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| Committee Date: | 19/03/2015      | Application Number: | 2015/00285/PA |
| Accepted:       | 19/01/2015      | Application Type:   | Full Planning |
| Target Date:    | 20/04/2015      |                     |               |
| Ward:           | Sutton New Hall |                     |               |

Plots 4 & 6, Prologis Park, Midpoint Way, Sutton Coldfield, Birmingham, B76 9EH

Erection of an extension of approximately 15,237 sqm to Unit DC4 for B8 (Storage and Distribution) and ancillary B1 (Office) use and a gatehouse with associated service yard, access, parking, drainage and landscaping infrastructure and works

Applicant: Prologis UK Ltd  
c/o Agent  
Agent: Nathaniel Lichfield & Partners  
Helmont House, Churchill Way, Cardiff, CF10 2HE

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Recommendation

**Approve Subject To Conditions**

1. Proposal
- 1.1. The proposal includes the erection of an extension to the existing DC4 Unit for storage/distribution use with ancillary offices measuring 15,237 sq,m together with a gatehouse (20sq.m), extension to the service yard and parking area with access and landscaping.
- 1.2. The proposed extension would be located to the south west of the existing building extending into Plot 6 with an extension of the service yard to the south-east (rear) and north-west (front) of the building. The new gatehouse would lie to the south-west of the building.
- 1.3. The building would be a maximum of 17 metres in height which would fall short of the maximum building height permitted by the outline planning permission.
- 1.4. The proposed extension would match the design of DC4 and would comprise of large areas of dark grey vertically profiled cladding articulated with panels of silver microrib cladding and horizontal banding. The building would have overhanging bull nose eaves and the new canopy fascias to the front and rear elevations would be profiled cladding in merlin grey. The roof would be goosewing grey profiled metal sheeting. The office element would comprise glazing and silver microrib cladding as would the proposed gatehouse
- 1.5. Landscaping would be provided around the site with a larger buffer on the south-western boundary of the site and would consist generally of tree and shrub planting with quality hard surfacing in accordance with previously agreed principles for the employment park. Boundary treatment would comprise 2.4m high green coated palisade fencing to match the existing.

- 1.6. Access to the service areas for HGV's would be from the new estate road between DC1 and DC4 (2013/08948/PA) and from a new access point on the estate road opposite DC5. 40 lorry parking spaces are proposed for the extended DC4. The access for car parking (232 spaces) on the site frontage would remain as present off the estate road opposite DC5.
- 1.7. In support of the application the applicants have submitted a Planning Statement, Design and Access Statement, Air Quality Assessment, Ecological Statement, Extended Phase 1 Habitat Survey, Wildlife Management Plan, Drainage Statement, Economic Statement, Landscape and Visual Impact Assessment, Noise Impact Assessment, Contamination Statement, Transport Technical Report, Flood Risk Assessment and Planning Construction Method Statement.
- 1.8. An EIA Screening Opinion has been issued confirming a formal EIA is not needed for the proposed development.

#### [Proposed Site Layout](#)

#### [Proposed Elevations](#)

### 2. Site & Surroundings

- 2.1. The Prologis Park site covers approximately 42.35 hectares and lies to south and east of the existing Midpoint Park employment area. It is south and east of the village of Minworth and directly east of the Castle Vale housing estate. The site originally formed part of the wider existing Minworth Sewage Works, which remains operational.
- 2.2. Plot 4 contains DC4, a large industrial/storage building (29,031.5sq.m) and associated car/lorry parking and is currently vacant. Plot 6 forms 2.74 hectares of the Prologis Park and is fairly open with no substantial tree cover as the majority of trees are located at or around the edge of the site/access. The site is bounded to the north and west by other areas of Prologis Park, to the east by the River Tame buffer and to the south by a railway line.
- 2.3. The surrounding area comprises a mixture of uses presently connected to the Sewage works. Directly to the north and west of the proposed site is the existing Midpoint Park industrial site and the village of Minworth, which extends along Water Orton Lane and Park Lane meeting the Kingsbury Road to the North (A4097). The River Tame which is a designated SINC and the Castle Bromwich railway line runs around the southern boundary of the site. Further to the south and east of the site is the continuation of further sewage sludge beds (presently active) and associated sewage activities. The existing Sewage Works site is situated within designated Green Belt. The nearest neighbouring properties are situated on Water Orton Lane and Park Lane.

#### [Site Location](#)

### 3. Planning History

- 3.1. 16/06/2006. 2005/01263/PA. Outline planning application for reclamation and redevelopment of sewage sludge drying beds, for construction of new developments consisting of 117,000sqm of floor space involving uses falling within use class B2

(General Industry), class B8 (Storage and Distribution) B1(b)(c) (Research & Development, Light Industry) and construction of a link road to serve as bypass to Minworth village and associated works. Approved.

- 3.2. 15/02/2007. 2006/07676/PA. Development of former sewage works depot for Class B2 (General Industry), Class B8 (storage & Distribution) and B1 (b) and (c) (Research & Development & Light Industry). Approved.
- 3.3. 09/11/2007. 2007/05368/PA. Reserved Matters submission for the construction of internal access roads, associated landscaping and drainage. Approved.
- 3.4. 22/11/2007. 2007/05409/PA. (Plot 4) Reserved Matters submission for the approval of details, relating to the erection of an employment building for uses falling within use class B2(general industry), B8(storage & distribution), B1 (b & c) (research & development & light industry), for associated access, parking, servicing, drainage & landscaping. Approved.
- 3.5. 05/12/2008. 2008/04967/PA. (Plot 6) Application for approval of reserved matters relating to siting, design, external appearance and landscaping, in connection with the erection of an employment building for uses falling within use classes B1 (b) and (c), B2 and B8,(studio/ technology uses; general industry; storage or distribution) access, parking, drainage and landscaping pursuant to outline approval reference 2005/01263/PA. Approved.
- 3.6. 29/04/2013. 2013/00890/PA. (Plot 6) Variation of condition C2 attached to previous planning application 2008/04967/PA to allow for a minor increase in the clear internal height of the warehouse resulting in a change in the external appearance and floor to floor height in the offices and also alterations to the office facade. Approved.
- 3.7. 30/01/2014. 2013/08948/PA. Creation of internal road to serve existing development plots DC1 and DC4, including realignment of existing fencing. Approved.
- 3.8. 06/02/2015. 2014/09509/PA. Demolition of existing gate house and reinstatement of yard, erection of new gate house and access barriers, conversion of dock levellers to level access doors, alterations to eastern elevation to include new fire doors, alterations to the yard to accommodate change in gradients for the level access doors, new vehicular and pedestrian access from estate road, removal of retaining walls and provision of new retaining walls, erection of canopies to level access doors and associated access, landscape and drainage works. Approved.
- 3.9. 13/02/2015. 2014/09510/PA. Erection of two sprinkler tanks and pump house. Approved.

#### 4. Consultation/PP Responses

- 4.1. Transportation Development – No objections.
- 4.2. Regulatory Services – No objections subject to a condition requiring the submission of a verification report in respect of contamination mitigation measures prior to occupation.
- 4.3. Severn Trent Water – No objections.

- 4.4. West Midlands Fire Service – No objections.
- 4.5. West Midlands Police – No objections.
- 4.6. Environment Agency – Requested additional information relating to potential flood risk. Indicated verbally that the supplementary information submitted to the original Flood Risk Assessment is acceptable.
- 4.7. North Warwickshire Borough Council – No objections.
- 4.8. Solihull Borough Council – Comments awaited.
- 4.9. Councillors, Residents associations, nearby occupiers notified. Application advertised on site and in the press. No response received.

## 5. Policy Context

- 5.1. UDP (Adopted 2005), Draft Birmingham Development Plan, NPPF (2012).

## 6. Planning Considerations

- 6.1. **Background** - The proposal is one of a series of 3 planning applications relating to DC4 which will be leased by Jaguar Land Rover, the others being the erection of two sprinkler tanks and pump house (2014/09509/PA) and an alterations to the existing DC4 building (2014/09510/PA) both of which have recently been approved. JLR intended to occupy the site in phases with the alterations to DC4 and the service yard and the installation of the sprinkler tanks and pump house forming the first phase.
- 6.2. This application for the extension to DC4 incorporating Plot 6 has been submitted as a full application as it would replace the previously approved DC6 and the building would include 15,237sq.m of floor space which would bring the total approved floor space across the site to 126,510.5sq.m. This is 9510.5sq.m more than the 117,000sq.m approved under the outline permission. The application site falls wholly within the area included in the previous outline planning permissions. As DC1 is currently under construction, the current proposal would complete the Prologis Park development.
- 6.3. **Policy** - The UDP identified the wider Prologis Park site for industrial development and paragraph 4.2 identified the site as a “best urban” development site. Paragraph 9.42 “Minworth” identifies that part of the Minworth Sewage Works which is not in the SINC is proposed for industrial development and will be removed from the Green Belt. Paragraph 4.13 in relation to the City’s economic policy requires that proposals maximise opportunities for economic revitalisation and urban renewal and to ensure economic benefits are spread as widely as possible among the City’s residents and disadvantaged communities.
- 6.4. The Draft Birmingham Development Plan notes that Prologis Park is identified as a Core Employment Area which is safeguarded for employment purposes and is to be a focus of economic generation activities and additional development opportunities.
- 6.5. Paragraph 17 of the NPPF requires that Local Planning Authorities should proactively drive and support sustainable economic development to deliver the

homes, business and industrial units, infrastructure and thriving local places that the country needs and encourage the effective use of land by reusing land that has been previously developed. Paragraph 19 requires that the planning system does everything it can to support sustainable economic growth.

- 6.6. **Use** - The principle of the acceptability of an employment building on this site has already been established by the outline planning permission and the reserved matters approval for DC6. The proposal for a B8 use is in accordance with Condition C5 attached to 2005/01263/PA which stipulates the range of acceptable uses. The proposed development also accords with the masterplan, which has been formally agreed by BCC and which provides a framework for the development of Prologis Park.
- 6.7. **Design and Landscape** - The scale and massing parameters have previously been agreed and the height of the proposed building at 17 metres would be less than the requirement of Condition C12 attached to planning approval 2005/01263/PA which requires the maximum height of any of the buildings to be less than 21 metres.
- 6.8. The main design issues therefore relate to layout and building design. The proposed extension is of the same design style to the existing DC4 building. The simple architectural style is acceptable and features including roof supports, projecting canopies, the microrib walls and loading docks which would provide some interest and is an acceptable building treatment. The proposed extension would be sited approximately in the same position as the previously approved DC6 Unit and is acceptable.
- 6.9. Structural landscape planting is proposed around the site which is in accordance with previously agreed landscaping principles. The plot landscaping proposals consist generally of tree and shrub planting together with high quality hard surfacing. It is intended that the landscape proposals would enhance the character of the site and create a unifying element throughout the scheme and enhance biodiversity.
- 6.10. **Transport** - The Minworth Village bypass and associated highway improvements were provided as part of the outline planning permission and under the requirement of condition C7 attached to 2005/01263/PA were completed prior to the construction of any new buildings on the wider Prologis Park development. The bypass has removed much of the traffic that passed through Minworth Village as well as accommodating traffic to/from the development. Traffic flow analysis submitted with the outline application indicated that all junctions would operate well within their operational capacities.
- 6.11. A Transport Technical Report has been submitted with the application, which revises the trip generation and traffic impact sections of the previous Transport Assessment to take into account the increased floor space proposed. The results of traffic count comparisons demonstrate that traffic volumes on the surrounding network (the A4097 Kingsbury Road) have decreased since the original surveys were carried out in 2001 during both peak periods and over the average daily flow.
- 6.12. Traffic flow assessments and highway capacity assessments have been carried out which show that the additional peak hour traffic created by the proposed extension to DC4 would be minimal and can be accommodated within the highway network. Transportation Development concur with the conclusions of the Transport Technical Report and raise no objections.

- 6.13. **Environmental** - With regard to noise, the main noise impact of the Prologis Park development was considered by the Environmental Statement which accompanied the outline planning application to be on residential properties to the east of Water Orton Lane. It was identified that noise levels for these properties caused by traffic generated by the development could be mitigated by the provision of an acoustic barrier and mounding which has been provided.
- 6.14. The outline planning permission for the site included two conditions relevant to noise. The first condition required that a noise modelling report be completed along the by-pass to demonstrate that no noise sensitive property along the road would experience more than a 5dB increase at night time. The second condition controls operational noise from the site at the rear façade of identified properties on Park Lane and Water Orton Lane.
- 6.15. An updated Noise Impact Assessment has been undertaken, which uses new background survey data and the updated traffic flows to advise on the impact of the new application. This assesses the impact of the proposed increase in floorspace on noise generated from the bypass and concludes that the proposal to extend DC4 will not materially affect either site noise emission levels or traffic noise emission levels and would remain compliant with the previously imposed conditioned noise limits. Regulatory Services agree with the conclusions of the Noise Impact Assessment and raise no objections.
- 6.16. The site was contaminated; however remediation of the wider Prologis Park site has been undertaken in accordance with a strategy agreed with BCC and the Environment Agency, as required by conditions B12, B13 and B14 of the outline permission.
- 6.17. The Contamination Land Team have reviewed the Contamination Statement submitted with the application that details the proposed gas protection measures for the scheme and have recommended a condition requiring the implementation of these measures and submission of a verification report prior to occupation.
- 6.18. An updated Air Quality assessment has been undertaken, which considers the potential air quality impacts associated with the increase in floorspace proposed. The updated assessment takes into account the increased number of vehicle movements associated with the development as well as updated air quality planning guidance, standards and available data. The Air Quality assessment concludes that the increase in floorspace would result in an imperceptible increase in air pollutants, which is considered to be acceptable.
- 6.19. **Flood Risk and Drainage** - An assessment of flood risk and agreement of appropriate flood mitigation measures was agreed with BCC and the Environment Agency for the wider development as part of the original outline approval. Agreed mitigation measures comprised the provision of an environmental buffer along the River Tame corridor including compensatory flood storage in a balancing pond which have been provided and the setting of minimum floor levels across the site.
- 6.20. An updated Flood Risk Assessment (FRA) submitted with the application notes that the proposed extension would not increase the impermeable area of the site and concludes that the extension can be accommodated with due regard to flood risk. The FRA considers the flood risk to the site from the River Tame is minimal due to the substantial flood mitigation measures in place. As the proposed development is

intended for land that was designated impermeable in previous FRA's the development would not generate additional surface water attenuation volumes.

- 6.21. The Environment Agency has commented that the original FRA as submitted does not comply with the requirements of the National Planning Policy Guidance. The applicants have submitted additional information to cover the deficiencies in the FRA and to demonstrate that the development will not increase flood risk elsewhere and where possible reduces flood risk overall. The Environment Agency has indicated verbally that the additional information is acceptable.
- 6.22. A drainage statement and drainage plans have been submitted with the application. The drainage strategy for the whole development was designed and implemented between 2006 and 2008. This includes the provision for surface water to be drained into an underground pipe network and culverts to discharge via the balancing pond into the River Tame. The foul water system has also been installed and discharges into a pumping station towards the west of the estate which was built as part of the Prologis Park development. Severn Trent Water raise no objections.
- 6.23. **Ecology** - An updated Ecological Statement, Extended Phase 1 Habitat Survey and Wildlife Management Plan have been submitted with the application. The Habitat Survey confirms there are no habitats present with significant ecological value which could be affected by the proposed development.
- 6.24. The Ecological Statement and Wildlife Management Plan contain recommendations for how the site should be approached in terms of a sensitive method of working for clearance including timing, protection and mitigation measures as well as ecological enhancement measures and guidance for the long term management of resources. The Planning Ecologist raises no objections subject to the development being implemented in accordance with the submitted Wildlife Management Plan.
- 6.25. **Employment** - The Economic statement submitted with the application identifies a potential for the creation of 50 direct permanent job opportunities based on the site, all of which would be a net gain to the area as well as indirect job opportunities in the wider area and region. The applicants have made a commitment to local employment and a suitable condition is attached to secure this.
- 6.26. **Environmental Impact** - An EIA screening request was submitted by the applicants. It was confirmed that a formal EIA would not be required on the basis of the potential impact of the net additional floorspace of 2,696sq.m which would be created above the previously consented 123,814.5sq.m of floorspace (an EIA was submitted for the original outline application comprising 117,000sq.m of floorspace) and the technical reports that have been submitted with the application.

## 7. Conclusion

- 7.1. The proposal is in accordance with local and national policy, the requirements of the previous outline planning permissions and approved masterplan and is an acceptable use in this existing employment park.

## 8. Recommendation

- 8.1. Approve Subject To Conditions.

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- 1 Requires the implementation of the submitted mitigation/enhancement plan
  - 2 Requires that the materials used match the main building
  - 3 Requires the implementation of landscaping prior to occupation
  - 4 Requires the submission of a verification report prior to occupation
  - 5 Requires a commitment to local employment
  - 6 Requires the scheme to be in accordance with the listed approved plans
  - 7 Limits the approval to 3 years (Full)
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Case Officer: John Davies



**Photo(s)**

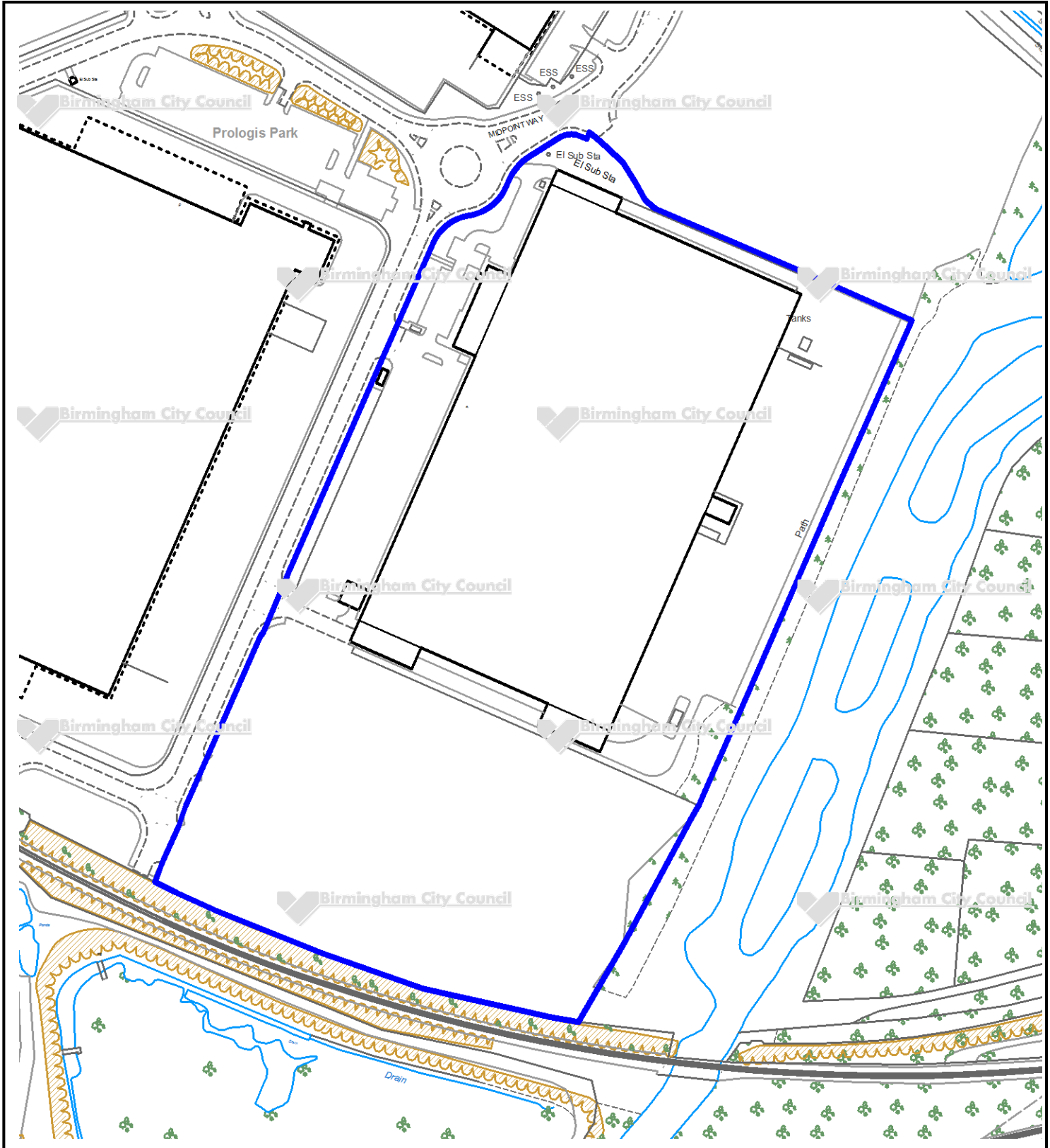


**Figure 1 – View across Plot 6**



Figure 2 – Plot 6 with Unit DC4

# Location Plan



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