

Application Number:	2012/604	Application Type:	Full
Proposal:	Change of use of vacant agricultural land to vehicle chassis parking area for 92 vehicles and new vehicular access point with associated landscaping, boundary treatment and meter hut.	Location:	Land off Manchester Road to the East of Holme Lane, Haslingden
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	19 March 2013
Applicant:	Solomon Commercials	Determination Expiry Date:	23 April 2013
Agent:			

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REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/> MAJOR & DEPARTURE
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That Committee be minded to grant Permission for the reasons set out in Section 10 of the Report.

2. SITE

The application relates to a broadly triangular parcel of agricultural land measuring approximately 1.5 hectares in area. The southern end of the site runs parallel with Manchester Road opposite which is an area of open land used as playing fields associated with Tor View Community School.

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To the west of the site is Holme Lane, an unadopted lane on the opposite side of which is the gable and rear garden area of No. 552 Manchester Road. No.552 reads as the end point of the built up area in that location with the land to the east which includes the application site and as one travels down Manchester Road towards Ewood Bridge is open and rural in character. Boundary treatment to the site comprises natural stone walls with the northern, eastern and southern sides of the site benefiting from mature trees. Such is the topography of the area the application site is flat, however, as Manchester Road slopes downwards to the east the site is raised above the Road, particularly so at its eastern end.

The land is situated in an area of Countryside designated as Green Belt.

3. RELEVANT PLANNING HISTORY

None specific to this site. However, Solomon Commercials has submitted a number of applications recently for other sites :

- 2010/0646 Excavation of vacant land to form hardstanding for commercial vehicles with associated landscaping and fencing. (Kingsway Industrial Site)
Approved and implemented
- 2012/0102 One and a Half Storey Extension to Side (Knowsley Road Industrial Site)
Approved and implemented
- 2012/0373 Infilling of pond to create area for commercial vehicle hard standing (Kingsway Site)
Withdrawn
- 2012/0467 Alterations to highway including parking, roadways, access gates and perimeter fencing. (Kingsway Site)
Approved and works have commenced

4. THE PROPOSAL

In short, the applicant seeks permission for the change of use of the site from agriculture to a vehicle chassis parking area for 92 vehicles, entailing surfacing of an extensive area with road planings and formation of a new vehicular access to Manchester Road with associated landscaping, boundary treatment and meter hut.

The access point would be from Manchester Road where a new gated access would be provided, set back from the footway. A mix of 2.4 metre high timber and palisade fencing would enclose the site, set back from the site boundaries with additional planting provided to the Manchester Road elevation. The timber fencing would be to the Manchester Road and part Holme Lane sides. Lighting and CCTV are to be provided. Further details in respect of these is awaited.

5. APPLICANT'S CASE

Background information provided by the applicant is as follows:

“Solomon commercials Ltd is a major Rossendale employer having been located in the valley since 1976. Today the company employs close to 300 people in a whole range of skills and responsibilities. Its main activities are the manufacture of refrigerated rigid vehicles for the food industry and particularly the grocery home delivery market. As part of this process the customers purchase and provide the brand new chassis cabs for Solomon to manufacture the bodywork on the back and thus storage of these chassis cabs at the start and end of the process is a necessity. Solomon currently own six factories on three different sites along the A56 corridor in Haslingden. It has proved a successful strategy with different departments occupying different sites and has lead to sustained growth and employment.

The major problem that the current factory space does not provide is enough outside storage space for the vehicles before, after and between stages of build. The company currently cannot store all the vehicles it needs to and rents space down at Heywood adding cost to the business. For the company to protect its current jobs and to facilitate future growth in its Rossendale factories the company needs additional storage in close proximity to its sites.

The current factory footprint is large enough to sustain more growth and employment if we can secure the additional parking. The facilities at these existing factories are large enough to accommodate the extra employees etc. As the market place polarises it's imperative that Solomon grows with demand to remain competitive and a valued employer in the valley.

During the summer of 2012 Solomon applied for permission to create extra parking at its Kingsway site by way of filling in a manmade pond. Because of the unpopularity of this scheme they shelved this proposal and have spent an exhaustive four month period looking for alternatives. They have had various meetings with the council and planners trying to identify flat land that is available or would be available for growth. Every project has been considered and they arrive today at having just one viable site that will help sustain the business and provide further employment in the valley. Without this site the company would have to follow the lead of other major employers and start the relocation process out of the valley to either the M66 or M65 corridor. As the vast majority of our workforce is local they are extremely reluctant to do this. This is why this proposed parking facility is very important to them. They simply have to obtain this planning permission to continue to succeed in the valley.

The proposed site is a 3.76 acre flat site adjacent to the A56 and is very close to the main roundabout where the woolpack pub is located. It has great access and is within easy reach of all our factories. The site itself whilst classified greenbelt, is on the fringes and is not prime country side being sandwiched between two main roads. It is not particularly over looked and is quite inconspicuous. The actual appearance from the road side of this site will be improved by the scheme. The current land is poor grade agricultural and has been left in disrepair for a number of years.

Solomon are proposing a sympathetic storage yard for their new vehicles that will be used as the longer time storage area where vehicles remain for a few weeks , rather than hours or days between build stages thus cutting down the ins and outs considerably and leaving those type of higher traffic flows to our existing sites. Operating hours of 8am until 5pm are designed to be friendly for any local neighbours. Vehicle inflow and out flow will be within these times and the movements will be sporadic with batches of vehicles moved once or twice a day etc. The site will not be manned although it will be fully secure. Security will be provided by PIR lighting and remote monitored cctv.

The yard will be designed with a native vegetation screen from the Manchester and Holme Lane elevations to soften its appearance and if anything improve the species habitat of the area. It will be 'low level development' with only a small hut located on the site and the rest being open land with perimeter fencing. This storage site will safeguard Solomon's place in the valley over the coming years and facilitate additional growth through its existing factory base. Its success is vital in supporting employment in the valley."

As advised by the applicant the employment statistics are as follows:

Current Employment levels - 285 people

Short term 12 month – 18 month - 45 additional jobs including apprentices

Medium to longer term - Further 95 additional jobs including apprentices

Further Information

Officers considered that in order to arrive at a more fully considered view of the application further information from the applicant was required. The following was requested:

1. The Supporting Planning Statement says “Solomon currently own six factories on three different sites along the A56 corridor in Haslingden”.
For each of the three sites along the A56 corridor please provide:
 - a) a Plan at a suitable scale to show the location and extent of your land ownership and distinguishing between coverage with buildings / delivery yards / chasis & lorry storage areas / staff parking areas / areas to expand into; &
 - b) a Brief Description of what each site does, how many people it employs, how its function has influenced its layout, how activities on the different sites relate to each other, etc.

2. The Supporting Planning Statement says “The company currently cannot store all the vehicles it needs to and rents space down at Heywood adding cost to the business”.
Please provide :
 - a) a Plan at a suitable scale to show the location and extent of the Heywood site; &
 - b) a Brief Description that includes details of its size, surface, lighting & other facilities; the extent to which it has/is/will need to be used (in the absence of the Application Site) in terms of number of vehicles stored at any time / frequency with which vehicles are delivered & removed; basis on which you have this land in terms of the rent paid and how long you can remain/notice period to quit.

3. The Supporting Planning Statement says you have “spent an exhaustive four month period looking for alternatives” which resulted in “just one viable site”, namely the Application Site. Please provide a document detailing the Site Search which has been undertaken with the following format :
 - a) a List of Site Criteria/Constraints (excluding cost) and basis for them e.g. site size & gradient, standard of approach roads & access-point dimensions, etc;
 - b) a Plan showing your Search Area and basis for it;
 - c) a List of the sources / databases searched for sites within the Search Area meeting the stated Criteria;
 - d) produce a Table in which you set out the pros and cons (excluding cost, but including existing land use and land designation) for each of those sites identified (including the Application Site) and the sites at New Hall Hey, Mayfield Chicks, Hud Rake in Haslingden, adj Baxenden Chemicals in Rising Bridge, the Pond site of your earlier application, the adjacent land extending up to Grane Road currently the subject of boundary change review, the existing caravan storage site on Blackburn Road in Edenfield, then ranking their suitability; &
 - e) for each site in the Table provide information you have upon the approaches you have made to their owners/responses received and any information you have about the costs you would incur in acquiring/making them available for vehicle storage.

4. The Supporting Planning Statement says the proposal the subject of the earlier application, to create extra parking at the Kingsway site, was shelved “because of the unpopularity of the scheme”.
Clearly the infilling of the pond was seen by you as a suitable means of meeting the need for vehicle storage without incurring excessive costs. Please provide details of the costs you would have incurred in delivering that scheme. From recollection there were objections from LCC Ecology and the Environment Agency to that scheme. Have you investigated

their concerns and how they could be addressed (in whole or part) and the cost of doing so ?

5. You may also wish to say more about the scope you see for growth in Solomon's business/employment in the coming years if suitable vehicle storage facilities are made available, and the scale/location of any building expansion that this would entail.

The response has been appended in full to this report.

The applicant has also provided additional information regarding land values and viability to develop the application site and the other sites within the Borough. This information is of a confidential and commercially sensitive nature and therefore has not been appended to the Case Officer Report.

6. POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (2012)

- Section 1 Building a Strong, Competitive Economy
- Section 4 Promoting Sustainable Transport
- Section 7 Requiring Good Design
- Section 8 Promoting Healthy Communities
- Section 9 Protecting Green Belt Land
- Section 10 Meeting the Challenge of Climate Change
- Section 11 Conserving and Enhancing the Natural Environment

Development Plan

Regional Spatial Strategy for the NW of England (2008)

- Policy DP1-9 Spatial Principles
- Policy RDF1 Spatial Priorities
- RDF2 Rural Areas
- RDF4 Green Belts
- Policy RT 2 Managing Travel Demand
- Policy RT4 Management of the Highway Network
- Policy EM1 Environmental Assets

Rossendale Core Strategy DPD (2011)

- AVP 6 Haslingden and Rising Bridge
- Policy 1 General Development Locations and Principles
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Provision for Employment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity, Geodiversity and Landscape Conservation
- Policy 19 Climate Change
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Designed Spaces
- Policy 24 Planning Application Requirements

Other Material Planning Considerations

Planning for Growth – Ministerial Statement (March 2011)

7. CONSULTATION RESPONSES

RBC (Economic Development)

There is strong support from Economic Development for the proposal from Solomon's to create an extra storage site for their transport Chassis on this site. The total investment is around £390,000 and would create 45 new jobs in the area.

They currently employ 285 local people and have a projected annual turnover of £44 million for next year of which £2-£3 million will be spent locally. They are currently using 2 temporary storage sites in Heywood and Chadderton but this is expensive and not satisfactory.

They have been in the area for 37 years spread over 3 separate sites and are reluctant to move but have been offered a site on the Pilsworth Estate in Bury where they could consolidate their operations (new build). We would not like to see them relocate the 285 existing jobs out of the area as it has been their policy to employ and recruit local people to positions within the firm. Many of these people may be unable or unwilling to relocate. The future benefit of the 45 new jobs would not go to Rossendale but would be displaced to Bury and its surrounding areas. The effect on the local economy would also be severe as it has been Solomon's policy to buy supplies totalling £2-£3 million annually from local firms as much as possible. There is also the local daily spend of the workforce on food, drink and sundries in the local shops in Haslingden to be taken into consideration.

RBC (Forward Planning)

(Summarised) - The land is located in the Green Belt, as shown on the current Proposals Map.

Paragraph 90 of the NPPF states that engineering operations would not constitute inappropriate development within the Green Belt provided they preserve the openness and do not conflict with the purposes of including land within the Green Belt. However, this scheme clearly does. Hence it is necessary to assess the harm to the Green Belt associated with this proposal, and then address whether 'other considerations' exist which outweigh any harm.

Openness is a key characteristic of the Green Belt, as strongly reinforced in the Government's Planning Framework. It is considered that this parcel of land contributes significantly to the openness of the Green Belt in the locality.

Based on the initial submission, the applicant notes that alternative sites have been investigated but were considered unsuitable. The case made is, however, sparse on detail. Given the harm to the Green Belt caused by inappropriate development the lack of alternative, and more suitable sites, needs to be clearly demonstrated.

This proposal constitutes inappropriate development and would cause significant harm to the Green Belt, particularly in respect of openness and its visual amenities, and would impact on longer views, and also reduce the distance of the Green Belt between the built up area around Bent Gate and the urban area around Townsend Fold.

The NPPF states that very special circumstances will only exist when any harm is clearly outweighed by other considerations. In this case the applicant is arguing the special circumstances relate to the need to find additional land for the parking of 92 vehicles, which will enable the company to stay in Rossendale and expand, creating additional jobs.

However, based on the initial submission, it is considered that although the proposal will provide jobs and support to a key local business, this is not enough to overcome the harm to the Green Belt that this proposal would cause, particularly as the applicant has not adequately demonstrated as to why other sites are not suitable.

LCC (Highways)

No Objection

“Solomons have confirmed that all deliveries will continue to go directly to the Kingsway site and there will be no changes to the staff parking arrangements. The chassis will be moved to the storage yard at Manchester Road by staff and a pool car will take them back to the existing depots at Knowsley Road and Kingsway and this process will work in reverse when the chassis are required back at the depots.

The vehicles movements will be infrequent on the highway network. The classified highway network connecting the proposed yard and depots is suitable to accommodate the additional vehicle movements.”

RBC (Environmental Health)

No objection

Environment Agency

The application form states that surface water will be disposed of to soakaway and we understand that the car park surface will be gravel/chippings. We have no objections to the disposal of clean, uncontaminated surface water to soakaway but it will be for the local authority to consider whether or not the ground conditions are appropriate for this method of surface water disposal.

If the material to be used to surface the car park is classified as a waste, it may require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies.

United Utilities

No objection provided that surface water is discharged to soakaway

Lancashire Constabulary Architectural Liaison Officer

(Summarised) - Within the last 12 month period, auto crime and burglary (non-dwelling) within the immediate area amounts to 61 reported crimes.

The MO for one of these reported crimes was that a vehicle was stolen from a business park in the area, taken to a different location where the engine was removed from the vehicle. The offenders left the stolen vehicle, taking the engine with them.

In another reported crime, fencing was taken down to gain access to a vehicle hire centre and the catalytic converters were removed and stolen from 2 vans.

Catalytic converter theft has recently been in the media due to the national rise in this type of crime. With the scrap value of these being around £500, it is likely that this type of crime would occur on such a facility. The cost to the business of replacing these could be huge if prevention measures are not put in place at the outset.

Due the threat of high value theft at this proposed site I would ask that the crime prevention measures as outlined within the representation be made a condition of the planning permission should it be granted.

Summary of the Crime Prevention Measures:

- A more 'robust' fencing type should be considered such as anti-climb welded mesh security fencing or similar.
- The automated access gates to be alarmed to alert the main office or key holder of unauthorised access.
- Careful consideration regarding CCTV and lighting. It is unclear how the CCTV is to be monitored, where from? Is it recorded? If so how long will the footage be kept for? These details need careful consideration. Is there another site with 24 hour security that could monitor the CCTV from this site? If a crime was to occur it is likely that it would be out of normal working hours.
- CCTV coverage of the site must be comprehensive and give a good clear image capable of identifying registration marks of vehicles entering the site and descriptions of offenders. The ability to zoom in to any criminal activity would be highly effective in providing identifications for criminal prosecutions. The lighting must be compatible with the CCTV system or data recorded could be poor quality ineffective for prosecution.

Highways Agency

No objection

Your authority may wish to impose a condition relating to landscape screening of the site in order to minimise the impact of this development on the green belt. Normally in such situations we would expect any such screening to be within the land owned by the applicant.

From the drawings submitted by the applicant it appears that land available for such screening within the site may be limited. However, this may be as a result of an inaccuracy with the land ownership boundaries shown on the drawing. My understanding is that our ownership ends at the boundary fence of the trunk road, which is slightly different to that shown by the applicant. Assuming that is correct, it would appear that sufficient land within the applicant's site should be available to provide adequate screening without the need to provide additional landscaping on the trunk road.

LCC (Strategic Planning)

No comments to make from a strategic level. The site is on Green Belt Land and this will need to be considered; it is for the Borough Council to decide on this matter.

7. REPRESENTATIONS

To accord with the General Development Procedure Order 3 site notices were posted on 01/02/2013, 102 neighbours were consulted by letter on 30/01/2013 and a press notice was published on 08/02/2013.

19 letters have been received objecting to the development, including a letter from Councillor Gladys Sandiford. The grounds for objection are summarised below:

- This land is Green Belt, it should not be changed
- The area is very rural and attractive
- Greenfield sites should not be held to ransom by companies that say they will increase jobs in an area
- The development would be seen from traffic entering the valley from the bypass and take away the green and open land/views that would affect people perception of Rossendale
- There is no benefit to the local area

- Effect on wildlife
- Industrial and residential uses should be kept separate
- Increase in traffic and noise
- How can they stick to the times of use of the site and run an efficient operation
- From many nearby apartments the site will appear as a sea of HGV's
- Impact on local wildlife
- The site is not an industrial estate
- The land is still being used for agricultural purposes
- Would hinder the workings of the school opposite

Councillor Gladys Sandiford has commented as summarised below:

- The proposed site is situated in the green belt. The Council's current consultation on recommendations to change the status of various green belt sites in Haslingden does not nor has not included this site.
- This plot of land is designated for agricultural use only.
- The development will be a blight on the landscape
- The field will easily become churned up and hard surfacing of a turning area at the entrance will destroy some vital soakaway land.
- It is to be hoped that there would be no flood lighting introduced for protection in this stand alone site.
- Whilst it is appreciated that this prestigious business requires land in order to expand and to maintain and provide jobs in Rossendale, it is felt that this is not the correct location. This conflicts with tourism which relies upon the scenery and loss of agricultural land
- Permission for this application could set an unwelcome precedent.
- No amount of landscaping can hide away a parking lot of this size in the countryside.

8. ASSESSMENT

Members should be aware that the proposed scheme constitutes a Departure from the Development Plan. Accordingly, should Members wish to grant permission for the scheme, the application must be referred to the National Planning Casework Unit (NPCU) who manage planning decisions on behalf of the Secretary of State for Communities and Local Government. The NPCU will then determine, within a period of 21 days whether to allow the Council to issue this decision or issue a direction under Section 77 of the Town and Country Planning Act to take determination of the application out of the hands of the Local Planning Authority.

The main considerations of the application are: 1) Principle/Countryside Impact; 3) Neighbour Amenity; and 4) Access/Parking.

Principle/Countryside Impact

Development of this type should be located within the Urban Boundary. In accordance with Policy 1 of the Council's Core Strategy, proposals outside of the urban boundary will be determined in accordance with the relevant national and local planning guidance.

The site lies within the Green Belt. The scheme proposed constitutes inappropriate development within the Green Belt. The essential characteristics of Green Belts are their openness and permanence. Development which is harmful to the Green Belt should not be approved except in **very special circumstances**.

Para 88 of the NPPF states that “‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.

In my view the proposed development would cause substantial harm to the Green Belt. Openness would be eroded and the essentially open and rural character would be lost, being replaced by a large expanse of vehicles sited on a large area of hardstanding, not only when viewed from Manchester Road, but also from longer distance views within the Borough and potentially exacerbated by proposed lighting and additional requirements as advised by the Police Crime Liaison Officer. Planting is proposed by the applicant, however, planting does not alter the fact that openness to the Green Belt would be lost. The proposed planting therefore in my view adds little weight in support of the scheme.

The main argument put forward by the applicant is job creation, and that they consider there are no other sites within the Borough that are suitable, available and viable. Accordingly it is stated that relocation of Solomon Commercials outside of the Borough may be the only option available should permission not be granted for this scheme. This constitutes an important material consideration in the determination of the application.

Given the Green Belt Policy and the proposed use it is considered necessary to ensure that every other possible alternative has been looked at and fully assessed. To approve an application for a use appropriate to an industrial/commercial environment, outside of the Urban Boundary in a Green Belt location and in an area unallocated for such a use, if not properly justified could set a dangerous precedent for the Borough.

Accordingly further information has been requested and supplied by the applicant (appended). In my opinion this provides sufficient information (along with the separately submitted costings and viability appraisal which responds to points 3 (e) and point 4 on page 5 of this report) to allow me to conclude that this particular site is the only functional and viably acceptable site available for the proposed use, thereby enabling the company to sustain its growth and employment and stay within Rossendale.

That being the case I consider that the benefits of the scheme constitute the very special circumstances needed to outweigh the finding of inappropriateness and the harm caused to the Green Belt. Furthermore, the clear methods of assessment for all other suitable sites within the Borough, taking into account the obvious needs of the company to provide additional space means that a decision to approve the scheme would not set a dangerous precedent for development within the Green Belt.

Taking all of the above into account it is considered this proposal is acceptable in principle.

Neighbour Amenity

The Council’s Environmental Health Section is satisfied that due to the nature of the use and the proposed hours of use the scheme would not be unduly detrimental to neighbours by reason of noise. Considering its siting next to Manchester Road, I have no reason to disagree with this finding. As this is for storage of vehicles I do not consider there would be an impact on privacy. The scheme is considered acceptable in terms of neighbour amenity.

Access/Parking

There has been no objection from the Highway Authority. I am satisfied that due to the nature of the use there would not be high volumes of traffic movements throughout the day, and as stated by the Highway Authority the road network linking the site to the other two sites within the Borough are suitable to accommodate the additional vehicle movements. Assuming visibility splays are

maintained at the site entrance and the site is suitably marked out for the number of vehicles proposed, the scheme is considered acceptable in terms of highway safety.

Other Material Planning Considerations

Lancashire Constabulary's Architectural Liaison Officer has highlighted that the development is likely to be a target for criminals, owing to the vehicles to be left parked on the land and their value, the lack of natural surveillance around the site and that the site would not be staffed. This further adds weight to the argument that this is not an appropriate location for the site. However, planning conditions could be imposed that would lessen the likelihood of criminal activity taking place. Accordingly this would not be sufficient to form a reason for refusal in its own right.

Comments are awaited in respect of Ecology Impacts.

9. SUMMARY REASON FOR APPROVAL

The scheme constitutes inappropriate development within the Green Belt and would introduce a use into the Green Belt, on previously undeveloped land that is most appropriate to an industrial/commercial area, and in changing an agricultural field to hardstanding and siting 92 vehicle chassis on it, would cause considerable harm to the openness of the Green Belt and its visual amenities. However, the case put forward by the applicant that this is the only functional, viable and available site within the Borough to allow the company to grow without having to move outside of the Borough and given their significance in respect of employment within the borough is considered to provide the very special circumstances to outweigh the finding of inappropriateness and the harm caused to the Green Belt. Accordingly the scheme is considered to accord with Sections 1,4,7,8,9,10 and 11 of the National Planning Policy Framework, Policies DP1-9/RDF2/RDF4/RT2/RT4/EM1 of the Regional Spatial Strategy and Policies 1, 8, 9, 10, 17, 18, 19, 22, 23 and 24 of the Council's Core Strategy DPD (2011).

10. RECOMMENDATION

That Committee be minded to grant Permission.

CONDITIONS

Conditions are recommended in relation to the following matters and detailed wording will follow in time for consideration by the committee:

- 1) Commencement of development within 3 years
- 2) To ensure the development is carried out in accordance with the approved drawings
- 3) Materials
- 4) Access
- 5) Landscaping/Lighting/CCTV/Crime Prevention Measures
- 6) Delivery Times
- 7) Number of vehicles to be stored on site