

DEVELOPMENT MANAGEMENT COMMITTEE – 11 SEPTEMBER 2019

Application Number	3/18/2731/FUL
Proposal	Demolition of building P5 and associated structures and the erection of a manufacturing building and associated works.
Location	GlaxoSmithKline Services Ltd, Priory Street, Ware, Hertfordshire, SG12 0DJ
Parish	Ware
Ward	Ware St Marys

Date of Registration of Application	9 th January 2019
Target Determination Date	18/09/2019
Reason for Committee Report	Major Application
Case Officer	Jill Shingler

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The proposal seeks permission for the demolition of an existing building and the erection of a new manufacturing building incorporating a loading dock with canopy, warehouse, packing area, offices and ancillary rooms on the ground floor, an assembly line on the first floor and third floor plant rooms.
- 1.2 Planning permission was previously granted for this development in December 2015 but that consent has now expired. The company are unsure when the development will come forward but want to have a permission in place to enable development to come forward without delay when needed. Therefore they are requesting a 5 year consent rather than the usual 3 years.

- 1.3 The application forms part of GSK's wider reorganisation of manufacturing operations at the complex. The new building is part of GSK's strategy to address demand for Ellipta products (Asthma inhaler medications) and the new production plant is required to meet existing and future global demand and to improve production efficiency and capacity. The project will increase production by 19 million devices per annum and take overall production capacity to 70 million devices per annum.
- 1.4 The proposed building would be rectangular in shape and have a footprint of 28.5m x 107.5m with a mix of roof styles and heights ranging between 4m and 11.3m. The gross internal floor area would be 4,678 sqm and the building would be no closer to the Park Road frontage than the previous building it replaces which was demolished in 2009.
- 1.5 The external materials to be used are as follows:
- North façade – horizontally ribbed terracotta panels are proposed with two levels of detail and texture. Louvred terracotta panels allow natural light into the building, whilst preventing glare and excessive light spillage from the building.
 - Inwards facing south and east elevations - horizontally ribbed metal panels with metal louvres where light and ventilation are required.
 - West administration elevations – Horizontally ribbed glazing.
- 1.6 Landscaping is also proposed to help reinforce an existing tree buffer along Park Road and to soften the appearance of the development.
- 1.7 The site is within a designated employment area and the principle of the redevelopment accords with policy. The main issues for consideration therefore relate to the design and the impact of the development on the character and amenity of the area and its

conformity with environmental and climate change policies in the District Plan.

2.0 Site Description

- 2.1 The GSK site as a whole covers 25ha of land on the western side of Ware. The designated Employment Area comprises a major complex of employment uses including industrial processing, warehousing, research and offices. The application site lies on the northern side of the GSK complex adjoining Harris's Lane to the west and Park Road to the North. The application site was formerly occupied by a building which has been demolished and by building P5 which is to be demolished as part of this application.
- 2.2 An existing tree and hedge belt runs along the Park Road boundary and residential properties are situated on the north side of Park Road.
- 2.3 The site lies within an Area of Archaeological significance and Ware Conservation Area lies to the south and east.

3.0 Planning History

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/18/2486/FUL	Construction of New Access and access Road	Granted	January 2019
3/15/1859/FUL	Demolition of building P5 and associated structures and erection of new manufacturing building and associated works.	Granted subject to Conditions	December 2015
3/15/1877/FUL	Construction of new access and access road	Granted	November 2015

4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP)

Main Issue	NPPF	DP policy
Principle of Development. Delivering Strong Economy	Para 80	WARE3, ED1
The layout design and external appearance of the building.	Section 12	DES4 DES5
Environmental Quality	Section 15	EQ1,EQ2, EQ3, EQ4
Highway and parking Implications	Section 9	TRA1, TRA2, TRA3
Flood risk and sustainable drainage	Section 14	WAT1, WAT3, WAT5, WAT6
Climate change and water resources.	Section 14	CC1, CC2, WAT4
Archaeology/Heritage Assets	Section 16	HA1, HA3, HA4

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 **Summary of Consultee Responses**

5.1 HCC Highway Authority does not wish to restrict the grant of planning permission subject to conditions to require a Construction

Traffic Management Plan and to prevent obstruction of a Public Right of Way.

- 5.2 Lead Local Flood Authority has no objection subject to conditions to ensure that suitable drainage is completed.
- 5.3 Environment Agency has provided generic advice on protection of groundwater.
- 5.4 Thames Water do not have any objections to the proposal with regard to the waste water network and waste water process infrastructure.
- 5.5 HCC Historic Environment Unit advise that the development is likely to impact on heritage assets of archaeological importance and therefore suggests conditions to ensure suitable investigation and recording.
- 5.6 EHDC Environmental Health Advisor raises no objection subject to conditions regarding contamination, external fixed plant or machinery, lighting and construction management.
- 5.7 Herts Police Crime Prevention Advisor raises no objection to the proposal on the basis of the available documents.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

- 6.1 Ware Town Council advise that they welcome the development and investment in the town but requests conditions regarding construction hours to minimise disruption to residents, with no deliveries at weekends and to ensure safety of access to Park Road.

7.0 Summary of Other Representations

7.1 1 response has been received objecting to the proposals on the following grounds:

- Already suffer from excessive noise from the site particularly at night and weekends;
- Concerned that height, lighting and fascias of the building may cause light pollution.

8.0 Consideration of Issues

Principle of Development – Strong Competitive Economy

- 8.1 The proposal forms part of GSK's modernisation plan for the Employment Area and accords with the key principle of the NPPF to support sustainable economic growth. The proposal would enable increased production of Elipta products to meet UK and global health demand.
- 8.2 Whilst additional employment would be modest the applicant states that investment in the new building would help consolidate the position of GSK as an important employer in the area, and this is afforded significant weight

Layout, Design and Appearance

- 8.3 The proposed building would broadly sit on the same location as the previous building (demolished some time ago) and the P5 building.
- 8.4 It would be a building of significant size, sited parallel to Park Road and would inevitably have some visual impact on the surrounding area. However, it is considered to be of a high quality design with good use of appropriate materials, particularly on the outward facing elevations.
- 8.5 The roof of the assembly building would slope down towards Park Road and this, together with the ground floor level being set 1.8m below Park Road, would reduce the massing and visual impact of

the building when viewed from the residential properties to the north. The flat roof of the two storey office and support areas would step down towards the corner of Harris's Land and Park Road and the flat roof between the assembly and packaging areas would step down and the warehouse loading bays are located in a single storey element of the building. The scale of the warehouse element of the building is significant but its impact is reduced by stepping the higher sections back from Park Road. Overall the layout, design and massing of the building is considered to be appropriate to its location.

- 8.6 In terms of landscaping the existing tree and hedge screen along the Park Road boundary is to be retained as far as possible, however 6 trees and two tree groups which are in poor condition (category U) are to be removed. A further 26 trees and two groups (category B) are to be removed to facilitate the construction of the building.
- 8.7 37 replacement native trees will be planted and a holly hedge is proposed which would be maintained to an eventual height of 1.8m. A second security fence with climber planting is proposed to the Park Road frontage on the building side of the boundary landscaping. The proposed new planting would soften the appearance of the building.

Environmental Quality

- 8.8 Whilst the building is of significant scale it is only approximately 2.7 metres higher than the ridge level of the houses opposite in Park Road and is set at a distance of some 27 metres from the house frontages. The taller parts of the building are set 9.4m back from the site boundary, and it is considered that this positioning together with the proposed planting means that the building will not be excessively overbearing or result in significant loss of light or outlook to neighbouring properties.

- 8.9 With regard to concerns regarding noise, whilst a neighbour has raised concern regarding existing noise issues a full noise assessment has been provided.
- 8.10 Plant is located on the inward facing south side of the building in order to minimise, noise, vibration and visual impact to the Park Road side of the building. The applicant advises that the process is clean and that there will be no odour discharge. The Environmental Health Officer has suggested conditions that will control the installation of any external fixed plant and any external lighting to ensure that there is no harm to neighbouring amenity.
- 8.11 The site, given its industrial use is likely to be contaminated and therefore conditions are proposed to ensure that risks are identified and contamination is fully remediated in accordance with policy.

Highways and Parking

- 8.12 Access to the new building would be via a new access link road to Buryfield Lane (the subject of planning application 3/18/2486/FUL which was approved earlier this year). The access to Harris's Lane would be an access for emergency and construction vehicles only. This was restricted by condition on the previous approval and a similar condition is recommended here.
- 8.13 The proposed development does not result in any loss of car parking. No increase in car parking is proposed, but the increase in overall employment, taking into account the buildings that have been, and are proposed to be, demolished, is expected to be neutral. It is not considered that there will be any significant impact on parking demand or trip generation. In terms of deliveries and collections 12 delivery and 7 collection trips are expected during each 24 hour period, which equates to less than 2 vehicle movements an hour.
- 8.14 The GSK site has extensive on-site parking provision of approximately 2032 spaces, a 2014 survey revealed that there are

approximately 300 vacant spaces at the site at peak times of demand.

- 8.15 The Highway Authority has no objection to the grant of planning permission subject to conditions.

Flood Risk and Sustainable Drainage

- 8.16 The site is within Environment Agency Flood Zone 1 and is not at direct risk of flooding.
- 8.17 Following initial concerns from the Lead Local Flood Authority, revisions have been made to the surface water drainage network, to demonstrate that sufficient flow attenuation can be achieved including a climate change allowance of 20%, which will ensure that the development does not increase the risk of flooding elsewhere.
- 8.18 The LLFA therefore raise no objection to the development subject to conditions.

Water Resources and Climate Change

- 8.19 The District Plan seeks to ensure that new development is adaptable to climate change i.e. is designed to minimise overheating in summer and reduce the need for heating in winter and can demonstrate how carbon dioxide emissions will be minimised across the development site. Achieving standards beyond the requirements of Building Regulations is encouraged.
- 8.20 Policy WAT4 of the District Plan states that “development must minimise the use of mains water.”
- 8.21 The sustainability strategy of the development is proactive and concentrates on the efficiency of equipment.
- 8.22 The proposed building has been designed to utilise the existing Ware site district heating system to meet the full needs of the development, and the internal layout has been designed to

maximise natural light on the northern elevation where possible and minimise summer solar gain. The proposed south facing elevation is mainly the plant area and therefore not glazed, minimising overheating in summer.

- 8.23 Efficient Air Handling Units and fans are proposed that incorporate heat recovery to re-use exhaust energy in warming supply air. Low energy lighting and time controls are to be incorporated.
- 8.24 With regard to water use the facility has been designed for minimal water consumption. The production and warehousing areas do not need water supply, automatic shut off and low flow fittings are to be used.
- 8.25 However bearing in mind that the applicant has requested a further 5 year consent, it is considered that standards and technologies for carbon reduction and water usage may improve in that time. It is therefore necessary to require further details of sustainability measures to be submitted for approval prior to commencement of development.

Archaeology

- 8.26 The development site is in an area of Archaeological significance. Following the previous approval a scheme of investigation was agreed with the County and the first part of this has been carried out, revealing over 40 Roman burials. It is likely that further burials will be within the site. Conditions are therefore proposed to ensure that continued suitable investigation, monitoring, recording and reporting takes place in accordance with para 199 of the NPPF and Policy H3 of the District Plan 2018.

Other Matters

- 8.27 Concern has been raised by a neighbour with regard to potential light spillage from the site given the proposed 24 hour usage. It should be taken into account that the site is an established employment area, however a condition is recommended requiring

details of lighting to be submitted for consideration. Environmental Health Officers will be consulted on the details to ensure that there is no significant harm to neighbouring amenity.

9.0 Planning Balance and Conclusion

- 9.1 The proposed development has previously been approved; since then the new District Plan has been adopted and the development needs to be considered against the up to date policies.
- 9.2 The proposal is considered to represent a sustainable form of development which will maintain and modernise the employment use of the site.
- 9.3 It is acknowledged that the building will be of a considerable size and that it will inevitably have some impact on the appearance of the surrounding area. However, it is considered to be of an appropriate design and scale, having regard to the site and its surroundings. Given the nature and context of the site neighbour impact is considered to be acceptable and the existing and proposed landscaping are sufficient to soften the visual impact of the development.
- 9.4 There would be no adverse highway impacts from the proposals.
- 9.5 The application is considered to accord with adopted policies and is recommended for approval.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below.

Conditions

1. Five year time limit (1TI21 amended to 5 years)
2. Approved Plans (2E101)

3. Samples of materials (E121)
4. Means of Enclosure (E072)
5. Landscape works implementation (P132)
6. Construction Management Plan (V281)
7. Lighting Details (E272)
8. Green Travel Plan (V272)
9. Programme of Archaeological Work (E022)
10. The development permitted by this planning permission shall be carried out in accordance with the U4 Building GSK, Ware, Drainage Strategy, dated 09/07/2019, Project Ref. 132652, Doc No. R1.0, prepared by Fairhurst and the Proposed Drainage Layout drawing, Drawing No. 132652/0200, dated 20/06/2019, prepared by Fairhurst, and the following mitigation measures:
 1. Provide attenuation (approximately 104.5m³ in an attenuation tank and 15m³ in permeable paving with sub-base, of storage) to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 2. Implement drainage strategy based on restricted surface water discharge at 7.5l/s and include lined permeable paving with sub-base and attenuation tank as indicated on the Proposed Drainage Layout drawing.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

11. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted U4 Building GSK, Ware, Drainage Strategy, dated 09/07/2019, Project Ref. 132652, Doc No. R1.0, prepared by Fairhurst and the Proposed Drainage Layout drawing, Drawing No. 132652/0200, dated 20/06/2019. The scheme shall also include:
1. Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs (and for the lined permeable paving) and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 20% allowance for climate change event.
 2. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving and reducing the requirement for any underground storage.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

12. Upon completion of the drainage works for each site in accordance with the timing / phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. Provision of complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

13. The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:
 1. A Phase II intrusive investigation report, based on "Phase I Preliminary Risk Assessment", GSK, Ware dated June 2019 by Fairhurst, shall be submitted detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
 2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
 3. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
 4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to the development being brought into use. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the

required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of National Planning Policy Framework and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

14. No external fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of noise emitted from all external fixed plant and machinery shall not exceed 35dB when measured or calculated at 1 metre from the façade of the nearest noise sensitive property. The measurements and assessment shall be made according to BS4142:2014.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

15. The existing public right of way crossing the site shall remain undisturbed and unobstructed at all times unless legally stopped up or diverted prior to the commencement of the development hereby permitted. The alignment of any public right of way shall be protected by temporary fencing/signing in accordance with details first submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, throughout the course of the development.

Reason: To safeguard the rights of the public and in the interests of pedestrian safety, in accordance with policy TRA1 of the East Herts District Plan 2018.

16. Prior to commencement of development details to demonstrate how carbon emissions and water usage will be minimised across the development site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To minimise the impact of the development on climate change in accordance with policy CC2 and to ensure efficient water usage in accordance with Policy WAT4 of the East Herts District Plan 2018.

Informatives

1. Justification Grant (JG4)
2. Other Legislation (1OL1)

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 East Herts District Plan, the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Non-Residential Development**Schedule of main accommodationGround Floor

Entrance

Offices and meeting rooms

Packaging Area

Engineering workshop

Warehouse and warehouse office

Loading docks and loading dock office

First Floor

Tea room

Assembly area

IT room

Bridge link

Second Floor

Plant Room

Use Type	Floorspace sq.m
Manufacturing, warehousing and offices	
Ground Floor	2,446.78
First Floor	1,796.36
Second Floor	435.19
Total	4,678.33

Existing P5 Building	1,089.40
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Parking	Existing	Proposed
GSK Total	2032	2032
GSK Peak Occupancy May 2014	1872	