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|----------------------------|---|-----------------------------------|---|
| <b>Application Number:</b> | 2018/0437   | <b>Application Type:</b>          | Full  |
| <b>Proposal:</b>           | Construction of 3 No. industrial buildings (1 no. B2 Use Class, and 2 no. B2 / B8 Use Class) with offices, service yard car parking and associated works. | <b>Location:</b>                  | Land Off New Hall Hey, New Hall Hey Road, Rawtenstall |
| <b>Report of:</b>          | Planning Unit Manager   | <b>Status:</b>                    | For publication                                       |
| <b>Report to:</b>          | Development Control Committee   | <b>Date:</b>                      | 29/11/2018  |
| <b>Applicant:</b>          | Barnfield Construction Ltd  | <b>Determination Expiry Date:</b> | 28/12/2018  |
| <b>Agent:</b>              | Craven Design Partnership   |                                   |   |

|                         |                              |                   |              |
|-------------------------|------------------------------|-------------------|--------------|
| <b>Contact Officer:</b> | James Dalglish               | <b>Telephone:</b> | 01706-238643 |
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|   |                       |
|---|-----------------------|
| <b>REASON FOR REPORTING</b>                                     |                       |
| <b>Outside Officer Scheme of Delegation</b>                     | ✓ (Major Application) |
| <b>Member Call-In</b><br>Name of Member:<br>Reason for Call-In: |                       |
| <b>3 or more objections received</b>                            |                       |
| <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

Approve planning permission subject to the conditions contained within the report.

## **APPLICATION DETAILS**

### **2. SITE**

The site extends to 1.35 hectares and is in a prominent location to the south of the A682. It is accessed off the A682 via New Hall Hey Road. It is located immediately to the west of the two units currently under construction adjacent to the roundabout serving New Hall Hey retail park, and to the north of Hardman's Mill (a Grade II listed building) and other buildings of stone and slate construction.

The buildings within the retail park to the east are constructed from a mix of stone and steel cladding, with stone boundary treatments facing the A682. Land to the north of the site beyond the A682 bypass is open countryside within the Green Belt, beyond which are terraced residential properties, approximately 150m away. Land to the west of the site is also designated Green Belt land. Approximately 30m to the south is the River Irwell.

The site comprises vacant land containing mixture of bare ground, broad-leaved plants, marshy grassland and trees scattered throughout. The group of trees along the western boundary of the site, along with a number of trees on the southern boundary are covered by a Tree Preservation Order.

The topography of the site is variable with the eastern portion being relatively flat (with a gentle fall towards the south) but at a lower level than the A682 and adjacent roundabout. The site rises to west by approximately 3 or 4 metres.

The site is shown on the Adopted Proposals Map (1995) as an 'Employment Site' although this policy was not saved by the adopted Core Strategy (2011). However, the Core Strategy (Policy 10 and AVP4) does identify New Hall Hey as a key employment location which the Council will seek to protect and make best use of. The site is within the Urban Boundary.

### **3. PLANNING HISTORY**

The following applications are relevant to the determination of this application:

2016/0221 - Erection of 3 industrial units (Use Class B2/B8), with ancillary two-storey office accommodation, and with associated service yards and staff car parks. *Approved.*

2017/0137 - Application for approval of details reserved by conditions 3 (contaminated land), 4 (remediation), 11 (construction method statement), 12 (off-site highway works), 23 (Himalayan Balsam) and 26 (tree protection) pursuant to planning permission 2016/0221. *Split Decision.*

2017/0213 - Approval of Details Reserved by Conditions 19 (management and maintenance plan for drainage) and 22 (surface water drainage scheme) pursuant to Planning Approval 2016/0221. *Approved.*

2017/0292 - Erection of 3 industrial units (Use Class B2/B8), with ancillary two-storey office accommodation, and with associated service yards and staff car parks pursuant to the variation of Condition 20 (land drainage consent) on planning approval 2016/0221 to relate to the largest unit only. *Approved.*

2018/0270 - Approval of Details Reserved by Conditions 9 (details of all window and door designs and glazed canopies), 14 (details of secure covered cycling and motorcycle facilities) and 15 (electric vehicle charging point) pursuant to Planning Approval 2016/0221. *Approved.*

#### 4. **PROPOSAL**

Following the approval of planning permission 2016/0221 (and 2017/0292), the developer has begun construction of two of the approved units at the eastern end of the site. However, their requirements have since been amended and they no longer wish to fully implement the scheme approved under 2016/0221. Namely, three new industrial buildings are now proposed on the western portion of the site, which would replace the single large building formerly approved under 2016/0221.

Full planning permission is therefore now sought for three separate buildings as follows:

| <b>Use Class</b> | <b>Floor area</b>   | <b>Unit number(s)</b> |
|------------------|---|-----------------------|
| B2               | 2,760 sqm (29,700 sq ft)                                      | Unit C                |
| B2 / B8          | 465 sqm (5,000 sq ft)   | Unit D                |
| B2 / B8          | Unit E 465 sqm (5,000 sq ft).<br>Unit F 206 sqm (2,200 sq ft) | Units E & F           |

Units C and D would also contain elements of office accommodation.

The buildings are proposed to be constructed from a combination of horizontal profiled wall cladding and horizontal micro rib composite cladding, with areas of feature glazing. The proposed colours now consist of Pure Grey to the lower elevations and Anthracite to the upper elevations and roof. All window and door frames will be to match.

The application also seeks consent for car parking, servicing areas and hard and soft landscaping. Access to the site would be via the existing access road to the east.

The applicant has supplied the following information in relation to the proposed number of jobs to be created within the development:

- Unit C: Slingco (66 staff)
- Unit D: Speculative (10 staff - estimated)
- Unit E: RPS (12 Staff)
- Unit F: Alden Green (2 Staff)

Total number on site: **90 Staff**

#### 5. **POLICY CONTEXT**

##### **National**

##### **National Planning Policy Framework (2018)**

- 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 14 Meeting the Challenges of Climate Change, Flooding, etc
- Section 15 Conserving and Enhancing the Natural Environment
- Section 16 Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

#### **Rossendale Core Strategy DPD (2011)**

- AVP 4 Rawtenstall
- Policy 1 General Development Locations and Principles
- Policy 6 Training and skills
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Employment
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 22 Planning Contributions
- Policy 23 Promoting High Quality Design & Spaces
- Policy 24 Planning Application Requirements

## **6. CONSULTATION RESPONSES**

| <b>Consultee</b>               | <b>Summary of Comments received</b>                       |
|--------------------------------|---|
| Ecology                        | No objection subject to conditions.                       |
| East Lancs Bat Group           | No comments received.                                     |
| East Lancs Railway             | Comments on the application in relation to HGV movements. |
| Environment Agency             | No comments received.                                     |
| Highways Agency                | No objection.   |
| Lancs Badger Group             | No comments received.                                     |
| LCC LLFA                       | No comments received.                                     |
| LCC Planning Contributions     | No comments received.                                     |
| LCC Highways                   | No comments received.                                     |
| National Grid                  | No comments received.                                     |
| RBC Conservation Officer       | Objection.  |
| RBC Economic Development       | Support the application.                                  |
| RBC Environmental Health       | No objection.   |
| RBC Forward Planning           | No comments received.                                     |
| RBC Operations                 | No comments received.                                     |
| Rossendale Civic Trust         | Comments on the application in relation to visual impact. |
| United Utilities (Electricity) | No comments received.                                     |
| United Utilities (Water)       | No objection subject to conditions.                       |
| Contaminated Land              | No comments received.                                     |
| Police                         | No comments received.                                     |
| Cadent                         | No objection, provided advice for applicant.              |
| Fire Brigade                   | No comments received.                                     |
| Tree Officer                   | No objection.   |

## 7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a press notice was published on 19/10/2018, site notices were posted on 03/10/2018 and 41 letters were sent to neighbours.

No responses have been received.

## 8. ASSESSMENT

The main considerations of the application are:

1) Principle; 2) Visual Amenity and Heritage Impact; 3) Ecology and Landscaping; 4) Neighbour Amenity; 5) Access/Parking/Highway Safety; 7) Neighbour Amenity; 8) Drainage and Flood Risk, 9) Contamination; and 10) Planning Balance.

### Principle

Full planning permission is sought for the erection of 3 industrial units (Use Class B2 and B2/B8), with ancillary office accommodation and associated access, service yards and staff car parking. The site is within the Urban Boundary of Rawtenstall and the Core Strategy (Policy 10 and AVP4) identifies the site as a key employment location which the Council will seek to protect and make best use of. Planning permission has been previously granted for the construction of industrial units on the site, and that permission could still be implemented.

The proposed development is acceptable in principle.

### Visual Amenity and Heritage Impact

The application is accompanied by a Design and Access Statement which explains the general design principles for the development of the site.

The general design and appearance of the proposed units would be very similar to the two units which are already under construction to the east of the site. It is considered that the proposed design and facing materials are appropriate to the type of buildings proposed, and would not appear out of context given that the two buildings to the east have already been constructed.

The Council's Conservation Officer has objected to the proposed scheme, on the grounds that harm would be caused to the setting of Hardman's Mill (a Grade II Listed Building), stating as follows:

*"Assessing the elevations of the proposed submission, while the design appears relatively simple they have the very harsh feel of industrial units and are of standard design.*

*While detail has been submitted, including landscaping plan it is not entirely possible to determine the impact on the Grade II Listed Hardman's Mill.*

*The Heritage statement supplied does provide some assessment of the setting of the Grade II Mill, however it does seem to suggest that the side elevations are of lesser significance than the principal façade of the Mill, which is entirely contrary to the fact as the building is*

*constructed in a repetitive design motif and the principal elevation does not hold any greater significance than the other elevations.*

*The overall impact isn't entirely clear. The CGI submitted merely shows the design of the building looking onto the building; however it would be more useful for CGI's looking onto the site from the A682 towards Hardman's Mill (looking towards Rawtenstall) incrementally approaching the site, also looking down from the roundabout onto the site. It would also be of use to see CGI's showing the landscaping as it develops as the proposed mitigation will take considerable time to mature. It would also be of use to have section of the site to again get a better understanding of the impact.*

*While the units are sited a slightly further distance to the Mill there will still be an impact on the Listed asset. Units E and F have a lesser impact given their location on the site however they do still impact on the wider setting of the Mill.*

*While the overall design is relatively simple I would not consider that the proposed accord with Policy 23 of the Core Strategy, the Council will ensure that new developments promote the image of the Borough, through the enhancement of gateway locations and key approach corridors.*

*The materials proposed are standard using steel and metal cladding painted in two tone grey. The use of stone and natural materials would bring the design in line with the Policy and should be considered to improve the design. While such materials have been used on the neighbouring site the proposal does still present a very stark contrast in context of the Listed Building, creating a negative impact and the proposed would not accord with Policy 16 in respects to point 5, A and B which focus on the need to ensure that all development is located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhance the character of the context and to a high standard of design which reinforces the local distinctiveness of Rossendale.*

*The landscaping scheme has been developed and the overall planting does seem reasonable with tree planting to the perimeter of the site along with a native hedgerow. This being said I would still not consider the landscaping to be sufficient mitigation as the issue of poor design and materials would mean the landscaping would be a buffer to this and the impact on the setting would still exist.*

*Paragraph 189 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

*Paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, which would include the use of the site as employment land.*

*The proposal as it currently stands is contrary to policies 16 and 23 of the Core Strategy DPD. Any harm would be required to provide clear and convincing justification, as per paragraph 196 of the Framework.*

*If it is not possible to amend the scheme then the harm to the heritage asset's and policy consideration would need to be assessed on the planning balance."*

Notwithstanding the Conservation Officer's comments it is the case that there is an extant planning permission in place for the construction of a similar development on the site, which would include a significantly longer industrial unit being located adjacent to the A682 bypass. The previously approved unit would also be wider than the unit now proposed in that position (by 3.5m) and taller (by 0.6m).

Although the scheme now proposed includes two new additional smaller buildings, these would be set back further from the A682 bypass and partially obscured when viewed from the bypass by the larger unit and the stand of trees to the south and west of the site which are to remain.

A detailed scheme of landscaping and boundary treatment has been submitted as part of the current application, and it is considered that the proposed scheme is of high quality and contains appropriate planting for the site. The proposed planting would go some way to mitigating the visual impact of the proposed buildings, and softening the appearance of the scheme.

In line with the Conservation Officer's comments, it must be acknowledged that there will be a degree of harm caused by the proposed scheme to the setting of Hardman's Mill, and that the harm to its setting would be most acutely perceived when viewed from the A682 bypass approaching Rawtenstall.

However, it is not considered that the scheme now proposed will be significantly more harmful in visual and heritage terms than that already approved for the site (which includes a larger building along the edge of the site adjacent to the A682 bypass). The proposed materials are appropriate for the proposed use of the buildings, and would match closely the buildings already constructed to the east of the site under planning permission 2016/0221.

### Ecology and Landscaping

The proposed scheme of landscaping includes the planting of native hedgerows along the northern, western and southern boundary of the site, with interspersed newly planted trees. Within the site, it is proposed to create several areas of wildflower grassland, with other ornamental planted areas.

The proposed scheme of landscaping is considered appropriate, and once established will provide a degree of mitigation of the visual impact of the proposed units when viewed from the A682 and other locations.

The Council's ecology consultant has no objection to the proposed scheme subject to conditions, and the Council's Tree Officer is satisfied that the proposals are acceptable.

### Access, Parking and Highway Safety

The application is accompanied by a Transport Assessment prepared by Curtins which has been assessed by Highways England, which has raised no objection.

The Local Highway Authority (LCC Highways) was consulted on the application but has not provided comment.

In line with the advice received from Highways England, it is considered that the proposal will not result in severe cumulative impacts on the highway network in accordance with the Framework and Core Strategy Policy 8.

It is considered appropriate to include conditions relating to highway safety from the previous planning approval (2016/0221).

### Neighbour Amenity

Core Strategy Policy 24 requires new developments to be designed to protect the amenity of the area, including residential amenity in terms of light, outlook, landscaping, and mitigating noise and light pollution.

One of the 12 core planning principles within the Framework states that planning should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”*

In this case the site is some distance away from residential properties, the nearest being 150m away to the north however this is beyond the A682 bypass. On this basis, it is considered that the proposed scheme is unlikely to result in any significant impacts on neighbour amenity.

The Council’s Environmental Health team has no objection to the proposed scheme.

The proposal is compliant with the Framework and Policy 24 of the Core Strategy with regards to neighbour amenity.

### Drainage and Flood Risk

United Utilities has no objection to the proposed scheme subject to the inclusion of a condition requiring the submission and approval of an appropriate surface water drainage scheme.

### Planning Balance

Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

The site is currently vacant, and set within a gateway location into Rossendale from the south. Of particular importance is the site’s identification within the Core Strategy (Policy 10 and AVP4) as a key employment location which the Council will seek to protect and make best use of. Notwithstanding this, the development plan also includes Policies 16 and 23 which seek to conserve, preserve and enhance Rossendale’s historic built environment including Listed Buildings.

### *What are the benefits of the proposal?*

The development would deliver a substantial amount of new employment floor space on a site with good access links within the urban boundary. Furthermore the site has been identified within the Core Strategy as a key employment location.

The proposed scheme will generate an estimated 90 new jobs on site, based on the figures below provided by the applicant:

|        |             |                      |
|--------|-------------|----------------------|
| Unit C | Slingco     | 66 staff             |
| Unit D | Speculative | 10 staff (estimated) |
| Unit E | RPS         | 12 Staff             |
| Unit F | Alden Green | 02 Staff             |

The above benefits are significant, and accordingly are afforded significant weight.

#### *Harm to the setting of Hardman's Mill*

The Council's Conservation Officer has objected to the proposed scheme, on the grounds that harm would be caused to the setting of Hardman's Mill (a Grade II Listed Building).

In line with the Conservation Officer's comments, it must be acknowledged that there will be a degree of harm caused by the proposed scheme to the setting of Hardman's Mill, and that the harm to its setting would be most acutely perceived when viewed from the A682 bypass approaching Rawtenstall.

The proposed units would be of considerable size, and would have an undeniable impact on the setting of Hardman's Mill, to which weight must be afforded.

However, notwithstanding the Conservation Officer's comments, it is the case that there is an extant planning permission in place for the construction of a similar development on the site, which would include a significantly longer industrial unit being located adjacent to the A682 bypass. The previously approved unit would also be wider than the unit now proposed in that position (by 3.5m) and taller (by 0.6m).

Although the scheme now proposed includes two new additional smaller buildings, these would be set back further from the A682 bypass and partially obscured when viewed from the bypass by the larger unit and the stand of trees to the south and west of the site which are to remain.

A detailed scheme of landscaping and boundary treatment has been submitted as part of the current application, and it is considered that the proposed scheme is of high quality and contains appropriate planting for the site. The proposed planting would go some way to mitigating the visual impact of the proposed buildings, and softening the appearance of the scheme.

It is not considered that the scheme now proposed will be significantly more harmful in visual and heritage terms than that already approved for the site (which includes a larger building along the edge of the site adjacent to the A682 bypass). The proposed materials are appropriate for the proposed use of the buildings, and would match closely the buildings already constructed to the east of the site under planning permission 2016/0221.

#### *Conclusion*

This is a finely balanced recommendation in that the scheme would provide significant employment benefits on a suitable site in a key location within the Borough, but would unavoidably impact on the wider setting of Hardman's Mill.

It is considered that this impact will be mitigated to a certain degree by the provision of a good quality landscaping scheme (which has been provided) and appropriate facing materials (which are to match the units already constructed to the east of the site).

A significant factor in this balancing exercise must be the fact that there is an extant planning permission for the construction of a larger industrial unit on the site, which could be implemented.

Taking into account all of the above, it is considered that the benefits of the scheme and the fact that there is an extant permission for a large industrial unit on the site (which could be constructed) outweighs the harm that would be caused by the scheme to the wider setting of Hardman's Mill.

As such on balance, the proposals are considered to be acceptable.

## 9. **CONDITIONS**

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

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

| <b>Title</b>                            | <b>Drawing Reference</b> |
|---|--------------------------|
| Proposed Site Layout                    | 1490/2/01 REV. E         |
| Proposed Landscaping Plan               | 250516/001/SJT REV. F    |
| Proposed Impermeable Area Plan          | 15106-C-60               |
| Proposed Drainage Layout                | 15106-C-61               |
| Drainage Calculations                   | 15106-CC-01              |
| Unit C Floor Plan and Elevations        | 1490/2/02E               |
| Unit D Floor Plan and Elevations        | 1490/2/04A               |
| Units E and F Floor Plan and Elevations | 1490/2/05F               |

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

3. No above-ground construction works shall take place until full details (including samples) of all facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development will be of a satisfactory appearance.

4. If the site clearance and earthworks forming part of the development hereby approved do not commence before 1st April 2019, then site shall be reassessed by a qualified ecologist and the

findings (in the form of a report) supplied to and agreed in writing by the Local Planning Authority prior to works taking place.

Reason: In the interests of protecting biodiversity.

5. No mature trees shall be removed along the boundary of the site unless an assessment of the trees has been undertaken by a suitably qualified Ecologist to establish the potential for roosting bats and which demonstrates that the trees to be removed have no potential for roosting bats. This assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To conserve and enhance biodiversity and to ensure that any bats are protected.

6. No removal of or works to any vegetation or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority for approval.

Reason: To conserve and enhance biodiversity and to protect breeding birds.

7. The development shall be undertaken in strict accordance with the 'Himalayan Balsam Invasive Treatment and Control Method Statement' (Barnfield Construction) approved under application 2017/0137 (Application for approval of details reserved by conditions 3 (contaminated land), 4 (remediation), 11 (construction method statement), 12 (off-site highway works), 23 (Himalayan Balsam) and 26 (tree protection) pursuant to planning permission 2016/0221).

Reason: To ensure that Himalayan Balsam found on the site is appropriately treated.

8. No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

- 1) The results of a Phase 2 site investigation and detailed risk assessment 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.
- 2) 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 (1) 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 express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

9. No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy (pursuant to condition 8) 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

11. No infiltration of surface water drainage into the ground on land affected by contamination shall 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 controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect controlled waters from pollution by ensuring that there are no unacceptable discharges to ground or surface waters.

12. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle wash downs and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

Reason: To reduce the risk of pollution to the water environment.

13. The development shall be implemented in accordance with the details of windows, doors and glazed canopies (as shown on drawings numbered AV638-06, AV638-07, AV638-08, AV638-02, AV638-03 and AV638-04) approved under application 2018/0270 (Approval of Details Reserved by Conditions 9 (details of all window and door designs and glazed canopies), 14 (details of secure covered cycling and motorcycle facilities) and 15 (electric vehicle charging point) pursuant to Planning Approval 2016/0221).

Reason: To ensure that the development will be of a satisfactory appearance.

14. The development shall be undertaken in strict accordance with the Construction Method Statement submitted and approved under application 2017/0137 (Application for approval of details reserved by conditions 3 (contaminated land), 4 (remediation), 11 (construction method statement), 12 (off-site highway works), 23 (Himalayan Balsam) and 26 (tree protection) pursuant to planning permission 2016/0221).

Reason: In the interests of highway safety.

15. The development shall be carried out in accordance with the scheme for the construction of the site access points and the off-site highway works (including: Section 78 Design – Traffic Regulation Order Amendments (dwg no. 1708605) received 31 October 2017; and Section 78 Agreement Land Plan (dwg no. 1708610) received 31 October 2017) approved under application 2017/0533 (Approval of Details Reserved by Condition 12 (scheme for the construction of the site access points and the off-site highway works) pursuant to Planning Approval 2016/0221).

Reason: In the interests of highway safety.

16. The car park as shown on the approved Site Layout Plan shall be surfaced and the car parking spaces and manoeuvring areas laid out in accordance with the approved plan, before first use of the premises hereby approved.

Reason: To allow for the effective use of the parking areas.

17. The development shall be implemented in accordance with the details of cycle and motorcycle storage (as shown on drawing number 1490/B/120N) approved under application 2018/0270 (Approval of Details Reserved by Conditions 9 (details of all window and door designs and glazed canopies), 14 (details of secure covered cycling and motorcycle facilities) and 15 (electric vehicle charging point) pursuant to Planning Approval 2016/0221). The cycle / motorcycle storage facilities shall be made available prior to first use of the premises.

Reason: To ensure adequate cycle / motorcycle parking and storage facilities are in place to serve the development.

18. The development shall be implemented in accordance with the details of the electric vehicle charging point approved under application 2018/0270 (Approval of Details Reserved by Conditions 9 (details of all window and door designs and glazed canopies), 14 (details of secure covered cycling and motorcycle facilities) and 15 (electric vehicle charging point) pursuant to Planning Approval 2016/0221). The electric vehicle charging point shall be made available prior to first use of the premises.

Reason: To ensure adequate electric vehicle charging facilities are in place to serve the development.

19. The approved Framework Travel Plan shall be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for a minimum of 5 years.

Reason: To ensure that the development provides sustainable transport options.

20. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) September 2016 / Project Ref: 15106/FRA/01 / Paul Waites Associate and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm periods for 1 in 1 year, 1 in 30 year and 1 in 100 year event plus allowance for climate change so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provision of compensatory flood storage as detailed in the FRA

3. Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
4. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
5. Confirmation of the opening up of any culverts across the site.
6. Finished floor levels for the three units are set no lower than described in section 6.1 of the FRA

The mitigation measures shall be fully implemented prior to commencement and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to ensure the structural integrity of existing and proposed flood defences thereby reducing the risk of flooding, to ensure safe access and egress from and to the site, to reduce the risk of flooding from blockages to the existing culvert(s), and to reduce the risk of flooding to the proposed development and future occupants.

21. The development hereby permitted shall not be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure that the drainage for the proposed development can be adequately maintained, and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

22. The development shall be implemented in accordance with the details of proposed management and maintenance of the sustainable drainage scheme included in the Drainage Maintenance and Management Report Project Ref: 15106/CR/01 (April 2017) approved under application 2017/0213 (Approval of Details Reserved by Conditions 19 (management and maintenance plan for drainage) and 22 (surface water drainage scheme) pursuant to Planning Approval 2016/0221).

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved buildings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: To ensure that appropriate and sufficient drainage management and maintenance mechanisms are in place for the lifetime of the development.

23. No development shall commence until land drainage consent has been issued to the applicant for temporary works to the culverted watercourse located on site, and a copy of which shall be submitted to the Local Planning Authority for written approval prior to commencement of development.

Reason: To ensure there is no increase in flood risk on-site or off-site and that the watercourse continues to convey the flow of water without obstruction or impediment during the construction period.

24. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

25. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

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

26. The development shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Scheme (March 2017) approved under application 2017/0137 (Application for approval of details reserved by conditions 3 (contaminated land), 4 (remediation), 11 (construction method statement), 12 (off-site highway works), 23 (Himalayan balsam) and 26 (tree protection) pursuant to planning permission 2016/0221).

Reason: To protect trees to be retained on site.

27. During the first planting season following the commencement of development hereby approved Landscaping Plan listed in Condition 2 shall be implemented in full. The approved landscaping scheme includes planting within the highway embankment, which requires a planting license under Section 42 of the Highways Act 1980. The signed license shall be submitted to the Local Planning Authority prior to any landscaping works taking place within the highway embankment.

Any trees, plants or shrubs so planted which die or are felled, uprooted, wilfully damaged or destroyed within five years of the date of planting shall be replaced by the applicant or their successors in title.

Reason: In the interests of highway safety and to ensure a satisfactory form of development.

## 10. **INFORMATIVES**

1. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at:

[http://www.rossendale.gov.uk/downloads/download/331/core\\_strategy\\_local\\_plan\\_part\\_1\\_a\\_dopted](http://www.rossendale.gov.uk/downloads/download/331/core_strategy_local_plan_part_1_a_dopted)

The Council operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.