

**5d 3/13/1866/FP – Erection of Respiratory Manufacturing Facility with associated works at GlaxoSmithKline Pharmaceuticals (Ware) Ltd, Priory Street, Ware, Hertfordshire, SG12 0DJ for GlaxoSmithKline Pharmaceuticals**

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**Date of Receipt:** 22.10.2013

**Type:** Full – Major

**Parish:** WARE

**Ward:** WARE – ST MARY’S

**RECOMMENDATION:**

That planning permission be **GRANTED** subject to the following conditions:

1. Time limit (1T121)
2. Approved plans (2E103) – insert 5545/A1/001, 5545/A1/002, 5545/A1/003 Rev A, 5545/A1/004 Rev A, 5545/A1/005 Rev A, 5545/A0/006, 5545/A1/007 Rev A, 5545/A1/008 Rev A, 5545/A1/SK01 Rev F, 5545/A0/SK10 Rev I, 5545/A0/SK11 Rev I, 5545/A0/SK12 Rev H, 5545/A0/SK13 Rev A, 5545/A0/SK14 Rev A, 5545/SK/15 Rev I, 5545/A0/SK16, 5545/A1/SK17 Rev B, 5545/A1/SK19 Rev A and 5545/A1/SK21 Rev B
3. Tree and hedge retention and protection (4P055)
4. Prior to first occupation of the approved building, full details of soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include (a) Planting plans (b) Written specifications (including cultivation and other operations associated with plant and grass establishment) (c) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (d) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

**Reason:** To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

5. Landscape works implementation (4P135)
6. Prior to its first use, the temporary access arrangement including visibility splays, onto Harris’s Lane shall be completed in accordance with the approved plan no. 5545/A1/SK21.

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Reason: To ensure that the access is of an appropriate standard to protect highway safety in the area.

7. Wheel washing facilities (3V25)
8. Occupation of the building hereby permitted shall not take place until the temporary access onto Harris's Lane has been closed and the kerb and footway reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety.

9. Occupation of the building hereby permitted shall not take place until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented within six months of approval and thereafter managed and maintained in accordance with the approved details. Those details shall include:
  - i. a timetable for its implementation, and
  - ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime.

Reason: The development as submitted fails to make provision for the management of surface water at the site, contrary to policy ENV21 of the East Herts Local Plan Second Review April 2007 and the requirements of the National Planning Policy Framework.

#### Directives:

1. Other legislation (01OL1)
2. The applicant is advised that in order to comply with the conditions on this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the associated off-site highway improvements. The applicant is advised to contact Highways, County Hall, Pegs Lane, Hertford, SG13 8DN (Telephone: 0300 123 4047) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of construction of the vehicle access.

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3. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary, further details can be obtained from the Eastern Herts Highways Area Team, County Hall, Hertford, SG13 8DN (Telephone: 0300 123 4047).
4. Asbestos (34AS1)
5. The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. In connection with all site demolition, site preparation and construction works, no noisy working shall be carried out on the premises outside the following hours: 0730 to 1830 Monday to Friday, 0730 to 1300 on Saturdays and at no time on Sundays or bank holidays.
6. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means should be used at all times. The applicant is advised to consider "The control of dust and emissions from construction and demolition Best Practise Guidance" produced in partnership by the Greater London Authority and London Councils.
7. Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.
8. If the site is known to be contaminated you should be aware that the responsibility for safe development and secure occupancy of the site lies with the developer. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority.

### Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure)

(England) Order 2012 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

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**1.0 Background:**

- 1.1 The application site is shown on the attached OS extract. It is an area of cleared land in the north-west corner of the GSK site, adjacent to the boundaries with Park Road to the north and Harris Lane to the west. Building U2 lies to the immediate south, and the proposed building would form an extension to its north elevation.
- 1.2 The application site was previously occupied by a building (known as Building U) that was demolished in 2009.
- 1.3 The whole GSK site is a designated Employment Area within the Local Plan and is reserved for general industrial, research and development and employment development.
- 1.4 The proposed building would be a three-storey structure with the roof having a ridge height of approximately 15 metres high, extending from the north elevation of Building U2. It would be taller, but have a smaller footprint in comparison to the now demolished U building. The walls would be externally clad to match those of Building U2 and there are no proposals to alter the boundary screening or fencing adjacent to the site. The Planning Statement indicates however that the site will receive additional native planting to promote biodiversity.
- 1.5 The proposed extension would comprise a manufacturing facility at ground floor with associated storage and provision for loading and unloading of materials via a loading bay on the north elevation. The first floor would comprise offices associated with ground floor production, and the second floor would accommodate the plant room to service the ground and first floors. The floor levels of the new building would be consistent with that of the existing U2 building.
- 1.6 The proposed external works associated with the extension comprise of a new hard standing area to the north of the proposed extension, allowing on site vehicular access to the loading/unloading bays from the north elevation of the extension through the GSK site. This will also prompt the realignment of the onsite road to the north east corner of the extension to maintain emergency vehicle access to all parts of the site, in particular the existing U2 Building.

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### **2.0 Site History:**

2.1 The GlaxoSmithKline site has been the subject of a considerable number of applications. The following applications relate specifically to this site:

- 3/93/1131/FP – External canopy to the south elevation of building U – Approved October 1993
- 3/95/0127/FP – Two-storey and lift/staircase enclosure to building U – Approved March 1995
- 3/13/0883/PD – Demolition of building U – Prior approval not required June 2013

### **3.0 Consultation Responses:**

3.1 Hertfordshire Constabulary has advised that they have no objection to the proposed development.

3.2 Hertfordshire Ecology have no objection to the proposed development.

3.3 The Historic Environment Unit has no objections to the development, as excavation and archaeological recording were expected to be carried out prior to determination of the application.

3.4 The Council's Engineering section have recommended that sustainable drainage measures be included.

3.5 The Council's Environmental Health section have recommended conditions relating to hours of construction work, soil decontamination and piling works, as well as a number of directives.

3.6 The Ware Society initially commented that the plans were unavailable for viewing on the Council's website. The plans have been replaced on the site and the Society has been advised that they are available. No further comment has been received from the Society at this time.

3.7 The County Council's Highways engineers do not wish to restrict the grant of planning permission and have recommended conditions relating to the proposed and existing site accesses.

### **4.0 Town Council Representations:**

4.1 Ware Town Council has no objection to the application.

**5.0 Other Representations:**

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 4 letters of representation from local residents have been received and those can be summarised as follows:

- Previous information was that any development on the site would be limited to a single-storey in height.
- The proposed loading bay on the north of the building would face directly towards the nearest homes, and could cause noise problems if loading/unloading were to occur at unsociable hours, or in the absence of acoustic screening.
- The glazed stairwell at the north-west of the building could cause overlooking and light pollution to neighbouring properties, and it has been suggested that this be glazed on the west side only.
- There is limited landscape screening of this section of the site, and this could be improved with additional planting; Mature trees at the site have been removed prior to the submission of the application, leaving the site much more open.

**6.0 Policy:**

6.1 The relevant 'saved' Local Plan policies in this application include the following:

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV11	Protection of Existing Hedgerows and Trees
ENV20	Groundwater Protection
ENV24	Noise Generating Development
SD1	Sustainable Development
IMP1	Planning Conditions and Obligations
EDE1	Employment Areas
WA8	Employment Areas
TR7	Car Parking – Standards

6.2 The policies set out in the National Planning Policy Framework (NPPF) are also material to the consideration of the application.

**7.0 Considerations:**

7.1 The proposed development involves the erection of a three-storey

building of approximately 15 metres height as an extension to the U2 building to the south. The site is located within a designated Employment Area as defined in the Local Plan where such development is considered acceptable in principle. The NPPF of course also provides policy support for developments which encourage economic growth in sustainable locations and Officers consider that, in principle, this is a development which would accord with the policies of the Development Plan and with the key objectives of the NPPF. Significant weight should therefore be attached to these policy considerations.

- 7.2 The other main considerations in this case are the acceptability of the design approach and the impact of the building on the surrounding area and the amenities of neighbouring residents.

#### Design and Appearance

- 7.3 The appearance of the extension would be in keeping with the external appearance of the existing Building U2. The extension would be a prominent feature of the site, in part because of the recent clearance of landscaping from the north-west corner of the site boundary. This has left the application site more open to public view from Park Road than is otherwise the case along the north boundary.
- 7.4 The site lies within the wider GSK site, and within the Employment Area where buildings of industrial appearance are to be expected. The building would not appear out of place on the site, nor harmful to the Park Road or Harris Lane street scene.

#### Neighbour Amenity

- 7.5 The new building would lie around 65 metres to the south of the properties facing the site on the north side of Park Road. These properties, specifically nos. 86 – 94 (evens) and no. 56 Fanshawe Crescent, would face onto the loading area along the north elevation of the building.
- 7.6 As a result of the loss of landscaping at the site, there is currently little effective screening from the movement of vehicles at the site, or any noise generated by the loading or unloading.
- 7.7 However, Officers consider it inevitable that some disturbance is likely to result from living in such proximity to an industrial site. The distance between the site and houses would be sufficient to ensure, with additional landscape planting to the north boundary of the site, that disturbance to neighbouring occupiers could be kept to an acceptable

level. A condition requiring soft landscaping to be provided is therefore recommended.

- 7.8 Concern has been expressed about the potential for increased light pollution from the glazed stairwell on the north-west corner of the building. The glazing would project 2.5 metres from the west elevation of the building, and would be 11 metres high. The glazed face of the stairwell would be at a distance of approximately 65 metres from the nearest residents. The limited overspill of light from the stairwell is considered by Officers to be unlikely to result in a material increase in perceived light, considering this distance and the other sources of light in the area, such as streetlights and the various lights within the GSK site.

#### Other matters

- 7.9 The development would not result in the loss of parking at the site, nor an alteration in the number of staff employed there. A temporary vehicle access would be provided for construction and emergency vehicles from Harris Lane, and would be closed off and the pavement at the site restored prior to occupation of the building. Officers consider therefore that there are no parking or highway safety concerns in relation to this proposal.
- 7.10 At the time of compiling this report, initial archaeological investigations were ongoing at the site. Officers will report to Committee whether further investigative measures are necessary following completion of these initial works and this matter can, in any event, be satisfactorily controlled by planning condition.

#### **8.0 Conclusion:**

- 8.1 In conclusion, Officers are satisfied that the proposed development would comply with the requirements of the NPPF and the Local Plan. It would not be detrimental to the visual quality of the area or the amenities of neighbouring residents. It would be an appropriate development, making best use of previously developed land within this industrial site and would consolidate the economic benefits that the site brings to the town.
- 8.2 Officers therefore recommend that planning permission be granted for the proposed development subject to the conditions recommended at the head of this report.