

<b>Application Number:</b>	2024/0460	<b>Application Type:</b>	Full Planning Permission
<b>Proposal:</b>	Demolition of existing building and erection of waste transfer station, including overnight parking for refuse vehicles, installation of vehicle weighbridge, external storage area, parking and internal circulation space	<b>Location:</b>	Rossendale Borough Council Depot Henrietta Street Bacup Lancashire OL13 0AR
<b>Report of:</b>	Head of Planning and Building Control	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	25 <sup>th</sup> February 2025
<b>Applicant:</b>	Rossendale Borough Council	<b>Expiry Date:</b>	10 <sup>th</sup> March 2025

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	<b>Major Application</b>
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	<b>3 + objections</b>
<b>Other (please state):</b>	<b>Yes – Council application on Council Owned Land</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 authority is delegated to the Chair, Vice Chair and Head of Planning to approve the application subject to remaining matters being resolved and subject to the conditions contained within the report, any other amendments required to the conditions and any further conditions that that may be suggested by consultees.

## **2. APPLICATION SITE**

The Site is located in an industrial estate off Henrietta Street, in Bacup and is identified in the Local Plan as an employment allocation and is adjacent to a number of employment/commercial properties including the new Aldi store nearby.

The Site currently comprises a small waste transfer station, vehicle maintenance depot and office building, with an area of undeveloped land and recently demolished buildings, along with a small light commercial industrial estate to the south, which is also owned by Rossendale District Council.

The Site is located approximately 500m south of Bacup town centre and abuts the boundary of Bacup Town Centre Conservation Area. The Site is roughly triangular in plan area and covers an area of approximately 1.4 Hectares.

The existing buildings on the site are single storey portal frame buildings

To the east of the site there are a number of residential properties that sit at a higher level than the application site, however, the properties abut the site boundary.

The site is located within a commercial / industrial area, adjacent to the newly constructed Aldi supermarket with terraced housing on Rockcliffe Road, adjacent to the access to Heys Street.

The Site is bound by Henrietta Street to the north, the River Irwell to the west and a mixture of commercial and residential housing to the south and east.

## **3. RELEVANT PLANNING APPLICATION HISTORY**

X/1994/257: Application for a certificate of lawfulness for an existing use or operation. (Approved)

X/2006/508: Replacement of existing fencing with 2.4m palisade metal fencing. (Approved)

2020/0043: Erection of two concrete lego block enclosures for the storage of recyclable materials. (Approved)

2021/0107: Variation of Condition 2 (approved plans) pursuant to planning application 2020/0043 to increase the height of the recycling bays by 1800mm (3 blocks) and to allow for the provision of a 2m high trash netting. (Approved)

2021/0108: Variation of Condition 2 (approved plans) pursuant to planning application 2020/0043 to increase the height of the recycling bays by 600mm (1 block) and to construct a retractable roof. (Approved)

2021/0109: Full: Construction of a 30m long 5m high protective fence with anti-trash nettings. (Approved)

2021/0582: Full: Construction of a 40m long replacement wooden fence as per existing fence to height of 2.1m, including the provision of a mesh fence on top taking the fence to a maximum height of 5.1m from ground level. (Approved)

#### **4. PROPOSAL**

The application seeks approval for the demolition of an existing building and erection of building for the Waste Transfer Station, including overnight parking for refuse collection vehicles, installation of vehicle weighbridge, external storage area, and parking and internal circulation space.

The re-development area is approximately 0.51ha and covers the existing garage and demolished buildings to the south of the maintenance / office and to the north of the light commercial units, with some of Heys Street.

The development proposal consists of the construction of a new waste transfer station building, associated hardstanding and access ramps, weighbridge and new covered vehicle wash. The development will require regrading of site surface levels in the east and centre and also the construction of one or more new retaining walls.

It is anticipated that the proposal will process up to 50,000 tonnes of waste per annum comprising of the following:

- General waste;
- Paper & Card;
- Glass, Cans & Plastics;
- Food waste
- Street Sweepings;
- Waste Electrical and Electronic Equipment (WEEE);
- White Goods;
- Scrap Metal; and
- Tyres.

In regard to site operations it is proposed that refuse vehicles usually arrive in groups to deliver loads over circa 1 hour period, up to 3 times per day.

All loads will be unloaded within the confines of the proposed new building and waste transferred to the respective internal bays by a Waste Master Telehandler. The likely maximum residence time of wastes in bays is 4 days.

Limited external storage will take place, these mainly being waste gas cannisters which will be stored in a cage.

It is anticipated that the likely waste deliveries per day will be as follows:

4 general waste;  
2 glass / plastics;  
2 paper / card;  
2 garden waste vehicles; and  
4 food waste vehicles.

The above loads will be delivered by 7.5T lorries (Food waste) and 26T lorries (all others). It is anticipated that typically it will take 5-10 minutes to discharge loads. There will also be additional street sweeping load deliveries.

In respect of the proposed building this will be a steel frame portal building with a gross internal floor area of 2500.5m<sup>2</sup> (including covered area).

Internally there will be approximately 10 flexible bays for individual waste streams, along with a store and WC.

Externally the building will be 75m in length and have a width of 38m and height of 11.5m. The proposed building will be clad in insulated built-up profiled cladding panels on the elevations and roof.

## **5. POLICY CONTEXT**

### **National Planning Policy Framework**

Section 2	Achieving sustainable development
Section 4	Decision-making
Section 8	Promoting healthy and safe communities
Section 9	Promoting sustainable transport
Section 11	Making effective use of land
Section 12	Achieving well-designed places
Section 14	Climate change, flooding and coastal change
Section 15	Conserving and enhancing the natural environment
Section 16	Conserving and enhancing the historic environment

The National Planning Policy for Waste (NPPW) was published in 2014. The document sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management, and states that positive planning plays a pivotal role in delivering this country's waste ambitions through the delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy.

Appendix B of the NPPW sets out the criteria against which the likely impact on the local environment and on amenity of new waste management facilities should be considered, these are:

- a. protection of water quality and resources and flood risk management;
- b. land instability;
- c. landscape and visual impacts;
- d. nature conservation;
- e. conserving the historic environment;
- f. traffic and access; and
- g. air emissions, including dust.

### **Development Plan**

In the case of this application, the development plan comprises the Rossendale Local Plan 2019 to 2036, the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (Core Strategy), Adopted February 2009 and the Joint Lancashire



Minerals and Waste Local Plan Site Allocation and Development Management Policies (SADMP), adopted September 2013.

#### Rossendale Local Plan Policies

SD1: Presumption in Favour of Sustainable Development

SD2: Urban Boundary and Green Belt

EMP4: Development Criteria for Employment Generating Development

ENV1: High Quality Development in the Borough

ENV2: Historic Environment

ENV6: Environmental Protection

ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality

ENV10: Trees and Hedgerows

TR4: Parking

#### Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

The Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD (Core Strategy) was adopted in February 2009.

Core Strategy Policy CS8 states that “*Provision will be made for sufficient new waste management facilities to meet predicted waste capacity requirements for the Plan area to 2020*”.

#### Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies – Part One

The Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies – Part One (SADMP) was adopted in September 2013.

The SADMP provides site specific policies and allocations, and detailed development management policies for minerals and waste planning in the areas covered by the Councils of Lancashire, Blackpool and Blackburn with Darwen and should be read together with the Core Strategy and the individual local plans of the two unitary authorities and the twelve districts which make up the Plan area, including Rossendale.

Policy DM2 states that “*Development for ... waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards*”.

#### Other material considerations

National Planning Practice Guidance

National Design Guide

RBC Climate Change SPD

## 6. CONSULTATION RESPONSES

### ***GMEU - Ecology***

More information is required regarding the Biodiversity Net Gain (BNG) assessment and impacts to any habitats/trees. The BNG metric and report should be updated to address the comments above. Therefore, the application should not be determined until the additional information has been provided and can subsequently be reviewed by GMEU.

Additional BNG information received and awaiting updated response

### ***Environment Agency***

We have reviewed the information submitted with the application and we have no objection in principal to the proposal, subject to conditions in relation to flood risk and contaminated land.

### ***Environmental Protection***

No objection subject to conditions

### ***Lancashire Fire and Rescue Service***

No objections

### ***LCC Highways***

The Highway Development Control Section of Lancashire County Council have no objection to the principle of the application and its impact on the wider highway network, however there are a number of concerns regarding the operation of Heys Street as an access point for the proposed development. These concerns are listed below:

Heys Street

1. From observations on site and information provided, parking currently occurs around the junction of the Heys Street and Rockcliffe Road which will impact on swept paths and sightlines for HGV's accessing and exiting the site, the alinement of the junction also needs to be assessed for the proposed vehicle movements.

The Local Highway Authority therefore requests that an assessment of the junction is undertaken including swept paths for the largest HGV's utilising the development.

In addition to any changes to the alinement of the junction and taking into consideration the known parking issues around the junction the inclusion of TRO's will need to be included to protect its operation.

2. The Local Highway Authority have concerns that the width of Heys Street is not suitable to accommodate all the proposed vehicle movements, again a swept path for two opposing HGV's is requested for the length of Heys Street. If the assessment indicates a potential for conflict measures to overcome this will need to be developed.
3. The application is proposing to stop up part of the adopted highway to accommodate a new weighbridge and gates, this is acceptable in principle to the Local Highway Authority. This stopping up will need to be done under section 247

of the Town and Country Planning Act. The applicant has indicated that they are currently progressing this requirement.

However, to facilitate safe vehicle movements on the remaining adopted section of Heys street, a turning head should be provided before the new gates to enable any vehicle using the adopted section of Heys Street to turn around safely.

4. Subject to any proposed changes due to points 1 to 3 a footway provision along at least one side of the adopted section of Heys Street will need to be retained.

#### ***LCC Local Lead Flood Authority***

The Lead Local Flood Authority has no objection to the above application subject to the inclusion of conditions.

#### ***LCC Minerals and Waste***

The site is not in a Mineral Safeguarding Area

#### ***RBC Environmental Health***

We have considered the application and have no further comments to make as we are satisfied the proposed site will be managed and operated without detriment to the amenity of the neighbours.

#### ***RBC Property Services***

No objections to the proposed development

#### ***Ecus on behalf of Growth Lancashire - Trees***

An Arboricultural Impact Assessment (AIA)(AWA6364) and Arboricultural Method Statement (AMS)(AWA6364AMS) have been submitted in support of the above application. The survey identified 1no. retention category 'B' tree, 37no. retention category 'C' trees and 22no. retention category 'U' trees. The poor quality category 'U' trees should be removed for good arboricultural reasons, regardless of the proposed development.

To facilitate the development, there will be a requirement to remove 11no. category 'C' trees. This loss will need to be mitigated against with suitable replacement planting, as part of a landscape Plan. There will be some incursion into the Root Protection Area (RPA) of some trees across the site but if the AMS is correctly followed with 'no dig' methodologies being utilised, the potential harm to any tree roots will be minimal.

Whilst I agree in principal, I would like to know more about the replacement planting to mitigate for any canopy loss to the site. This should detail species, size, location and aftercare arrangements within a Landscape Plan.

#### ***United Utilities***

Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to **water and wastewater infrastructure** that is within the red line boundary. The water main runs directly along the area of proposed levels changes and the wastewater outfall to the River Irwell is at the northern section of the site. The proposal directly impacts existing infrastructure. As there will be significant earth movement as part of the proposal, details must be agreed before we can remove any objection.

To demonstrate that this proposal can be achieved, and to avoid any unnecessary costs or delays to either the applicant or any future developer, we request the applicant submits a detailed site layout plan which overlays the **PROVEN** location of all infrastructure (a copy of asset maps will not suffice) in relation to any proposed development (including walls, fencing, parking etc.).

We strongly recommend this matter is resolved **PRIOR TO THE SCHEME BEING DETERMINED**. We **will not allow** development over the infrastructure in question, so without resolution of this matter before determination, our position must be to **OBJECT** to the proposal.

We recommend the applicant provide the following:

1. Undertake the required tracing prior to determination. We will not allow works over the infrastructure without prior agreement so it is important the location of the constraint is fully understood and reflected in the submission.
2. Outline the methods of protecting our infrastructure during and post construction. There should be no additional load bearing capacity on the main without prior agreement from United Utilities. This would include any earth movement and the transport and position of construction equipment and vehicles. It's important that the applicant understands their options if there are works over or near to the infrastructure as part of this proposal.

## 7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on the corner of Rockliffe Road and Heys Street, and on Rochdale Road on 17.12.2024 and neighbouring properties were notified by letter sent out on 09.12.2024.

Over 550 representations have been received all objecting to the development for the following reasons in summary (in no particular order):

### *Principle*

- There also seems to be the fact that Rossendale Council are applying to themselves for this application, does this not cause a conflict of interest?
- Primarily there is the very real conflict in interest being that the applicant and authorising authority are "related", both being Rossendale Borough Council. This fact, should be subject to public scrutiny by a recognised independent body.
- The current and proposed WTS will counteract the good planned by the Levelling up Fund and therefore an overall poor use of RBC funds.
- Other locations would be more suitable
- Contrary to The Bacup 2040 Mission Statement
- Lack of Consultation
- Why was this site chosen?
- There are more sustainable and effective alternatives to managing waste that do not involve placing a transfer site in the heart of a residential area. For instance, investing in improved recycling programs, enhancing community waste reduction initiatives, and exploring innovative waste management technologies can mitigate the need for a waste transfer site in Bacup town centre. These approaches not only promote sustainability but also safeguard the health and well-being of residents.
- The residents of Bacup have a strong attachment to our town's character and community spirit. The establishment of a waste transfer site would significantly

alter the landscape of our town, both literally and figuratively. Community feedback has overwhelmingly indicated a preference for preserving the town's charm and ensuring a safe, clean environment for all residents. Ignoring these sentiments could lead to increased tension between the council and the community.

- As we move towards a more sustainable future, it is crucial to consider the long-term implications of waste management decisions. Establishing a waste transfer site in Bacup may provide short-term solutions but could hinder our ability to implement more forward-thinking strategies that align with environmental goals and community health.
- A public right of way and walkthrough has been taken away from the residents already. This walkway had street lighting and formed one of two remaining from this side of the valley as access from a large residential area to Rochdale Road and the town centre shops, businesses and amenities
- The public have not been notified of this planning application.
- The National Planning Policy Framework (NPPF) in the UK establishes guidelines for sustainable development, emphasizing social, economic, and environmental objectives. The waste transfer station does not align with these objectives for several reasons.

### *Economy*

- The Royal Court Theatre have an entrance on Henrietta Street and would be concerned on the impact it may have on business from increased smells, and an increase in vermin.
- Will impact new businesses coming to the area
- The establishment of a waste transfer site can adversely affect property values in the vicinity. Areas surrounding similar sites have seen a decline in property prices due to perceived risks and decreased desirability. Furthermore, local businesses may suffer as the area becomes less appealing to customers who may avoid a town associated with waste management activities.
- The presence of a waste processing site will undoubtedly deter potential customers and investors from visiting our town, ultimately harming our local economy. This is particularly concerning given the current economic challenges that many of our businesses are facing.

### *Highways, Access and Parking*

- Additional traffic would impact surrounding roads
- Artists impression doesn't show HGV's able to fully enter the building
- Increased traffic in the form of HGV's will only exacerbate the existing problems for residents and motorists alike.
- A waste transfer site inevitably brings an influx of heavy vehicles, leading to increased traffic congestion in Bacup town centre. This not only poses a safety risk but also affects local businesses and the overall vibrancy of our town. Increased truck traffic can lead to more accidents and hazardous conditions for pedestrians, particularly near schools, and parks.
- Both bridges accessing and egressing the site (Henrietta Street and Rockcliffe Road) are not suitable for the increased volume and weight of traffic
- The roads that are proposed for access and exit of the site are highly unsuitable and dangerous for such activity. Henrietta Street runs directly between two large supermarkets. Vehicles must pass very close to one of the main entrances to the Royal Court Theatre which regularly hosts shows and activities, including children's activities which use this entrance as the main entrance. The Henrietta Street exit also involves crossing a narrow bridge

which will be difficult to negotiate for large vehicles. Rockcliffe Road is part of a dense residential area, and the entrance junction to Heys Street is already a 'pinch point' where vehicles must approach cautiously and then wait until there are no other vehicles at the other end of a very long line of resident's parked cars. The increased numbers of HGV's and large vehicles using this road can only cause an increase to the danger in this area.

### *Heritage*

- Bacup is a heritage town and a modern recycling centre doesn't fit with its traditional status.
- Government Guidance advises against the development of Waste Transfer Sites close to 'Sensitive Receptors' which is not only water courses, it includes historic buildings, housing, and areas with dense activity such as town centres. Sensitive Receptors also include Conservation Areas, and this site is directly adjacent to the Bacup Town Centre Conservation Area. (EU Guidance and UK Government Guidance attached to my email).

### *Environment*

- Waste processing involves a range of hazardous chemicals and materials that will be released into the atmosphere, posing serious health risks to local residents. The potential for accidents and spills is also a significant concern, which could have devastating consequences for our environment and public health.
- Pollution from site if flooding occurs
- Waste transfer sites can lead to environmental degradation. The potential for soil and water contamination is significant, especially if waste is not handled properly. Instances of leachate escaping into the water supply have been reported in areas with waste facilities, which poses a serious risk to local ecosystems and the health of residents.
- Impact on air quality: The release of hazardous chemicals and materials into the atmosphere poses significant health risks to local residents.
- Potential accidents and spills: The risk of accidents and spills is a significant concern that could have devastating consequences for our environment and public health.
- The site sits adjacent to the River Irwell. Therefore, I draw your attention to guidelines produced by the EU and our own Government. These guidelines advise against such facilities being close to water courses. The affects of contaminating the River Irwell could have repercussions for many other towns for many miles down the river, into Manchester and beyond. The river is much improved after years of work and filtration plants to clean the river. Now we risk being the town that undoes all that work and puts the river's ecosystem in danger. (EU Guidance and UK Government Guidance attached to my email).
- The proposed site shows an enormous removal of indigenous dense foliage and natural areas. This area represents the last of this type of land in the residential area. At the top, middle and bottom of Rockcliffe Road most of which has been built upon over recent years and now it is proposed to eradicate most of the last remaining bit.
- Bacup is any area that gets flooded and many things have been tried without success, the river is very close, only meters away and it would be impossible to stop water flowing from this site into the river, the risk of contamination is huge and could have a significant environmental impact,

## Amenity

- Residents have already reported and raised awareness of the increased evidence of vermin such as RATS and FLIES in the vicinity of the current site. A site on a much larger scale will also see the scale of the vermin problem greatly increased.
- Impact of other pests (pigeons, seagulls etc)
- Increase in rubbish/litter from the site
- Impacts from
  - Noise, including industrial processes, traffic, vermin (gulls seem to be a common feature at these sites)
  - Air Pollution from the traffic
  - Air Pollution from the carried waste within the vehicles. The waste vehicles using the A681 servicing the treatment plant in Todmorden are already causing unpleasant smells. "Stop the Stink"
  - Air pollution from the plant.
  - Increased traffic flows
  - Ecology, wildlife and other forms of natural habitat
  - Flooding, the immediate corridor around the A681 from Park Road to Henrietta Street already is vulnerable to flooding due to river flows from the Irwell and poor drainage infrastructure
- Development will have a huge, short- and long-term impact for the residents in and around the Bacup town centre
- Already a significant problem with odours occurring from the current operation of the waste transfer station. This is especially bad during warm weather and low wind conditions. During the summer months there are prolonged periods of days of foul smells, also flies coming from the site.
- The Air Quality and Odour Assessment Report (AQOA) states in para.6.1 that "there have been no complaints concerning odour at the site within the past 5 years received from the local environment health officer..." This gives a false impression that there is no current ongoing problem with odour
- There are currently rats in and around the site, and there is a constant noise and pest problem of carrion, crows, seagulls, magpies, swarming and flocking around the site and gathering on uncovered exposed waste piles which are left uncleared often overnight and for longer during non-working periods - e.g. weekends, bank holidays.
- The AQAO Report also admits that although "materials within the site will be transported within covered vehicles... loading and unloading may allow for odour emissions" The Report offers no assurance that the new covered waste transfer station will reduce odour emissions, there is only a statement that it "may assist in reducing the available pathways for odour emissions.." and at best "similar to the existing site.."
- The smell that will be created by the new development will be obnoxious, any assurances that the site operators may try to give with regards to odours cannot be evidenced. Anyone who has ever lived close to, driven by, or been in the vicinity of one of these sites will be aware of the foul odours they emit, and no amount of effort can cancel out the odours. The smell can travel for a radius of up to 5 miles depending upon weather conditions.
- Odour assessment gives false and inaccurate information
- The application form states the operating hours are proposed as 05:00 to 17:00, Monday to Friday, but the UK Noise Act considers 23:00 to 07:00 to be night time and it could be considered disruptive to residents having WTS operation during night-time, i.e. between 05:00 and 07:00.

### Health Risks

- Numerous studies have highlighted the health implications associated with waste transfer sites, including increased respiratory issues, allergies, and other health problems due to airborne pollutants. Communities surrounding similar facilities have reported higher incidences of asthma and other chronic diseases.

All material planning considerations from the comments received have been taken into account in the determination of this application.

## 8. 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) Land Contamination
- 6) Flooding and Drainage
- 7) Ecology
- 7) Trees

### **Principle**

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

Henrietta Street is a designated employment allocation (EE2) identified as being suitable for use classes E(g), B2, and B8.

Policy EMP4 of the Rossendale Local Plan states that: *Proposals for new employment generating development from Class E (Commercial, Businesses and Services), Class B2 (General Industrial) or Class B8 (Storage and Distribution), including extensions to existing premises, which provides for or assists with the creation of new employment opportunities, inward investment and/or secures the retention of existing employment within the Borough will be supported provided that they satisfy a number of criteria*

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan Site Allocation and Development Management Policies states that “*Development for ... waste management operations will be supported where it can be demonstrated to the satisfaction of the mineral and waste planning authority, by the provision of appropriate information, that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals account will be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts can be controlled in accordance with current best practice and recognised standards*”.

Subject to appropriate assessment against the relevant criteria within the policies in the sections below, the principle of the development in this location, within a designated employment allocation, is acceptable.



## **Visual Amenity/Heritage Impact**

Section 12 of the Framework refers to the importance which Government attaches to the design of the built environment:

- *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.” (Para 131)*
- *“Planning policies and decisions should ensure that developments...will function well and add to the overall quality of the area...are sympathetic to local character and history, including the surrounding built environment and landscape setting.” (Para 135).*

The red line boundary of the site abuts the Bacup Town Centre Conservation Area.

Section 16 of the Framework states *local planning authorities should take account the desirability of new development making a positive contribution to local character and distinctiveness and the desirability of sustaining and enhancing the significance of heritage assets.*

Paragraph 210 of the National Planning Policy Framework requires that *when determining applications affecting heritage assets local planning authorities should take account of:-*

- a) *the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 220 relates to Conservation Areas and states:

*Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

Policies ENV1 and ENV2 of the Rossendale Local Plan state that all proposals for new development in the Borough will be expected to take into account safeguarding and enhancing the built and historic environment. Policy ENV2 states:

*“The Council will support proposals which conserve or, where appropriate, enhance the historic environment of Rossendale.*

*Particular consideration will be given to ensure that the significance of those elements of the historic environment which contribute most to the Borough’s distinctive identity and sense of place are not harmed. These include:*

- *The historic town centre of Bacup.*

*Proposals within or affecting the setting of a conservation area will only be permitted where it preserves or enhances the character and appearance of the area, including those elements which have been identified within the conservation area appraisal as making a positive contribution to the significance of that area.”*

Whilst the site as a whole abuts the Conservation Area Boundary, the building to be constructed is 135 metres from the Conservation Area boundary, and due to the positioning of the Henrietta Street offices, and the Aldi supermarket, there will be no impact on the setting of the Conservation Area.

In respect of the proposed building this will be a steel frame portal building with a gross internal floor area of 2500.5m<sup>2</sup> (including covered area).

Internally there will be approximately 10 flexible bays for individual waste streams, along with a store and WC.

Externally the building will be 75m in length and have a width of 38m and height of 11.5m. The proposed building will be clad in insulated built-up profiled cladding panels on the elevations and roof.

The wall cladding will be dark grey, light grey and green, with the roof cladding being grey. The roller shutter doors will be yellow.

To facilitate the positioning of the building, external works will include regrading of the bank adjacent to the properties on Rochdale Road and the installation of retaining walls and a new fence on the boundary.

The building is located in the context of an employment site, adjacent to other buildings of a commercial nature and of differing heights and design. It is considered the scale, massing and design of the proposed buildings is acceptable within the context of the site and will not have a detrimental impact on the visual amenities of this urban setting.

As such, the scheme is in accordance with Section 12 and 16 of the Framework and Policies ENV1 and ENV2 of the Rossendale Local Plan.

### **Neighbour Amenity**

The Framework advises that Planning policies and decisions should ensure that developments:

*“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”*

Policy ENV1 of the Local Plan states that all proposals should take account of the following:

- “c) *Being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the area*

*“d) The scheme will not have an unacceptable adverse impact on neighbouring development by virtue of it being overbearing or oppressive, overlooking or resulting in an unacceptable loss of light:- nor should it be adversely affected by neighbouring uses and vice versa.”*

There are residential properties directly to the east of the site on Rochdale Road, which are at a much higher level than the application site.

The proposed building is 11.5 metres in height and will be positioned 13.9 metres from the rear elevation of these properties. However, due to the difference in the topography of the land, the highest part of the roof will be at the ground level of the dwellings

Concerns have been raised by many residents in terms of the impacts of noise from the development.

Currently, the majority of the operations are outside, resulting in noise and disturbance from plant and machinery at the site, heard by residents in the surrounding area.

The proposed operations will all be undertaken inside the building as follows: HGV's drive towards the building, the door opens, and once they have driven in the door closes. Once unloaded the doors open and the HGV exits the building.

A Noise Assessment has been submitted alongside this application, and the executive summary states as follows:

*It is assumed that potential vibration impacts from operation of the new plant items will be negligible at the nearest receptors, due to the separation distances, and this element would therefore be scoped out of the detailed assessment.*

*An assessment of the operational noise impact has been carried out in accordance with the relevant British Standard to consider the potential noise impact on the nearest noise sensitive receptors.*

*To establish the current levels of ambient and background sound level at the nearest residential receptors, and measurement surveys was undertaken in June 2024. Existing ambient noise levels at the nearest residential receptors are dominated by distant road traffic and road traffic on A671 Rochdale Road at daytime.*

*A computational noise model of the proposed development was assembled and populated with noise emission data of the new sound sources. Standard noise propagation calculations were used to predict the plant operation noise levels at the nearest noise sensitive receptors.*

*The assessment concludes that the noise impacts of the site operation, with extension, would be below the Lowest Observed Adverse Effect Level.*

In terms of Night time Assessments within the report, this is as follows:

*Night-time Assessment (2300-0700)- Residential receptors*

*6.23. It is noted that the first vehicles leave to via Henrietta Street are generally between 0500-0600 hours. The first vehicles to arrive via Henrietta Street are more dispersed between 0600-0900 hours. The first vehicles to leave via Heys*

*Street are all between 0500-0700 hours. The first vehicles to arrive via Heys Street are generally between 0600-0700 hours.*

- 6.24. As such, there are HGV movements before 7am, assuming 1-2 vehicle movements before 7am when this is the time that all 12 26 Ton RCV's leave. Such low traffic volume is very unlikely to result in adverse noise impacts on the NSRs. The internal noise levels are lower than the results in Table 6.3, which meet BS8233 criteria 30 LAeq,T dB for bedrooms during night-time.*
- 6.25. Based on Bureau Veritas library data, the LAFmax of an HGV movement is 85 dB LAFmax at a distance of 1 m. The nearest NSR to the HGV movement is NSR1 (30 m from Heys St). A reduction of approximately 30 dB is expected ( $20 \times \log [30/1]$ ) and therefore the noise level is likely to be 55 dB LAmax on the nearest facades of the receptors and therefore the internal level would be 42 dB LAmax, assuming 13 dB attenuation through an open window. Noise levels would be significantly lower with closed windows.*
- 6.26. The WHO guidelines state that for a reasonable standard in bedrooms to be achieved individual sound events should not normally exceed 45dB LAmax 10 to 15 times during the night-time period.*
- 6.27. Therefore, the site operation will not result in significant adverse impacts on the NSRs during night-time.*
- 6.28. The assessment concludes that the noise impact of the site operation would be below the Lowest Observed Adverse Effect Level at the nearest residential receptors.*

The report then concludes:

- 7.3. The assessment concludes that the noise of the site operation would have no impact at the nearest residential receptors, and that operational traffic generated by the development would have negligible noise impacts on off-site receptors.*

It is considered that in amenity terms the noise levels that will emanate from the site are acceptable.

There have also been many comments in relation to odour and dust from the site, an *Air Quality and Odour Assessment* has been submitted alongside the application.

The proposed new building will incorporate an odour suppression system that sucks air into carbon filters when the doors are opened to prevent odours escaping.

The Executive Summary of the above report states as follows:

*Without mitigation, the risk of dust soiling during demolition and construction is Medium and the risk to human health is Low. However, with the implementation of appropriate construction phase mitigation measures outlined in Appendix B, the residual dust impacts would be reduced to Negligible, making the effects Not Significant.*

*The assessment of dust and odour effects in relation to the operation of the development has been undertaken in accordance with the IAQM Guidance "Assessment of Odour for Planning 2018 v1.1". A review of the proposed site operations concluded that whilst there are potential dust and odour emissions from the site, the covered nature of the waste transfer station will be sufficient mitigation to*

*prevent significant impacts of local receptors. The odour emission magnitude has therefore been determined to be similar to current operations and thus Not Significant.*

*Traffic emissions associated with the development, primarily from light-duty vehicles (LDVs) and heavy-duty vehicles (HDVs) has been considered. The estimated increase in vehicle movements is below the IAQM/EPUK criteria for requiring a detailed air quality assessment. The site is located outside any declared Air Quality Management Areas (AQMA), and the proposed development is not expected to cause significant changes in road conditions or introduce combustion processes. Therefore, the operational traffic emissions are not anticipated to have significant impacts on air quality, and the effects are considered Not Significant.*

In amenity terms it is considered that the levels of odour and dust that will emanate from the site are acceptable.

The have also been many comments in relation to an increase in pests and vermin. Whilst not a planning matter, the Council's Environmental Health team who deal with these matters have been consulted and have no objections to the proposed development.

The proposed development is acceptable in terms of residential amenity and in accordance with Policies ENV1 and ENV6 of the Rossendale Local Plan

### **Access, Parking and Highway Safety**

In terms of impact on Access, Parking and Highway safety, LCC Highways have commented as follows:

#### *Overview*

*The proposed development is for a new waste transfer facility. The submitted Transport Statement (TS) indicates that it will be in operation for 5 days a week between Monday and Friday. With new vehicle movements restricted to between Tuesday and Friday.*

*The existing access arrangements will be retained as part of the proposed development. With the addition of a weighbridge and new access gates at the Heys Street access point.*

*The submitted application indicates that the site currently generates 358 HGV movements (2-way) between Monday and Friday. equating to approximately 70 vehicle movements per day. These movements are distributed between Henrietta Street and Heys Street. Henrietta Street is the main departure route for waste vehicles and Heys Street is main arrival route.*

*The proposed development is estimated to add 4no new HGV movements to Henrietta Street and 20no HGV movements to Heys Street. This will represent about a one-third increase to existing movements. The TS indicates that the majority of new HGV movements will take place outside of the AM and PM peak hours.*

*The Highway Development Control Section of Lancashire County Council have no objection to the principle of the application and its impact on the wider highway network, however there are a number of concerns regarding the operation of Heys*

*Street as an access point for the proposed development. These concerns are listed below:*

#### *Heys Street*

- 1. From observations on site and information provided, parking currently occurs around the junction of the Heys Street and Rockliffe Road which will impact on swept paths and sightlines for HGV's accessing and exiting the site, the alinement of the junction also needs to be assessed for the proposed vehicle movements. The Local Highway Authority therefore requests that an assessment of the junction is undertaken including swept paths for the largest HGV's utilising the development.  
In addition to any changes to the alinement of the junction and taking into consideration the known parking issues around the junction the inclusion of TRO's will need to be included to protect its operation.*
- 2. The Local Highway Authority have concerns that the width of Heys Street is not suitable to accommodate all the proposed vehicle movements, again a swept path for two opposing HGV's is requested for the length of Heys Street. If the assessment indicates a potential for conflict measures to overcome this will need to be developed.*
- 3. The application is proposing to stop up part of the adopted highway to accommodate a new weighbridge and gates, this is acceptable in principle to the Local Highway Authority. This stopping up will need to be done under section 247 of the Town and Country Planning Act. The applicant has indicated that they are currently progressing this requirement.*

*However, to facilitate safe vehicle movements on the remaining adopted section of Heys street, a turning head should be provided before the new gates to enable any vehicle using the adopted section of Heys Street to turn around safely.*

- 4. Subject to any proposed changes due to points 1 to 3 a footway provision along at least one side of the adopted section of Heys Street will need to be retained.*

#### *Internal Layout*

*The proposed internal layout as shown in the submitted drawings ('Proposed Block Plan' and 'Proposed Site Plan') is acceptable to the Local Highway Authority.*

#### *Conclusion*

*As stated above the Local Highway Authority have no objections to the principle of the proposed development and are of the opinion that the proposals would not have an unacceptable impact on the wider highway network, however there are a number of significant concerns regarding the use of Heys Street as an access point for the proposed development. Therefore, the Local Highway Authority requests that points 1 to 4 above are addressed by the applicant prior to a decision being made by the Local Planning Authority on the application.*

Subject to the above issues being addressed and appropriate conditions recommended by LCC Highways being attached to any decision, it is considered that the proposed development, would be accordance with the Rossendale Local Plan and the Framework.

## **Land Contamination**

Policy ENV6 of the Rossendale Local Plan states:

Development which has the potential, either individually or cumulatively, to result in pollution that has an unacceptable impact on health, amenity, biodiversity (including designated sites), air or water quality, will only be permitted if the risk of pollution is effectively prevented or reduced and mitigated to an acceptable level

One document has been submitted as part of the planning application which is PHASE 1 GEO-ENVIRONMENTAL DESK STUDY REPORT

The document has been assessed by the Council's Environmental Protection Consultant and the Environment Agency who have no objections to the development and have both suggested conditions in relation to land contamination and remediation.

Based on the above, and subject to the inclusion of recommended conditions, the proposed development would be acceptable and would be in accordance with Policy ENV6 of the Rossendale Local Plan and the NPPF

## **Flooding and Drainage**

Policy ENV9: Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality states:

*All development proposals will be required to consider and address flood risk from all sources. A sequential approach will be taken and planning permission will only be granted for proposals which would not be subject to unacceptable flood risk, or materially increase the risks elsewhere, and where it is a type of development that is acceptable in a Flood Risk location. Assessment should be informed by consideration of the most up to date information on Flood Risk available from the Environment Agency, the Strategic Flood Risk Assessment (SFRA), the Lead Local Flood Risk Authority and the sewage undertaker. Developers will be expected to provide appropriate supporting information to the satisfaction of the Local Planning Authority, such as Flood Risk Assessments for all developments in Flood Zones 2 and 3 and as required by national policy and any local validation requirements. Site specific mitigation measures should be clearly identified.*

Both the Environment Agency and LCC Lead Local Flood Authority have no objection to the proposed development.

However, United Utilities have concerns in relation to their infrastructure within the site as follows:

*Following our review of the proposed site layout, we have concerns regarding the proximity of proposed development to water and wastewater infrastructure that is within the red line boundary. The water main runs directly along the area of proposed levels changes and the wastewater outfall to the River Irwell is at the northern section of the site. The proposal directly impacts existing infrastructure. As there will be significant earth movement as part of the proposal, details must be agreed before we can remove any objection.*

Further information is required in order to address this issue and discussions are continuing with United Utilities.

Subject to United Utilities removing their objection and being satisfied with the proposed development, and the inclusion of the conditions recommended by the Environment Agency, LCC LLFA and any from United Utilities, the development would be acceptable and in accordance with Policy ENV6 of the Rossendale Local Plan and the NPPF

## **Ecology, Biodiversity Net Gain and Trees**

### ***Biodiversity Net Gain***

An amended Biodiversity metric and supporting BNG report has been provided, and we are awaiting further comments from the Council's Ecology consultant.

The BNG report states as follows:

*Within the redline development the baseline habitat unit score is 1.57 units and 0.31 watercourse units. The post-development habitat unit score is 1.95 units and 0.31 watercourse units.*

*The site proposals demonstrate a 10% net gain in habitat units and satisfy the trading rules. However, the site is only in net gain in river units by 0.02 (4.83%), falling short of the statutory 10% net gain.*

It is considered that the water units would have to be provided off-site

Should approval for the development be granted, the statutory BNG condition will be applied to the approval and will require discharging by the Council prior to development work commencing.

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"*

Himalayan Balsam was noted within the boundaries of the field to the south-west, and within the plantation woodland to the north-west and several other species were identified. Although only Himalayan Balsam was identified on site during the field



survey, there still remains a risk that other species identified within the desk study could be present or could be introduced into site through the works. This risk can be minimised through the use of adequate biosecurity measures.

Any comments from the Council's Ecology Consultant GMEU will be reported in the update report to Committee.

## **Trees**

Policy ENV10: Trees and Hedgerows states as follows:

*Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value. Any harm to ancient and veteran trees should be avoided unless wholly exceptional circumstances can be demonstrated. Where trees and/or woodlands are to be lost as a part of development this loss must be justified as a part of an Arboricultural Implications Assessment (AIA) submitted with the application.*

An Arboricultural Impact Assessment and Arboricultural Method Statement have been submitted in support of the application. The survey identified 1no. retention category 'B' tree, 37no. retention category 'C'; trees and 22no. retention category 'U' trees.

The Council's Arboricultural consultant has commented as follows:

*To facilitate the development, there will be a requirement to remove 11no. category 'C' trees. This loss will need to be mitigated against with suitable replacement planting, as part of a landscape Plan. There will be some incursion into the Root Protection Area (RPA) of some trees across the site but if the AMS is correctly followed with 'no dig' methodologies being utilised, the potential harm to any tree roots will be minimal.*

### **Conclusion**

*Whilst I agree in principal, I would like to know more about the replacement planting to mitigate for any canopy loss to the site. This should detail species, size, location and aftercare arrangements within a Landscape Plan.*

Subject to an appropriate condition in relation to replacement tree planting, and aftercare arrangement in the form of a landscaping plan, the proposed development would be acceptable and in accordance with the Rossendale Local Plan and the NPPF.

## **9. CONCLUSION**

It is considered that subject to the following:

United utilities withdrawing their objection.

LCC Highways being satisfied that the scheme is acceptable

Further comments from GMEU in relation to Ecology being received

and recommended conditions being included in any approval, the proposed development could be acceptable and in accordance with the Rossendale Local Plan and the Framework.

## 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 Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development shall be carried out in accordance with the following:

Drawing No: PMS24140-01-A - Topographical Survey received 22.11.2024  
Drawing No: TQRQM24327165319809 - Site Location Plan received 22.11.2024  
Drawing No: RBC-HOH-XX-00-DR-A-4101\_P04 - Proposed Floor Plan received 22.11.2024  
Drawing No: RBC-HOH-XX-R0-DR-A-4102\_P02 - Proposed Roof Plan received 22.11.2024  
Drawing No: RBC-HOH-XX-XX-DR-A-1204\_P01 - Proposed Block Plan received 22.11.2024  
Drawing No: RBC-HOH-XX-XX-DR-A-1205\_P05 - Proposed Site Plan received 22.11.2024  
Drawing No: RBC-HOH-XX-XX-DR-A-1206\_P02 - Proposed Site Sections received 22.11.2024  
Drawing No: RBC-HOH-XX-XX-DR-A-4201\_P02 - Proposed Elevations received 22.11.2024  
Drawing No: RBC-HOH-XX-XX-DR-A-4301\_P02 - Proposed Sections received 22.11.2024  
Air Quality and Odour Assessment received 22.11.2024  
Ecological Appraisal received 22.11.2024  
Flood Risk and Initial Drainage Strategy received 22.11.2024  
Noise Impact Assessment received 22.11.2024  
Phase 1 Geo-Environmental Desk Study received 22.11.2024  
Planning, Design and Access Statement received 22.11.2024  
Transport Statement received 22.11.2024  
Arboricultural Method Statement received 09.10.2024  
Arboricultural Report and Impact Assessment 09.10.2024  
Ecological Appraisal and BNG Assessment received 30.01.2025  
Statutory Biodiversity Metric Condition Assessment received 30.01.2025  
The Statutory Biodiversity Metric Calculation received 30.01.2025

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

3. No demolition, or tree / shrub clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works taking place and provided written confirmation that no active bird nests are present, which has been agreed in writing by the Local Planning Authority.

*Reason: In the interests of the ecology and biodiversity of the site*

4. Prior to any earthworks, vegetation clearance or demolition taking place, a method statement detailing eradication or avoidance measures for Himalayan balsam and any other invasive species shall be submitted to and agreed in writing by the Local

Planning Authority. The agreed method statement shall be adhered to and implemented in full for the duration of development works.

*Reason: To prevent the spread of invasive species*

5. Construction works shall not take place outside the following hours:  
Monday to Friday 08:00 to 18:00  
Saturday 08:00 to 13:00  
Construction works shall not take place on Sundays, or Bank / Public Holidays.  
Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

*Reason- to ensure that site working only takes place during normal working hours in order to restrict the times during which any disturbance and nuisance may arise.*

6. The development hereby permitted shall only be used or operated between the hours of 05:00 to 17:00 Monday to Friday.

*Reason: In the interests of the amenity of the surrounding residential areas*

7. The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
- a) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
  - e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

*Reason: To ensure the approved Biodiversity Gain Plan is delivered and to ensure the habitat created in line with the approved HMMP is appropriately managed and monitored for 30 years from the completion of the development hereby approved.*

8. No part of the development hereby approved shall be occupied until:
- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
  - b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

*Reason: To ensure the habitat creation and enhancement works set out in the approved HMMP are completed to the satisfaction of the local planning authority.*

9. Monitoring reports shall be submitted to and approved in writing by the local planning authority in accordance with the methodology and frequency specified in the approved HMMP.

*Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy ENV4 of the Local Plan.*

10. No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water.

It shall also set out arrangements by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

*Reason: To safeguard the amenities of the biodiversity of the area and the area generally*

11. Prior to commencement of development, a landscaping scheme showing hard and soft landscaping, replacement tree planting and other planting and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Details of the species, size, location and after care of the replacement trees shall be included. The approved scheme of hard and soft landscaping, replacement tree planting and other planting and boundary treatment shall be completed in full prior to first occupation of the approved building.

Any trees or plants which within a period of 15 years of first occupation of the dwelling 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.*

12. The development shall be carried out in accordance with the submitted flood risk assessment (ref 6069-CAU-XX-XX-RP-C-0600) and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 253.20 metres above Ordnance Datum (AOD)
- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

*Reason: To reduce the risk of flooding to the proposed development and future occupants*

13. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and

approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the information already submitted, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

*Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework and there are no risks from land contamination.*

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

*Reason To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 187 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.*

15. Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

*Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the National Planning Policy Framework.*

16. 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 the site-specific flood risk assessment and indicative surface water sustainable drainage strategy (Flood Risk Assessment and Initial Drainage Strategy, 6069-CAU-XX-XX-RP-C-0600, dated 13 November 2024) 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. 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;

- a) 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 + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) 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; to include all existing and proposed surface water drainage systems up to and including the final outfall;
  - 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 deliver 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 infiltration rates and groundwater levels in accordance with BRE 365.
- d) Evidence of an assessment of the existing on-site surface water drainage systems and sewer to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- e) 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.

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

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with Paragraphs 181 and 182 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for*

17. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

*Reasons: 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 surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 181 of the National Planning Policy Framework.*

18. The commencement of use of the development shall not be permitted until 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, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

*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 sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 182 of the National Planning Policy Framework.*

19. The commencement of use 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 181 and 182 of the National Planning Policy Framework.*

## **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. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Rossendale Borough Council.

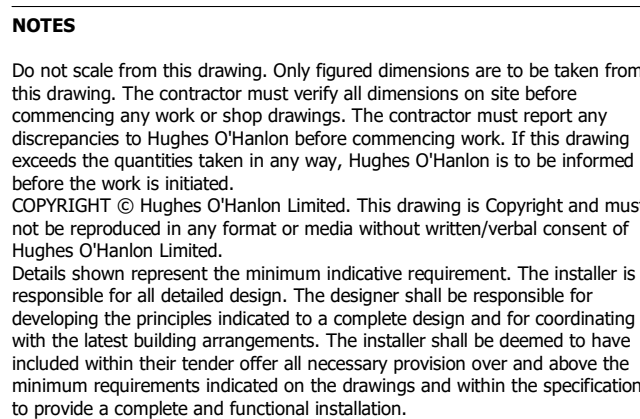
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun



because none of the statutory exemptions or transitional arrangements are considered to apply

3. During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.
4. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
5. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
  - in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission
6. The applicant will require an environmental permit from the Environment Agency to discharge to the main river. Information on environmental permits is available at: <https://www.gov.uk/topic/environmental-management/environmental-permits>
7. 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.



**GENERAL NOTES**  
Drawings to be read in conjunction with all other  
consultant/ specialist drawings and reports  
submitted to support the planning application.



PROJECT TITLE  
HENRIETTA ST WTS, BACUP

CLIENT  
ROSSENDALE BOROUGH COUNCIL

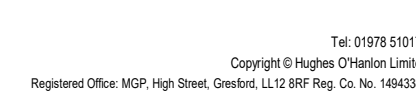
DRAWING TITLE  
**PROPOSED FLOOR PLAN**

SCALE @ A1  
1 : 100

DO NOT SCALE Any discrepancy or query concerning this drawing should be referred to the Architect.

PROJECT No.	DRAWING No.	REVISION
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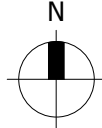
23650 RBC-HOH-XX-00-DR-A-4101- P04







PROPOSED SITE PLAN  
1 : 200



**NOTES**

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Details shown represent the minimum indicative requirement. The installer is responsible for all detailed design. The designer shall be responsible for developing the principles indicated to a complete design and for coordinating with the latest building arrangements. The installer shall be deemed to have included within their tender offer all necessary provision over and above the minimum requirements indicated on the drawings and within the specification to provide a complete and functional installation.

**GENERAL NOTES**

Drawings to be read in conjunction with all other consultant/ specialist drawings and reports submitted to support the planning application.

P05	UPDATED FOR PLANNING SUBMISSION   TB   KOH	15.11.2024
P04	GRIDLINES & SECTIONS OMITTED   TB   KOH	08.10.2024
P03	REVS TO YARD RETAINING WALL   KOH	23.09.2024
P02	REVS TO SITE ENTRANCE   KOH	09.09.2024
P01	INITIAL ISSUE   KOH	06.09.2024
REV	DESCRIPTION   DRAWN BY   CHECKED BY   APPROVED BY   DATE	

PROJECT TITLE  
**HENRIETTA ST WTS, BACUP**

CLIENT  
**ROSSENDALE BOROUGH COUNCIL**

DRAWING TITLE  
**PROPOSED SITE PLAN**

SCALE @ A1  
**1 : 200**

DO NOT SCALE	Any discrepancy or query concerning this drawing should be referred to the Architect.		
PROJECT No	DRAWING No	REVISION	
23650	RBC-HOH-XX-XX-DR-A-1205-	<b>P05</b>	



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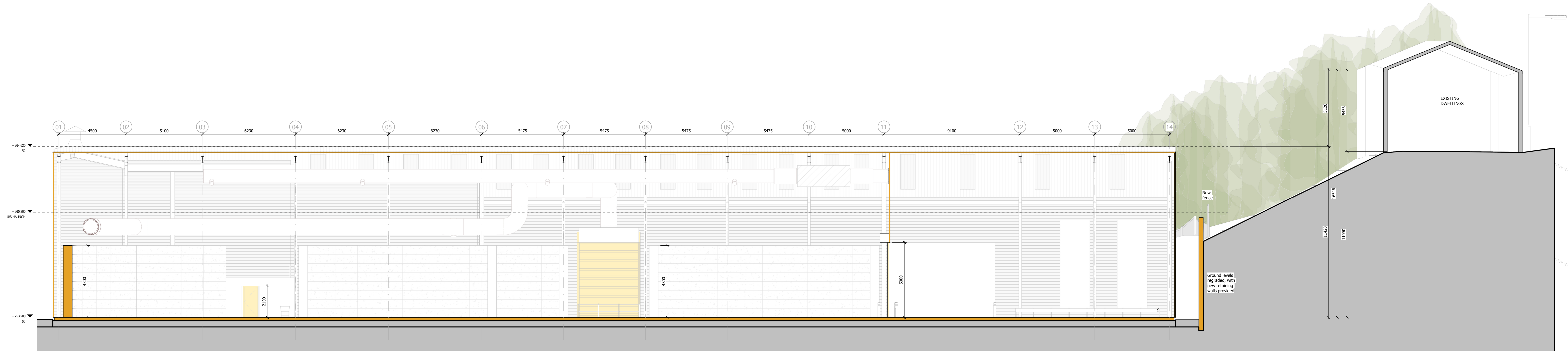


**NOTES**

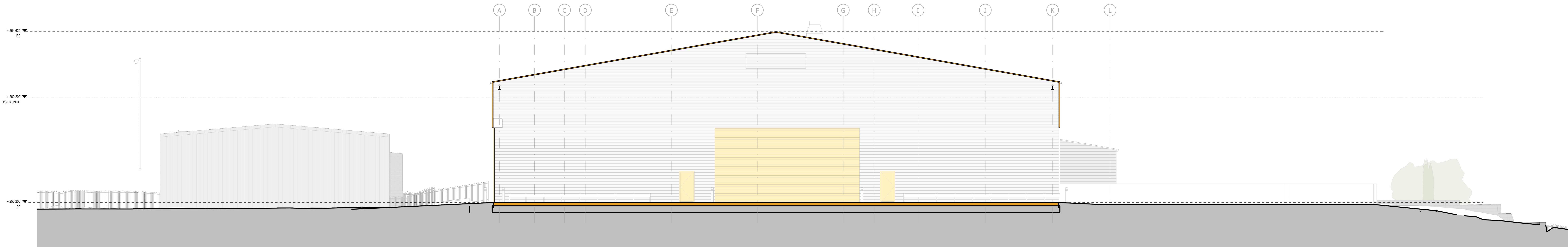
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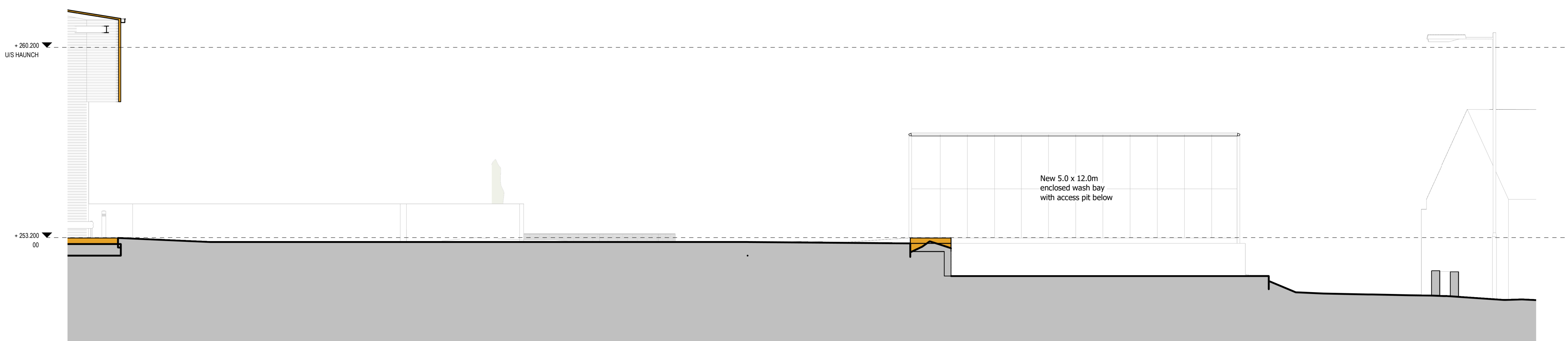
Details shown represent the minimum indicative requirements. The installer is responsible for all detailed design. The designer shall be responsible for developing the principles indicated in a complete design and for coordinating with the client building arrangements. The installer shall be deemed to have included within their tender offer all necessary provision and above the minimum requirements indicated on the drawings and within the specification to provide a complete and functional installation.



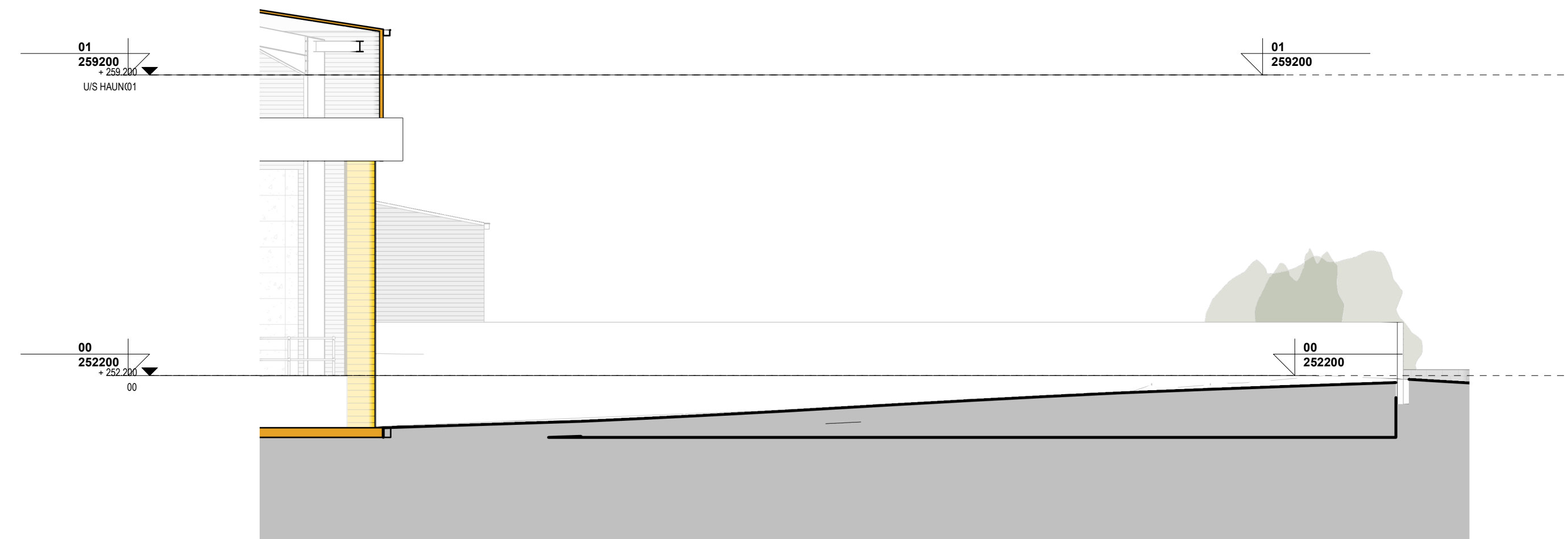
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Site Section B  
1 : 100



Site Section C  
1 : 100



Site Section D  
1 : 100

P02 - UPDATED FOR PLANNING SUBMISSION (1 TB | KCH | 15.11.2024)  
P01 - INITIAL ISSUE (1 TB | KCH | 23.09.2024)  
REV. DESCRIPTION | DRAWN BY | CHECKED BY | APPROVED BY | DATE

PROJECT TITLE  
HENRIETTA ST WTS, BACUP

CLIENT  
ROSSENDALE BOROUGH COUNCIL

DRAWING TITLE  
PROPOSED SITE SECTIONS

SCALE @ A0  
1 : 100

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PROJECT No. DRAWING No. REVISION

23650 RBC-HOH-XX-XX-DR-A-1206- P02



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GRAPHICAL SCALE 1:100

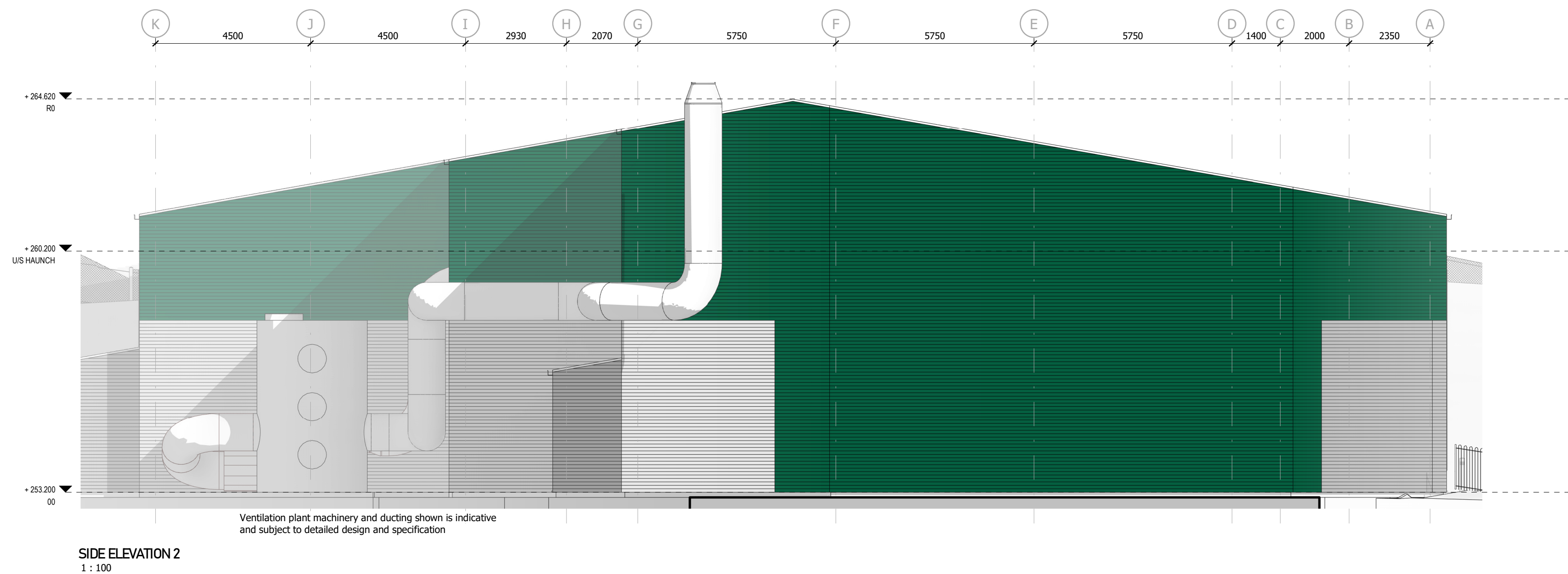
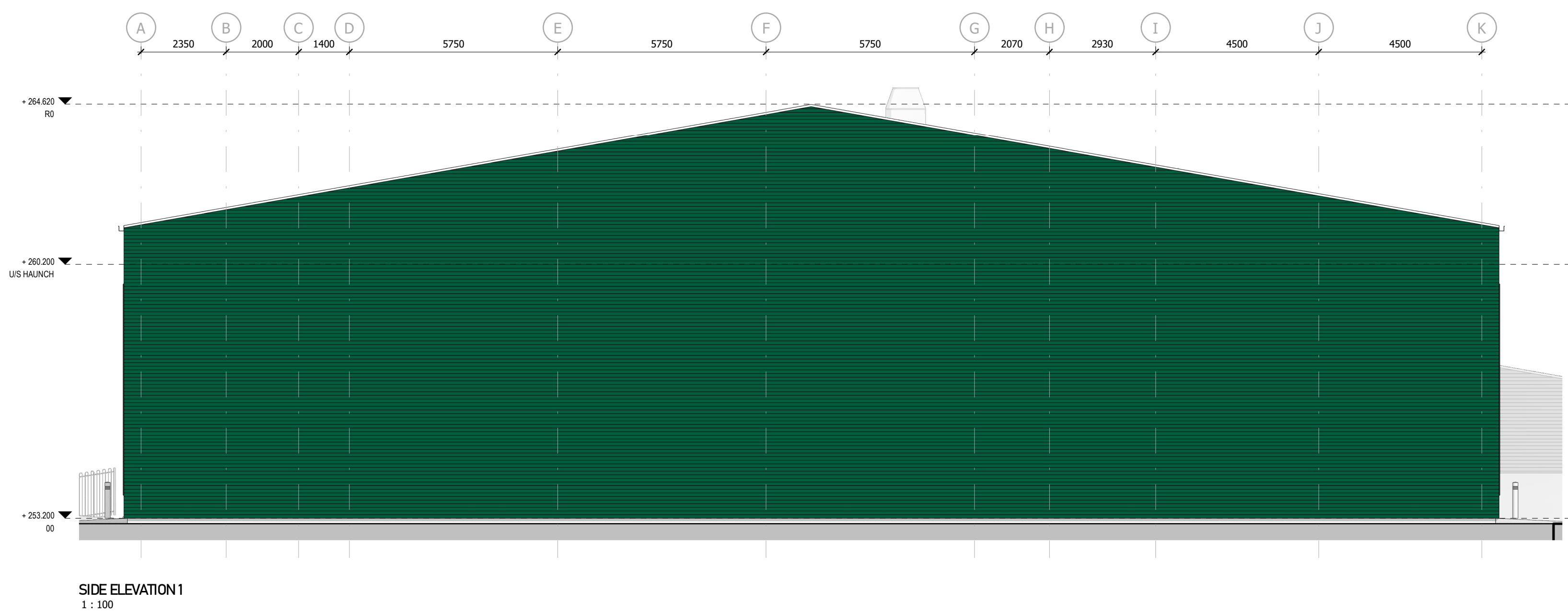
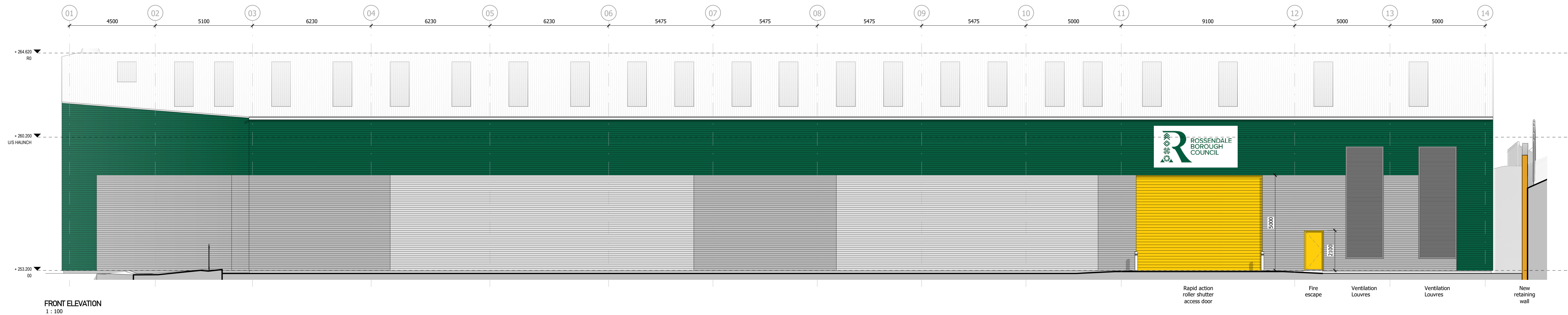


**NOTES**

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Details shown represent the minimum indicative requirement. The installer is responsible for all detailed design. The designer shall be responsible for delivering the principles indicated by a complete design and for coordinating with the client building arrangements. The installer shall be deemed to have included within their tender offer all necessary provision and above the minimum requirements indicated on the drawings and within the specification to provide a complete and functional installation.



P02 - UPDATED FOR PLANNING SUBMISSION | TB | KCH | 15.11.2024  
P01 - INITIAL ISSUE | TB | KCH | 18.09.2024  
REV. DESCRIPTION | DRAWN BY | CHECKED BY | APPROVED BY | DATE

PROJECT TITLE  
HENRIETTA ST WTS, BACUP

CLIENT  
ROSSENDALE BOROUGH COUNCIL

DRAWING TITLE  
PROPOSED ELEVATIONS

SCALE @ A0  
1: 100

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PROJECT No. DRAWING No. REVISION

23650 RBC-HOH-XX-XX-DR-A-4201- P02

**H.O'H** HUGHES O'HANLON architects

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0 2m 4m 6m 8m 10m  
GRAPHICAL SCALE 1:100



















