

<b>Application Number:</b>	2023/0108	<b>Application Type:</b>	Full
<b>Proposal:</b>	Full: Erection of new building to provide 11 no. Industrial starter units and new access	<b>Location:</b>	Land on the north east side of York Avenue Haslingden Rosendale
<b>Report of:</b>	Planning Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	5 <sup>th</sup> December 2023
<b>Applicant:</b>	Hometree Developments	<b>Determination Expiry Date:</b>	28.11.2023 EOT agreed to 08.12.2023
<b>Agent:</b>	ML Planning Consultancy Ltd		

<b>Contact Officer:</b>	<b>Claire Bradley</b>	<b>Telephone:</b>	<b>01706 238636</b>
<b>Email:</b>	<b>planning@rossendalebc.gov.uk</b>		

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	<b>Yes (Major Application)</b>
<b>Member Call-In</b> Name of Member: Reason for Call-In:	No
<b>3 or more objections received</b>	No
<b>Other (please state):</b>	

**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 the application be approved subject to the conditions specified below.

### APPLICATION DETAILS

## 2. SITE

The application relates to an area of overgrown grassland between Setco Automotive and UKSGP on Knowsley Park Way.

Whilst the site lies to the north east of York Avenue, it is accessed directly via Broadway onto Knowsley Road and then Knowsley Park Way.

The site is 0.328 Ha in size. The site is allocated employment land (EE18) and is entirely surrounded by other industrial units.

The site is currently overgrown with a number of self-seeded shrubs. There is a grass verge between the site and Knowsley Park Way which contains a telecommunications mast and associated cabinets.

The topography of the site is variable but generally flat (with a gentle incline towards the northwest).

The site is located within the urban boundary.

## 3. RELEVANT PLANNING APPLICATION HISTORY

There are no previous applications.

## 4. PROPOSAL

The proposed development is to provide 11 B2/B8 starter units of 108 sq. metres each totalling 1188 sq. metres.

The proposed building measures 79 metres x 15 metres with an eaves height of 5 metres and a ridge height of 7 metres.

The building is proposed to be constructed from a combination of profiled cladding to the elevations and roof with the lower walls being red facing brick to the east and south and block to the north and west with various areas of glazing.

The colour of the proposed cladding will be Willow on the roof and Sargasso Blue (RAL 5002) on the walls

The development proposes rooflights but no window openings. The front elevation will contain a roller shutter door and a personnel door for each unit.

The application also seeks permission for car parking, and servicing yard. Access to the site is shown from Knowsley Park Way.

## **POLICY CONTEXT**

### **National Planning Policy Framework**

Section 2	Achieving Sustainable Development
Section 4	Decision Making
Section 6	Building a Strong, Competitive Economy
Section 9	Promoting Sustainable Transport
Section 11	Making Effective Use of Land
Section 12	Achieving Well Designed Places
Section 15	Conserving and Enhancing the Natural Environment

### **Development Plan**

#### **Local Plan Policies**

SS: Spatial Strategy  
SD1: Presumption in Favour of Sustainable Development  
SD2: Urban Boundary and Green Belt  
EMP1: Provision for Employment  
EMP2: Employment/mixed-use allocations and existing employment sites  
EMP4: Development Criteria for Employment Generating Development  
ENV1: High Quality Development in the Borough  
ENV4: Biodiversity, Geodiversity and Ecological Networks  
ENV6: Environmental Protection  
TR4: Parking

### **Other material considerations**

National Planning Practice Guidance

## **5. CONSULTATION RESPONSES**

<b>Consultee</b>	<b>Response</b>
LCC Highways	No objection subject to conditions
Local Lead Flood Authority	No objections subject to conditions
Cadent Gas	No objection subject to informative
Environmental Protection	No objection subject to informative
United Utilities	Require additional information. No objection subject to conditions
Ecology (GMEU)	I note the site is however allocated for employment and would therefore recommend that landscape tree planting is proposed around the perimeter of the site and potentially a native hedge.
Fire Brigade	No objection

## 6. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 06.09.2023 and letters were posted out to neighbouring units on 30.08.2023.

No comments have been received.

## 7. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Visual Amenity;
- 3) Neighbour Amenity;
- 4) Access, Parking and Highway Safety
- 5) Ecology

### **Principle**

The proposed development is located within the urban boundary, where the Local Plan seeks to locate the majority of new development.

The site is reasonably sustainably located, within an area designated as existing employment, and directly adjacent to other employment uses.

As the application concerns an existing employment site, (site EE18) the proposal is assessed against the employment policies in the Rossendale Local Plan 2019 to 2036.

### **Visual Amenity**

Paragraph 130 of the Framework states decisions “*should ensure that developments:*

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).”*

Policy ENV1 of the Local Plan advises that all proposals will be expected to take account of the character and appearance of the local area, in terms of layout massing, scale and materials etc.

The proposed building measures 79 metres x 15 metres with an eaves height of 5 metres and a ridge height of 7 metres, and will be subdivided into 11 individual units. The building is proposed to be constructed from a combination of profiled cladding to the elevations and roof with the lower walls being red facing brick to the east and south and block to the north and west with various areas of glazing.

The colour of the proposed cladding will be Willow on the roof and Sargasso Blue (RAL 5002) on the walls. The development proposes rooflights but no window

openings. The front elevation will contain a roller shutter door and a personnel door for each unit.

The application also seeks permission for car parking, and servicing yard and access from Knowsley Park Way.

The proposed materials would be sympathetic to the surrounding buildings and are considered acceptable and in keeping with the surrounding area. The massing and design of the development is also in keeping with the character and context of the surrounding area.

In view of the above it is considered that the proposals are acceptable in terms of visual amenity. It is therefore considered that it is in accordance with the requirements of Policies ENV1, of the Rossendale Local Plan and Section 12 of the NPPF.

### **Neighbour Amenity**

Policy ENV1 (c) requires development to be *sympathetic to surrounding land uses, avoiding demonstrable harm to the amenities of a local area*; and (d) states that the *scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being over-bearing or oppressive, overlooking, or resulting in an unacceptable loss of light; -nor should it be adversely affected by neighbouring uses and vice versa*;

The location of the site is within an employment allocation surrounded by other industrial units. There are no dwellings in the immediate surrounding area.

The proposed development is not considered likely to impact on the amenity of any neighbouring property. It is therefore considered that the proposal satisfies the requirements of Policies ENV1, and ENV6 of the Rossendale Local Plan in neighbour amenity terms.

### **Highway Safety**

Knowsley Park Way is an adopted highway, unclassified and subject to a 20mph speed limit.

The Highway Authority have commented that:

*A new access on Knowsley Parkway is proposed however there are no detailed proposals submitted other than the position and an 11m wide opening. Should the application be approved a pre-commencement condition is requested to provide a scheme for the site access to include visibility splays X2.4m by Y25m in both directions along the nearside carriageway edge of Knowsley Park Way, a fully kerbed radius access road with footway to at least one side to provide pedestrian access from Knowsley Park Way, the gating arrangement with gates set back by at least 10m from the edge of carriageway of Knowsley Park Way, surface treatment that must bound tarmacadam or concrete, surface water drainage to be collected before it enters the highway.*

*The site access will require the developer to enter a S278 agreement with Lancashire County Council.*

The parking provided on the site is adequate for the proposed use, and the Highway Authority have no objections to the proposal subject to conditions being attached to any approval.

The proposals will give not rise to any highway safety concerns and are in accordance with the Rossendale Local Plan in respect of access, parking and highway safety.

## **Ecology**

The Framework contains a requirement that all new developments demonstrate a net gain in biodiversity potential, and that any adverse impacts on habitats are avoided, mitigated or adequately compensated.

Policy ENV3 of the Local Plan advises that:

*“The Council will expect development proposals to conserve and, where possible, enhance the natural and built environment, its immediate and wider environment, and take opportunities for improving the distinctive qualities of the area and the way it functions.”*

*“Policy ENV4 Biodiversity, Geodiversity and Ecological Networks states:*

*“Development proposals that have potential to affect a national or locally-designated site, as shown on the Policies Map and its immediate environs, or on protected habitats or species, will be expected to be accompanied by relevant surveys and assessments detailing likely impacts. A sequential approach should be followed to avoid harm and where possible enhance biodiversity, and where not possible, provide appropriate mitigation and, as a last resort, on and off-site compensatory measures to offset the impact of development”.*

*All development proposals should seek to protect and enhance biodiversity, and will be requested to quantify any net gains”.*

This application site is currently a green field site. No landscaping scheme has been submitted, however, the ecology report prepared by Pennine Ecological recommends the planting of a native hedge on the north eastern and north western boundaries of the site, which would total 100 metres.

The document also recommends the addition of bat boxes on the building.

In terms of ecology and biodiversity, subject to conditions, the proposal will result in a net gain of biodiversity on the site, through the planting of a native hedgerow and in installation of bat boxes. The proposal is in accordance with Policies ENV1 and ENV3 of the Local Plan and Section 15 of the NPPF.

## **8. CONCLUSION**

This application is to provide 11 industrial units within an existing employment area. The proposed development is considered to be acceptable in all respects or could be rendered so through the imposition of suitable conditions. The proposed development is in accordance with the NPPF and the Rossendale Local Plan

## **9. RECOMMENDATION**

That planning permission be approved subject to the following conditions.

## 10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following documents and drawings, unless otherwise required by the conditions below:

Application form received 09.03.2023

Location Plan received 09.03.2023

Drawing No: ML/PS/6213 Layout and elevations received 09.03.2023

Design and Access Statement received 09.03.2023

Planning Statement received 22.08.2023

Preliminary Ecological Appraisal received 29.08.2023

Waste Management Strategy received 29.08.2023

*Reason: To define the permission and in the interests of the proper development of the site.*

*Reason: To protect the amenity of the adjoining land users/occupiers*

3. No materials shall be used on the elevations of the proposed development other than those referred to on the approved plans.

*Reason: In the interests of visual amenity of the area and ensuring that the appearance of the development is acceptable.*

4. Prior to first occupation of any of the units hereby approved, secure covered cycle storage suitable for 4 bicycles shall be provided within the boundaries of the site. The facility shall be retained thereafter.

*Reason: To promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.*

5. No development shall take place until a scheme for the site access has been submitted to and approved in writing by the Local Planning Authority. The site access shall then be constructed in accordance with the approved details to at least base course level prior to commencement of any further development works on site. The access shall subsequently be fully completed and surfaced prior to first use of any of the units hereby approved.

*Reason: For highway safety to provide a safe and suitable access for all users.*

6. Prior to first use of any of the units, the car parking shall be laid out in accordance with the approved plans and kept free for the parking of vehicles for the lifetime of the development.

*Reason: For highway safety to prevent overspill parking onto the highway.*

7. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to first occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*

8. 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 surface water sustainable drainage strategy shall be based upon sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- b) Sustainable drainage calculations for peak flow control and volume control for the:
  - i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 30% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 30% climate change allowance, with an allowance for urban creep
- c) Final sustainable drainage plans appropriately labelled to include, as a minimum:
  - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly,

- including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ 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, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- e) Details of a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person.

The sustainable drainage strategy shall be implemented and thereafter retained, managed, and maintained in accordance with the approved details.

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.*

9. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

*Reason: To ensure that surface water 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 the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.*

10. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the

local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

*Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.*

11. The recommendations in Section 4 of the Preliminary Ecological Appraisal Survey Report prepared by Pennine Ecological shall be implemented in full prior to first occupation, and shall be retained thereafter for the lifetime of the development.

*Reason: In the interests of the ecology and biodiversity of the area.*

12. Prior to commencement of development, a detailed landscaping scheme showing hard and soft landscaping, planting and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of hard and soft landscaping, planting and boundary treatment shall be completed in full prior to first occupation of any of the approved units.

Any trees or plants which within a period of 15 years of first occupation of the units die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: In the interests of ecology, biodiversity and visual amenity.*

## **11. INFORMATIVES**

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.
2. There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear, and turn around in the site before exiting in a forward gear onto the operational public highway.
3. There must be no storage of materials in the public highway at any time.
4. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The

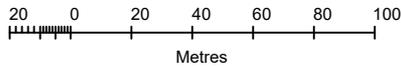
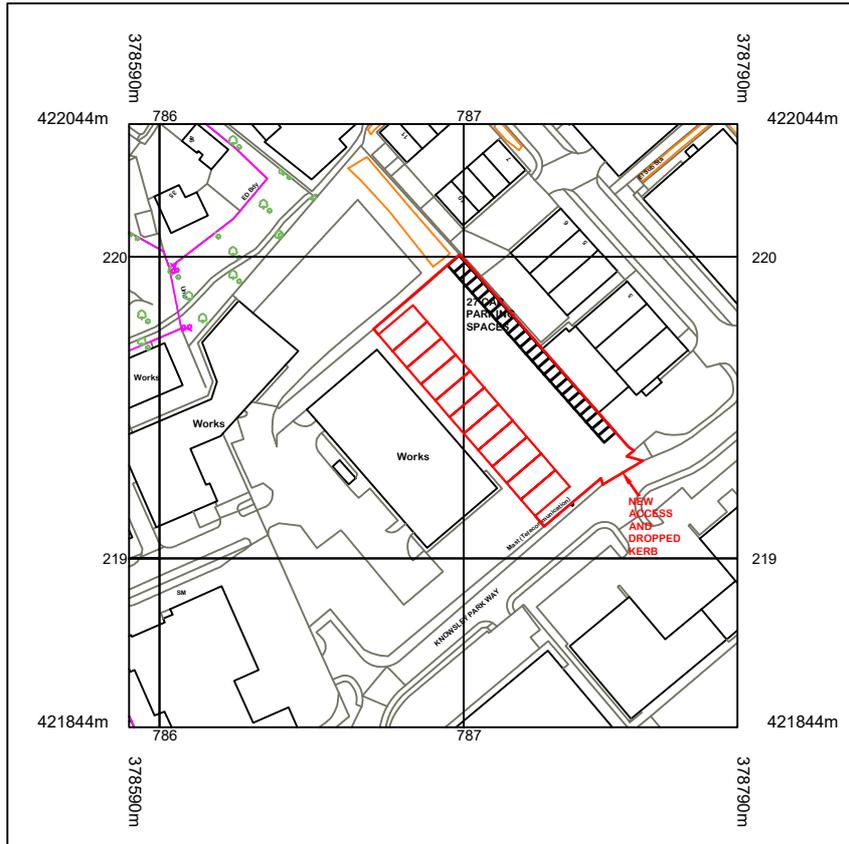
applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions).

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

5. The applicant will require an agreement with the appropriate Water and Sewerage Undertaker to connect to the public sewerage system, alongside any Section 104 agreements for the adoption of the proposed surface water sustainable drainage system.
6. The proposed outfall may require a legal agreement with a third party to access and construct the outfall in addition to any permission(s) from flood risk management authorities. Evidence of an in-principle agreement(s) should be submitted to the Local Planning Authority.

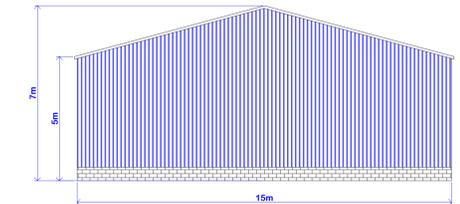
# Stanfords VectorMap



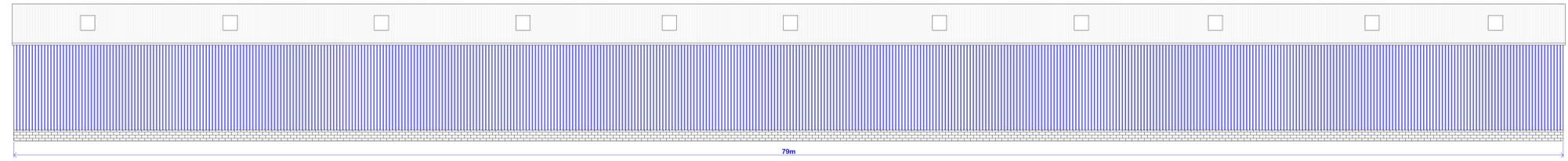
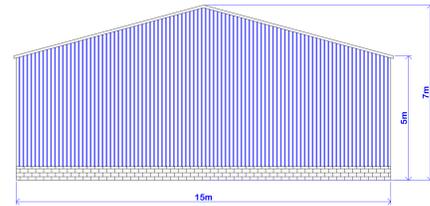
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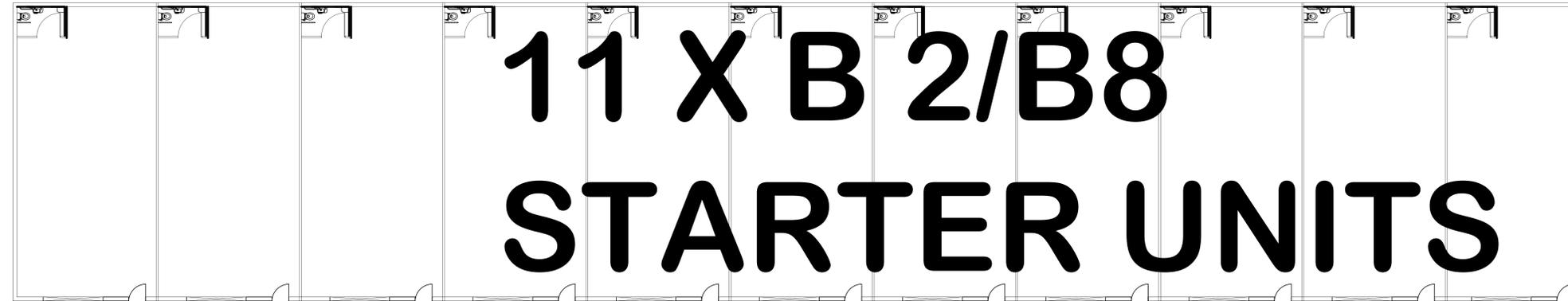
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MATERIALS: ROOF IN WILLOW ( 12 B 27) COMPOSITE BOX  
 PROFILE TIN SHEETS WITH GRP ROOFLIGHTS  
 WALLS IN SARGASSO BLUE ( RAL 5002) BOX PROFILE TIN  
 SHEETS  
 LOWER WALLS IN RED FACE BRICK TO EAST AND SOUTH  
 ELEVATIONS, AND IN BLOCK TO NORTH AND WEST ELEVATIONS  
 ROLLER SHUTTER AND PERSONEL DOORS IN GALVANIZED  
 STEEL



PROPOSED PLAN VIEW



<b>DRAWN BY:</b>  Planning Consultancy Ltd Office A, Bradley Hill Farm Cloughton-on-Brock, Preston PR3 0GA Telephone 01 995 640135 Mobile 07813 296 287 e-mail: mel@mplanning.co.uk	CLIENT: PETE SPENCE	DATE: 13 February 2023 DWG NO. MUP3621.13
	PROJECT: 1 No NEW BUILDING TO FORM 11 No INDUSTRIAL UNITS	SCALE: 1:100 & 1:500 AD
	LOCATION: Land to the East Side of York Avenue, Haslingden BB444HG	

