site and existing buildings as required by policies LC4 and LE4.

#### ***Landscape impact***

##### Link

The link will not be readily viewed from outside of the site, and is not therefore considered to have any wider impacts.

##### Extension

The existing factory buildings are visible in some wider views, most notably from the higher ground to the north. There is some planting along the northern boundary of the site, but due to the seasonal nature of this and size of the buildings it provides only partial screening of the site.

The extension would be visible in these same views. It would of course be seen in the context of the existing factory site. When permission was granted for the original factory the two factory buildings were split with a low level link in order to help break up their overall mass and prominence in the wider landscape. Whilst this was deemed necessary at the time on what was a then undeveloped site, it is not considered that such an approach is required now to make the development acceptable. This is because the impact of the proposed development in terms of the prominence and visibility of the site, relative to the existing situation, is not considered to be such that it detracts from the character or appearance of the area.

Due to the distance from it, the development is not considered to impact on the Hallam Barn Grasslands SSSI.

##### Car park

The grass paving grids would mean that the car park would appear undeveloped in the wider landscape. When vehicles are parked in the car park this would have some further impact. Some further tree planting and a new native hedgerow is proposed along the northern boundary of the car park, and once established this would serve to help screen it from wider view to the north, where it would be most apparent. In light of this, and in the context of the car parks siting adjacent to the existing station, station car park, and factory site the impacts that the parking of cars on the site would have is considered to be low and acceptable.

Overall, the development is considered to have a low landscape impact due to its context. It therefore complies with policies L1, LE4 and LC4 in terms of conserving the landscape of the National Park.

### **Amenity impacts**

#### Extension

The noise survey conducted on behalf of the applicant concludes that the noise generated by the factory at the nearest property is, at its maximum, equal to or less than 40dB. This is roughly equivalent to whispering. It is not considered that this would impact on amenity, particularly given that this is a maximum figure that is not permanently sustained.

The survey takes account only of the existing factory however, rather than a possible increase in the level of noise that could be generated by extending the building. Whilst the extension is proposed to accommodate similar activities to the existing building, it does have the potential to accommodate further machinery and produce some further noise. It is therefore considered that if permission is granted a detailed assessment of projected noise levels and mitigation measures should be submitted and agreed with the Authority in consultation with the Environmental Health Officers prior to works commencing in order to secure the interests of nearby properties. This is important given the history of noise complaints, albeit some years ago now and which were addressed by the company

It has been suggested by one objector that the proposed rooflights could result in additional glare being directed towards nearby properties, although it has not been specified which neighbours this refers to. Officers are of the view that given the distances to nearby properties, around 130m to the nearest, and the planting that exists between many properties and the site, glare is unlikely to be so significant as to affect any neighbours amenity.

There will be a loss of outdoor seating space for factory staff and visitors. In planning terms, this is not a necessity for the site however, and there is in any case other outdoor space where seating could be provided.

The extension is not considered to result in any other amenity impacts for nearby properties or for the site itself.

#### Car park

The car park is separated by a private road and planting from the dwellings to the south and is far enough from them that the noise would not impact their amenity. As a result of the car park's position, low level lighting is proposed along the private road that links the car park to the factory site. This is proposed to be low level lighting. As a result it is not expected that it would affect the amenity of nearby properties. No specification has been provided for the lighting however, and so if permission was to be granted it is recommended that a planning condition is imposed to require this to be agreed with the Authority prior to works commencing.

Overall, the development is considered to conserve the amenity of both the site and nearby properties as required by policies LC4 and LE4.

### **Highway impacts**

The replacement car park would provide an additional 13 spaces over those of the existing site. An extension of this would typically require a maximum of 25 additional spaces under local Highway Standards (Derbyshire County Council 6Cs Design Guide). The applicant has made the case that the space is to improve the efficiency of the existing unit rather than to employ further staff at the site and the additional spaces proposed are therefore sufficient to meet the business needs. Additionally, parking must be of a very limited nature for extended businesses under



policy LC10, especially when good public transport serves the area (as it does in this case, being adjacent to the train station). In light of this situation, the fact that the local Highway Standards advise maximum rather than minimum levels, and considering that the Highway Authority have not objected to the proposed parking levels, the level of proposed parking provision is considered acceptable.

The car park would be accessed via the station car park, which is outside of the application site area and not within the applicant's ownership. The Highway Authority has raised concern that if the applicant does not have a right of access over the station car park, they may be unable to access the proposed car park. In that case the effect would be that the development results in 19 less accessible parking spaces than is currently the case, which would be unacceptable. The applicant's agent is currently determining the legal right of access through the car park but at time of writing this is unconfirmed. It is considered that the provision of this parking is essential to the acceptability of the development. Further, it is also necessary that it is available for parking prior to the commencement of construction on the extension. This is because the commencement of works on the extension will immediately result in a reduction of parking on the site, which has the potential to impact on highway amenity. It is therefore considered necessary that, if permission is granted, a condition should be imposed requiring the car park to be constructed and available for parking prior to construction of the extension commencing.

As the car park would be accessible to staff working at the factory only it is not considered that it would have any bearing on parking levels in and around the station car park. There would be no incentive for staff to utilise the station car park, which would be busier and increase the chances of damage to vehicles.

Bringing a remote part of the business on-site will lead to a reduction in cross park traffic in relation to movement of materials. The number of trips generated by 13 extra spaces would not cause significant further traffic across the wider network even if all were fully utilised. The impact of the development on the wider highway network is therefore considered to be low and acceptable. In addition, the site is readily accessible to the Secondary Road Network of the area as required by policy T4.

The Highway Authority has requested that if permission is granted that conditions requiring space to be provided for plant and materials to be provided prior to commencement and to ensure that the extended premises are not taken in to use prior to the car parking being provided are imposed. These are both considered to be reasonable and necessary.

### ***Flood impacts***

The site is outside of any high risk flood zone. The applicant has nevertheless undertaken a flood risk assessment (FRA) due to the size of the development. The FRA records, correctly, that the site is within Flood Zone 1 where the risk of flooding from rivers or the coast is considered to be low, and that industrial development is classified as 'less vulnerable', with such types of development being appropriate in Flood Zone 1.

The area that would be occupied by the extension is already given over to a mostly non-porous car park area, resulting in run-off. The FRA recommends that in order that the development does not result in any increase in rate of run-off that a surface water attenuation tank with flow control is installed to regulate the discharge of water in to the existing water drainage system. It is considered that this should be secured by planning condition if permission is granted to ensure that the development minimises flood risk and complies with policy LC22. The parking area would remain porous and so there is no change to run-off or flood risk relating to this part of the development.

## **Other matters**

### Trees

Four trees to the eastern boundary of the site would be removed to facilitate the construction of the parking area, with replacement planting undertaken along the northern car park boundary. This would provide some wider screening of the car park as discussed above, and would lead to a net improvement in the long term arbocultural condition of the site due to the replacements proposed being better indigenous landscape trees (field maple) than the existing trees (hawthorn, goat willow, silver birch, and ash) – or having a better prospect of long term survival in the case of the existing ash tree.

At the other end of the site a number of trees would need removing to accommodate the extension. These are not significant specimens, and provide only very limited screening of the factory from Parsons Lane – the more established planting closer to the road provides the more effective screening, although even this has only a limited effect in winter when the leaves have fallen. The loss of these trees could be mitigated by replacement planting towards the site entrance. This would replace the ecological benefits of the trees to be removed. If permission is granted it is therefore recommended that a condition is imposed that requires a landscaping scheme to be agreed prior to the development commencing.

### Ecology

Other than the loss of trees, which is discussed above, the ecological impacts of the proposal are limited. The ecological report and the Authority's ecologist recommend that vegetation removal is avoided outside of the bird breeding season, and implementing a landscape plan to avoid loss of biodiversity. If permission is granted, a condition is recommended to secure the timing of vegetation removal. It is also recommended that a condition is imposed requiring the installation of swift and bat boxes. This would enhance the habitat opportunities within the site, and could be secured by condition if permission is granted.

External lighting also has the potential to impact on protected species, and so the detail of any such lighting needs to be carefully considered. The previously recommended condition in relation to lighting would ensure this.

### Energy management measures

The use of natural lighting will be maximised through the use of large rooflight, minimising the need for electric lights. Where required, lighting will be of LED type to minimise energy consumption. The heating system will be an intelligently managed system, which reduces energy consumption below that of a thermostatically controlled system. This demonstrates efforts to reduce energy consumption in accordance with the Energy Hierarchy, as advocated by Policy CC1 of the Core Strategy.

### Construction works

Due to the size of the extension there will need to be numerous deliveries of materials to the site, and the construction process itself is likely to generate some noise, which could affect nearby properties. In addition, there will need to be excavation of ground to introduce foundations for the extension. The inappropriate disposal of this on or off site could have adverse visual impacts. For these reasons it is considered that if permission is granted a condition should be imposed requiring the submission of a construction management plan for agreement by the Authority prior to the development commencing.

## **Conclusion**

Whilst the development is large in size, its setting and context within an existing industrial site significantly reduces its impact in the landscape. Having considered the policies of the Development Plan and the NPPF, and having also taken account of all other relevant material

considerations, the application is considered to be compliant and acceptable, and is recommended for approval.

**Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

**List of Background Papers** (not previously published)

Nil