

UPDATE REPORT

FOR DEVELOPMENT CONTROL COMMITTEE MEETING OF 23 FEBRUARY 2021

Item B1 2020/0363 Proposed Foodstore, Henrietta Street, Bacup

Since publication of the report, Members' attention is drawn to the following:

- 1. Flood Risk
- 2. Amended Plans
- 3. Highway Objections

Flood Risk

A response from the Lead Local Flood Authority dated 15 February 2021, confirms they have no objection to the proposed development subject to the inclusion of four planning conditions as listed below:

Amended Condition 29

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk and Surface Water Drainage Assessment, Ref: No.: 3148-FRA, Rev: A, Dated: July 2020, By: Integra Consulting.

No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development.

The measures shall be fully implemented prior to first occupation and evidence of which submitted to the Local Planning Authority (in consultation with the Lead Local Flood Authority) prior to first occupation.

<u>Reason</u>: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Amended Condition 30

No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

a) Sustainable drainage calculations for peak flow control and volume control (agreed Qbar rate of 12.15l/s), with allowance for urban creep.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;

ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;

iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;

iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;

v. Finished Floor Level (FFL) in AOD, to be a minimum of +247.7 (EA 1/100 year flood risk level), with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;

vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;

vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

<u>Reason:</u> To ensure satisfactory sustainable drainage facilities are provided to serve the site.

Additional Conditions

35. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

<u>Reasons</u> 1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere; 2. To ensure that any pollution arising from the

development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

36. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme <u>as constructed</u>.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

<u>Reason</u>: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

Submission of Amended Plans

The Access / Highway section of the report explained that Lancashire County Council Highways requested an amended plan to show the 3 metre shared cycleway be extended in length from Henrietta Street to Market Street. Amended plans have been submitted and are included with this Update Report and are also uploaded to the public file on the Council's website. The Highway Engineer has been consulted and is satisfied that the changes are as required.

As a result of the changes, Condition 2 shall be amended to reflect the revisions to the Site Plan (now Rev H) and the Landscape Plan (now Rev E):

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date		
Proposed Site Plan	102 Rev H	11/02/2021		
Proposed Roof Plan	105 Rev A	07/08/2020		
Proposed GA Plan	103 Rev C	29/01/2021		

Proposed Elevations	104 Rev B	29/01/2021		
Proposed Roller Shutter	107 Rev C	29/01/2021		
Details				
Tree Pit Detail	D01	29/01/2021		
Tree Pit Detail Hard	D02	29/01/2021		
Landscape Plan	L01 Rev E	11/02/2021		
Site Location Plan	100 Rev A	07/08/2020		
Design and Access Statement	Issue 2 – January 2021	29/01/2021		
Flood Risk Assessment		07/08/2020		
Ecological Walkover Survey		07/08/2020		
Noise Impact Assessment		07/08/2020		
Transport Assessment and		27/08/2020		
Travel Plan				
Planning and Retail Statement		27/08/2020		

<u>Reason:</u> To define the permission and in the interests of the proper development of the site.

Highway Objections

Highway safety related objections were received towards this application (from DTPC and SCP consultants), and are available to view, along with all representations, on the public file on the Council's website. Although the objections were summarised within the report, Officers did not summarise the response received from LCC Highways, in direct response to it. The LCC Highways response is now available to read on the public file, and is included with this report.

One specific concern expressed is in relation to the width of the footway on Market Street, on the northern corner of Henrietta Street – that it is too narrow, rendering it unsafe. LCC Highways have responded on this point as follows:

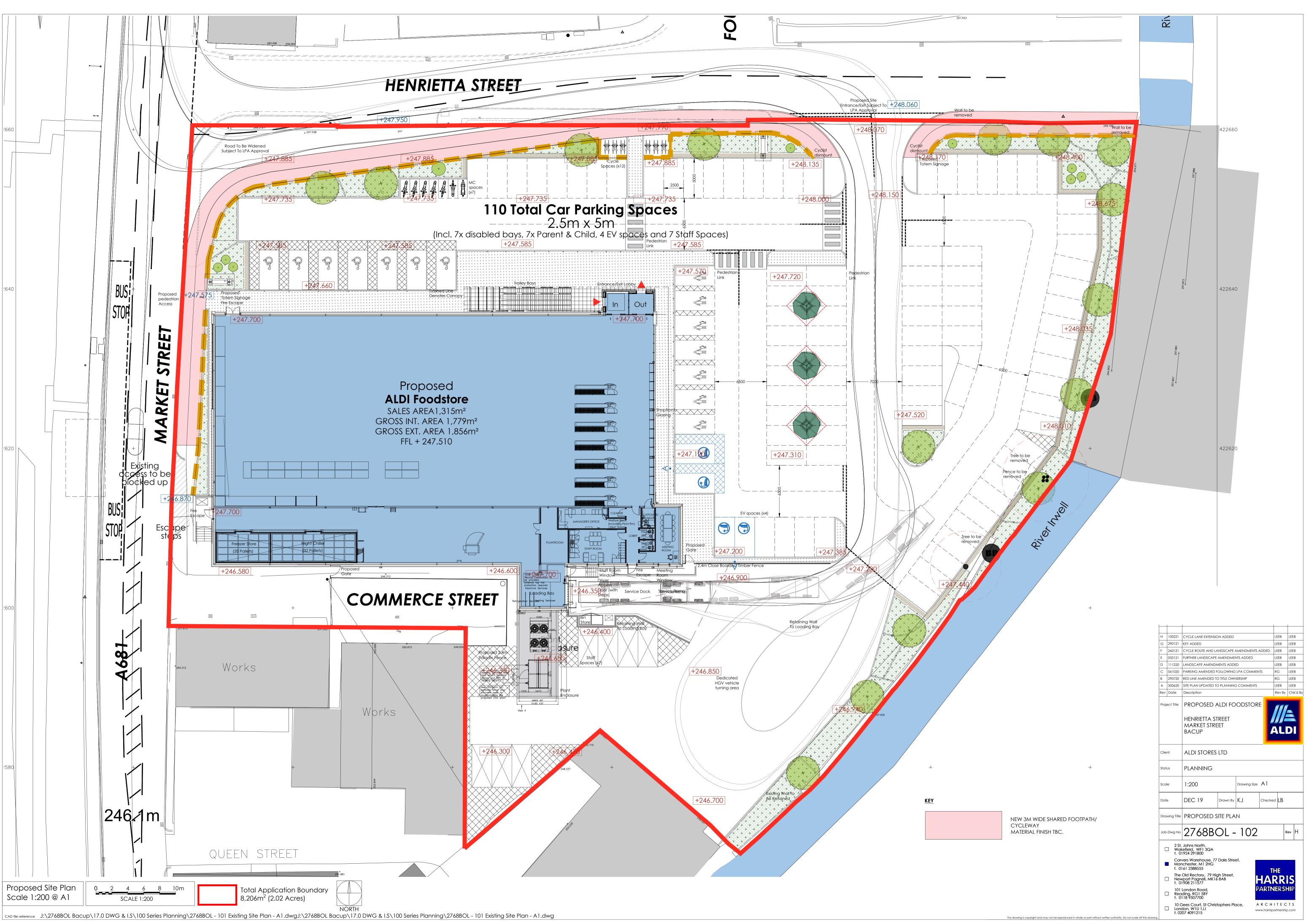
"The alterations to the Henrietta Street / Market Street junction will be subject to a full safety audit process as part of the s278 scheme approval process and any issues regarding visibility, pedestrian facilities will be addressed. It should however be borne in mind that the junction in its current form serves 2 existing users (Morrisons' deliveries and an LCC highways depot). There are no recorded injury accidents at this junction and any improvement would provide betterment to the existing situation."

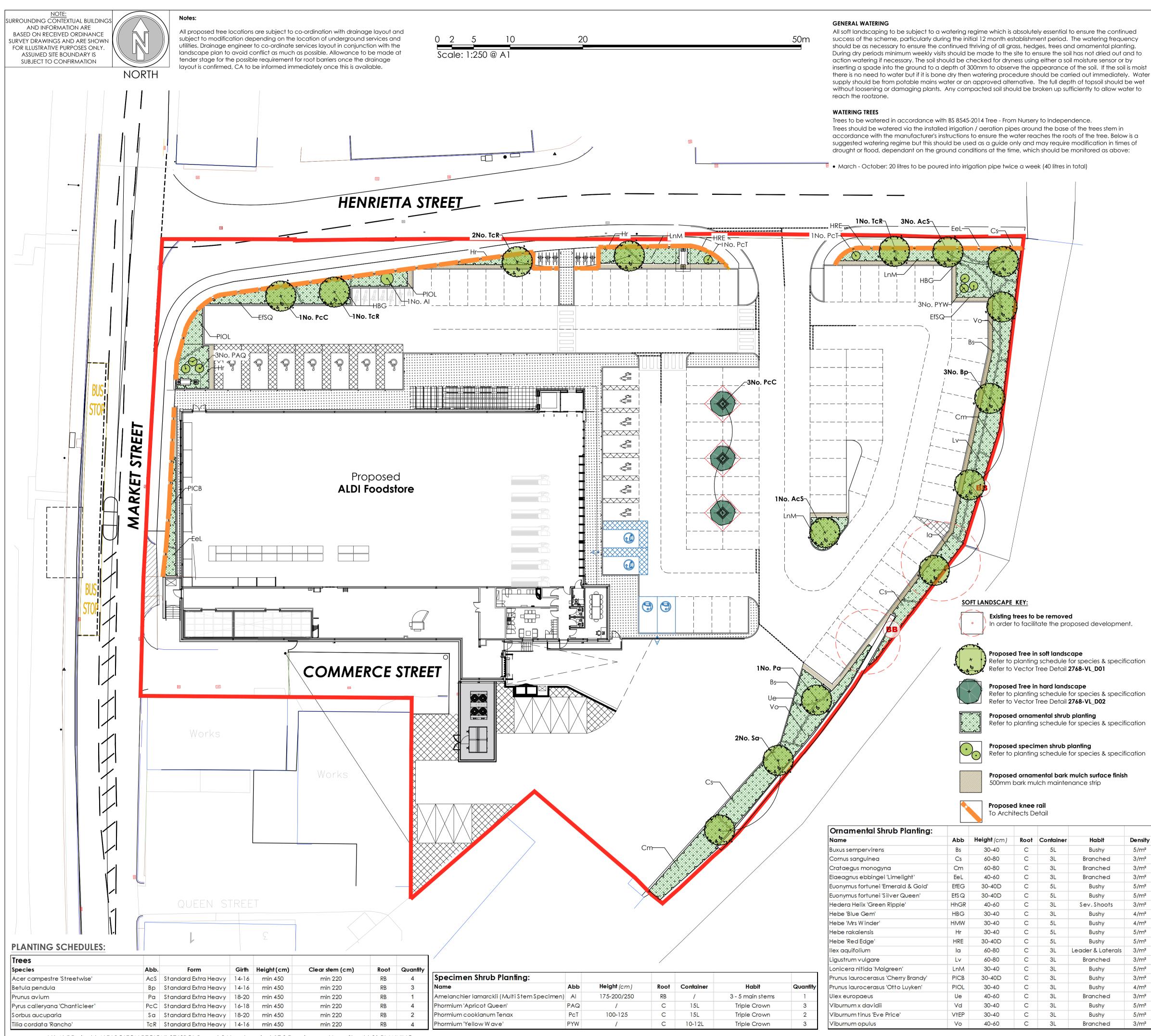
In summary, and as per the report, there is no objection to this application from LCC Highways in relation to highway safety, connectivity or parking and there is no change to the recommendation.

Conclusion

As a result of comments from the Lead Local Flood Authority, changes to two conditions in the report are recommended, in addition to two new conditions. As a result of amended plans, changes to the list of approved drawings in Condition 2 are recommended. The recommendation to approve remains unchanged.

Mike Atherton Planning Manager 19 February 2021

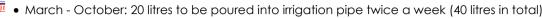




CAD file reference V:\Aldi Projects\ALDI BOLTON REGION\2768BOL Bacup\04 Landscaping\17.0 Drawings and Issue Sheets\01 PLANNING



accordance with the manufacturer's instructions to ensure the water reaches the roots of the tree. Below is a



SOFT LANDSCAPE SPECIFICATION NOTES

NOTE: All soft landscape works to be carried out in accordance with BS4428:1989.

SUBSOIL

Subsoil should be broken up to relieve compaction and aid drainage prior to topsoiling to the following depths: - For light and non cohesive subsoils: 300mm

- For stiff clay and cohesive subsoils: 450mm Immediately before spreading topsoil, remove stones larger than 50mm.

TOPSOIL

Existing site won topsoil to be reused for soft landscape areas if sufficient quantities are available and the topsoil meets the criteria for multipurpose topsoil as defined in table 1 of BS3882:2015 specification for Topsoil.

If imported topsoil is required it is to be supplied and spread by the main contractor to the approval of the Landscape contractor, in accordance with BS 3882 :2015. To be a natural sandy loam, of medium texture, with a pH between 5.5 and 7.8, not more than slightly stony and free of pernicious weeds. Subsoil to be well broken up prior to top-soiling to relieve compaction. Topsoil depths should be: Areas for Ornamental Shrub Planting: minimum 400mm Areas for cultivated turf: minimum 150mm

CULTIVATION

Weeds to be prevented from seeding or becoming established by applying a suitable herbicide and allowing the correct time to elapse, as directed by the manufacturer. Compacted soil to be broken up to a depth of 100mm, with any stones, grass tufts or rubbish larger than 50mm in any direction to be removed, leaving a regular and even surface. Suitable slow release fertiliser to be supplied and spread @ 50g/m2 to all planted areas.

CLIMATIC CONDITIONS

Topsoiling should be carried out in the driest conditions possible – cultivation to be carried out when the soil is moist, friable and not waterlogged or frozen. Topsoil should not be handled during or after heavy rainfall or when it is wetter than the plastic limit as defined by BS 3882. Planting should not take place in waterlogged conditions or when the ground is frozen.

SOIL AMELIORANT

Peat-free compost to be spread over ornamental shrub beds @ minimum 50mm depth prior to cultivation.

TREES

All trees within shrub beds to be planted in separate pits in accordance with tree planting detail 2768-VL-D01. All plant material to comply with BS 3936 Part 1 :1992, be obtained from a nursery certified by the HTA and transported to site in accordance with the HTA Plant Handling Guide: 1996. All trees to be planted to the original root collar and secured in place with underground guying system in accordance with tree planting detail. All trees to be fitted with aeration and irrigation system in accordance with tree planting detail.

If the trees are to beplanted outside of the planting season (late October - Late March) then containerised stock to be used in lieu of root ball to the same specification- allowance to be made for this at tender stage if required once construction timetable is known and CA informed immediately.

PROPOSED ORNAMENTAL SHRUB PLANTING

All shrubs to be positioned as shown on the drawing and to the density and specification noted in the plant schedule

Planting holes to be 150mm wider than the root spread, have the base ground thoroughly broken up before planting and backfilled with peat free compost. All shrubs to be equally spaced throughout the planting areas to the specified density in a staggered arrangement unless otherwise noted in the planting schedule.

SUBSTITUTIONS:

Upon submission of evidence that certain materials, including plant materials, are not available at the time of the landscape contract, the Landscape Contractor may be permitted to substitute other materials and plants in exceptional circumstances during the contract with an agreed adjustment of prices. All substitutions shall be of nearest equivalent species and variety to the original specified but shall be subject to approval by the Landscape Architect before any change is made.

TIMES OF YEAR FOR PLANTING:

- Landscape works to be carried out during the final possible planting periods prior to practical completion of the building and associated engineering works / car park areas in accordance with the following: - Native and ornamental trees: During dormant winter period - Late October to late March (only if planted in
- the planting season otherwise containerised stock to be used). Bare root native transplants: During dormant winter period - Late October to April.
- Container grown ornamental and specimen shrubs: At any time if ground and weather conditions are favourable.

MULCH

75mm depth of 8-35mm ornamental bark mulch (peat-free) to be supplied and spread to all planting areas. Finished mulch level to be installed and maintained at 25mm below any adjacent kerbs or paving surfaces.

MAINTENANCE

All planting areas to be maintained to a high standard by the contractor for <u>12 months</u> after practical completion, to ensure the landscape scheme is successful, and discourage decline of the area. Minimum frequency of maintenance visits:

December / January / February & March - 1no. visit each month

April to November - 2No. visits each month.

Generally, during the first 12months:

- All planting beds to be re-firmed and kept weed free through hand weeding and application of an approved herbicide where appropriate.
- All litter to be picked and removed from landscape areas.
- Mulch to be topped up as required to maintain the specified thickness.
- The condition of all trees is to be regularly checked, with ties and stakes adjusted or replaced as necessary.
- Shrubs to be pruned at appropriate times of year for each species to promote healthy growth and desirable ornamental features.
- All arisings to be removed from site.
- Any defects or plant losses occurring during the first 12 months defects period to be replaced at the contractors expense.

Following the initial 12 month establishment period the ongoing landscape management will be the responsibility of an commercial landscape maintenance contractor under a landscape maintenance contract.

Ecological Features Key:



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Proposed Bird Nesting Boxes Product: Vivara Pro Woodstone grey wagtail &

dipper nest box Location: To be placed along river channel wall Quantity: 2No.

Note: Indicative location of ecological features within the landscape shown on plan. Exact location and installation to be confirmed and supervised onsite by project Ecologist.

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Apologies for the delay in responding to this .

The various points raised in the objection are in order as dealt with in the TA submission by the applicant's traffic consultant .

Chapter 1 – The pre-application discussions with the applicant were undertaken on a confidential basis and as such it would be inappropriate for the Highway Authority to disclose the content of the discussions that were held other than to acknowledge that the discussions took place

Chapter 2 The development site

Para 2.1.3 relating to Commerce Street was made to discount the use of Commerce Street as an access point to the development site favouring Henrietta Street as referred to in Para 2.1.4 as the only suitable alternative bearing in mind that it already served several users (Morrisons' delivery yard ,LCC highway depot) and the improvements proposed would result in a betterment of the junction over the existing situation.

2.3.3 Pedestrian access – there is reference to the existing pedestrian link between Rochdale Road to the east and Henrietta Street via a flight of steps. These have been acknowledged in the report and identified by the Highway Authority for possible improvement works. Nevertheless in their present condition they can provide an adequate route. It is accepted that this route may not be suitable to all users and those with mobility impairment may have to visit the store to the lengthy rout e suggested. And one could argue that this was accepted in the Morrison's application approval.

The potential for visitors having to walk through the Morrisons' car park is also mentioned negatively, in practice Morrisons' staff are unlikely to prevent foot traffic through their site. It is also worth mentioning that the borough council are actively engaged in promoting a shared cycle / pedestrian route along the river between Bacup Town centre and Henrietta Street with potential to continue the route further south.

Para 3.8 The alterations to the Henrietta Street / Market Street junction will be subject to a full safety audit process as part of the s278 scheme approval process and any issues regarding visibility, pedestrian facilities will be addressed. It should however be borne in mind that the junction in its current form serves 2 existing users (Morrisons' deliveries and an LCC highways depot. There are no recorded injury accidents at this junction and any improvement would provide betterment to the existing situation.

Para2.3.11 The position of the existing bus stop and the proposed pedestrian refuge will be subject to detailed design and safety audit .

Further mention is made of the suitability of the steps from Henrietta Street to Rochdale Road whist this has been mentioned previously, the choice of route would be a matter of personal preference I would challenge the argument that this would be a barrier to shoppers from Rochdale |Road, especially on the return trip, laden with shopping. It is my experience, having visited ad observed a number of supermarkets that there is a steady demand for taxis / private hire to and most noticeably from the stores. Examples of multi-modal trips that would be in keeping and promote the sustainability credentials of the proposed development.

Para3.2.4 There is currently no continuous pedestrian footway along the south side of Henrietta Street. The provision of an internal routing into the site from Market Street will benefit movement to and from the south whilst visitors from the direction of Bacup town centre will either use the existing footway to the north side of Henrietta Street or alternatively walk through Morrisons' car park (with the possible o9ption to use the riverside path if and when constructed. As such ,the argument could be made that the provision of a full standard width footway along the south side of Henrietta Street would be largely unnecessary .

Para3.4.3 The argument stated assumes that the site has a low accessibility whilst acknowledging, without challenge, that the site has a medium accessibility as stated within the applicants submitted TA. The parking Standards adopted by Rossendale BC suggest 1:14 as a standard provision with this being reduced over a the range 1:15 – 1:22 according to the accessibility of the site. Taking the approximate midpoint (1:18) of these latter 2 figures to equate to the medium accessibility, the parking provision required for a GFA store of 1779msq would be 99 spaces. The applicant proposes 104 spaces. My comments relating to the possible sharing of parking demand with the adjacent Morrisons store was an acknowledgement that with the close proximity of there would be the potential for linked trips with the option of using either of the 2 available car parks.

dave bloomer Development Support Lancashire County Council