

The deadline for receipt of late representations is Thursday 30th November 2023 to allow Elected Members to fully consider representations. You also have the option of speaking at the Committee. To register to speak at the Committee contact the Committee Officer before 12 noon on the day of the meeting.
You can now submit your planning application on line at www.planningportal.gov.uk



Meeting of: DEVELOPMENT CONTROL COMMITTEE

Time: 6.30pm

Date: 5th December 2023

Venue: Council Chamber, The Business Centre, Futures Park, Bacup, OL13 0BB



Supported by: Carolyn Sharples, Committee and Member Services Manager Tel: 01706 252422 or Email: carolynsharples@rossendalebc.gov.uk

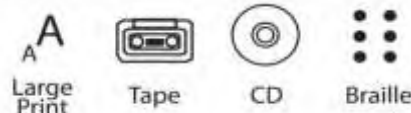
The meeting will be live streamed at the following link:

<https://www.youtube.com/channel/UCrLsMDOP7AYxik5pNP0gTIA/streams>

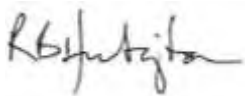
ITEM		Lead Member/Contact Officer
A.	BUSINESS MATTERS	
A1.	Apologies for Absence	Carolyn Sharples, Committee and Member Services Manager Tel: 01706 252422 or Email: carolynsharples@rossendalebc.gov.uk
A2.	To approve and sign as a correct record the Minutes of the meeting held on 14 th November 2023.	
A3.	Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary.</i> Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial, withdraw from the meeting during consideration of the item.	
A4.	Urgent Items of Business To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	
B.	PLANNING APPLICATIONS	
B1.	2023/0108 – Land on the north east side of York Avenue Full: Erection of new building to provide 11 no. Industrial starter units and new access	Claire Bradley Senior Planning Officer

The agenda and reports are also available for inspection on the Council's website <https://www.rossendale.gov.uk/>. Other formats are available on request. Tel 01706 217777 or contact Rosendale Borough Council, Futures Park, Bacup, OL13 0BB

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ITEM	Lead Member/Contact Officer	
B2.	2023/0453 - Haslingden Market Demolition of existing green metal stalls and canopy, removal of fabric awnings and addition of new steel fixed canopies. Replacement gates and railings to northern and southern elevations. Replacement of paving and reworking of levels. Construction of new steel structure to provide sheltered seating.	<p style="text-align: center;">Claire Bradley Senior Planning Officer</p>



Rob Huntington
Chief Executive

Date Published: 27th November 2023

Location Information: Futures Park is located on the 464 bus route (Lee Mill bus stop). The 464 bus runs between Accrington and Rochdale, calling at stops in Haslingden, Rawtenstall, Waterfoot, Bacup and Whitworth.

MINUTES OF: THE DEVELOPMENT CONTROL COMMITTEE

Date of Meeting: 14th November 2023

Present: Councillor Procter (Chair)
Councillors Driver, Eaton, Gill, Hodgkiss, Marriott, Morris

In Attendance: Mike Atherton, Head of Planning
James Dalgleish, Principal Planning Officer
Chris Dobson, Planning Officer
Yasmin Ahmed, Principal Legal Officer
Sattar Hussain, Legal Officer

Also Present: Councillor Neal
5 members of the public

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. MINUTES

Resolved:

That the minutes of the meeting held on the 10th October 2023 be signed by the Chair and agreed as a correct record.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

PLANNING APPLICATIONS

The Chair noted that the Planning Officers would be outlining the main points of the applications and any relevant additional information. The Committee were given copies of all reports and plans in advance of the meeting, which they had adequate time to read.

5. 2023/0359 – THE WHITAKER, RAWTENSTALL (ITEM B1)

The Planning Officer outlined the application as detailed in the report, including the site details, planning history, the proposal, consultation responses, and notification responses received.

Mr Drinkwater spoke in relation to the application (noting that his objections now appear to have been addressed by the proposed conditions) and Ms Seville spoke in favour. Members asked questions for clarification purposes only.

In determining the application, members discussed the following:

- Proximity to the venue.
- Use of lighting around the building.

- Toilets on site.
- Disabled access to the building and Compliance with the Disability Act.
- Regular museum hours, in particular Thursday's late opening.

Clarification was provided on the points raised.

A proposal was moved and seconded to approve the application as per the officer's recommendation, subject to the conditions set out in the report.

Moved: Councillor Marriott

Seconded: Councillor Eaton

Voting took place on the proposal, the result of which was as follows:

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was granted subject to the following 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:

Application form received 06.08.2023
 Location Plan received 16.09.2023
 Plans and Elevations received 23.10.2023
 Revised Planning Statement received 16.09.2023

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

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

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

4. The application building shall only be used between the hours of 10:00 to 16:00 Wednesday to Sunday, and 10:00 to 20:00 on Thursdays.

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

5. The building shall be only used for workshops, wellbeing activities, meetings and educational use and for no other purpose.

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

6. No lighting shall be erected on the access to the site unless a further application has first been submitted to and approved in writing by the Local Planning Authority.

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

6. 2023/0280 – BIRCHCLIFFE, TONACLIFFE ROAD, WHITWORTH (ITEM B2)

The Planning Officer outlined the application as detailed in the report, including the site details, planning history, the proposal, consultation responses, and notification responses received.

Cllr Neal spoke on the application.

A proposal was moved and seconded to approve the application as per the officer's recommendation, subject to the conditions set out in the report.

Moved: Councillor Driver

Seconded: Councillor Eaton

Voting took place on the proposal, the result of which was as follows:

FOR	AGAINST	ABSTENTION
7	0	0

Resolved:

The application was granted subject to the following conditions:

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

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

2. The development shall be carried out in accordance with the planning application form received 15/06/2023 and the following drawings and documentation unless otherwise required by the conditions below:

Title	Drawing No.	Received Date
Location Plan	-	15.06.2023
Proposed Front Elevation	PL K1057/04	26.07.2023
Proposed East Elevations	-	23.10.2023
Proposed West Elevation	-	23.10.2023
Proposed North Elevation	-	23.10.2023
Proposed Ground Floor Plan	PL K1057/02 E	08.08.2023
Proposed First Floor Plan	PL K1057/03 F	30.10.2023

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

3. No development shall take place until a Construction Method Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall highlight how deliveries during construction will be managed and where workers on the site will park during construction.

Reason: to minimise the impact of construction on existing residents in the vicinity of the site.

4. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved and retained as approved thereafter.

Reason: To ensure that the materials used are visually appropriate to the locality.

The meeting concluded at 7:05pm

Signed:
(Chair)

Date:

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

Contact Officer:	Claire Bradley	Telephone:	01706 238636
Email:	planning@rossendalebc.gov.uk		

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

HUMAN RIGHTS

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

Article 8

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

Article 1 of Protocol 1

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

1. RECOMMENDATION

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

APPLICATION DETAILS

2. SITE

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

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

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

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

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

The site is located within the urban boundary.

3. RELEVANT PLANNING APPLICATION HISTORY

There are no previous applications.

4. PROPOSAL

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

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

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

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

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

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

POLICY CONTEXT

National Planning Policy Framework

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

Development Plan

Local Plan Policies

SS: Spatial Strategy

SD1: Presumption in Favour of Sustainable Development

SD2: Urban Boundary and Green Belt

EMP1: Provision for Employment

EMP2: Employment/mixed-use allocations and existing employment sites

EMP4: Development Criteria for Employment Generating Development

ENV1: High Quality Development in the Borough

ENV4: Biodiversity, Geodiversity and Ecological Networks

ENV6: Environmental Protection

TR4: Parking

Other material considerations

National Planning Practice Guidance

5. CONSULTATION RESPONSES

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

6. REPRESENTATIONS

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

No comments have been received.

7. ASSESSMENT

The main considerations in this case are as follows:

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

Principle

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

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

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

Visual Amenity

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

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

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

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

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

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

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

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

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

Neighbour Amenity

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

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

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

Highway Safety

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

The Highway Authority have commented that:

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

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

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

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

Ecology

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

Policy ENV3 of the Local Plan advises that:

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

“Policy ENV4 Biodiversity, Geodiversity and Ecological Networks states:

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

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

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

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

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

8. CONCLUSION

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

9. RECOMMENDATION

That planning permission be approved subject to the following conditions.

10. CONDITIONS

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

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

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

Application form received 09.03.2023

Location Plan received 09.03.2023

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

Design and Access Statement received 09.03.2023

Planning Statement received 22.08.2023

Preliminary Ecological Appraisal received 29.08.2023

Waste Management Strategy received 29.08.2023

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

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

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

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

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

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

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

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

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

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

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

11. INFORMATIVES

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

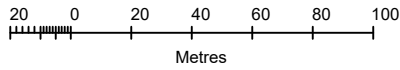
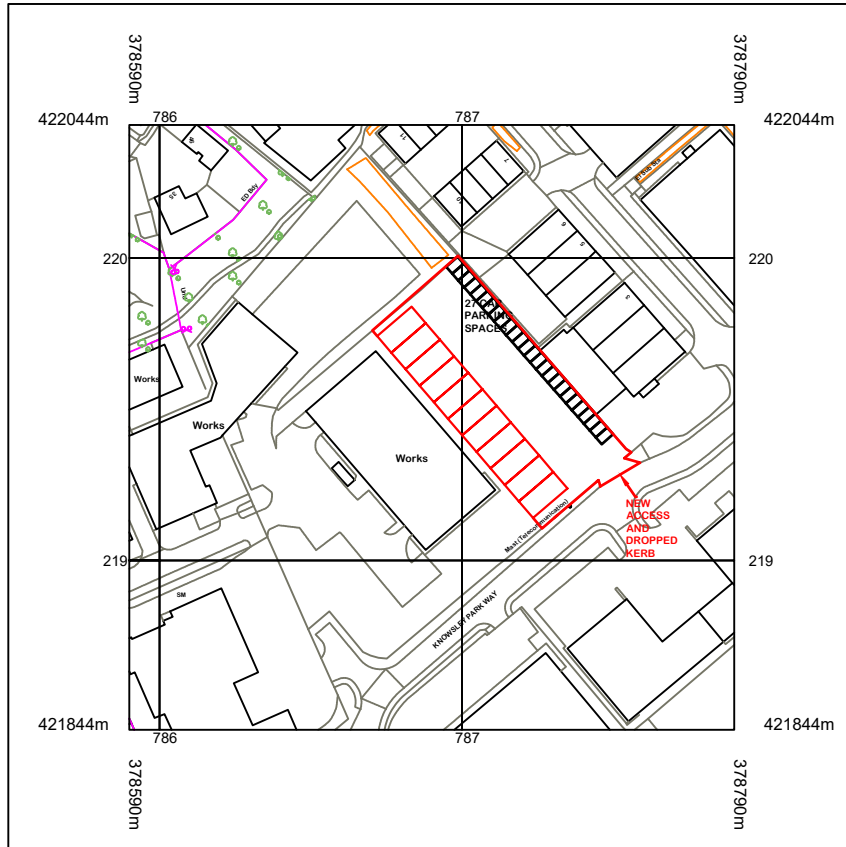
applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

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

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

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

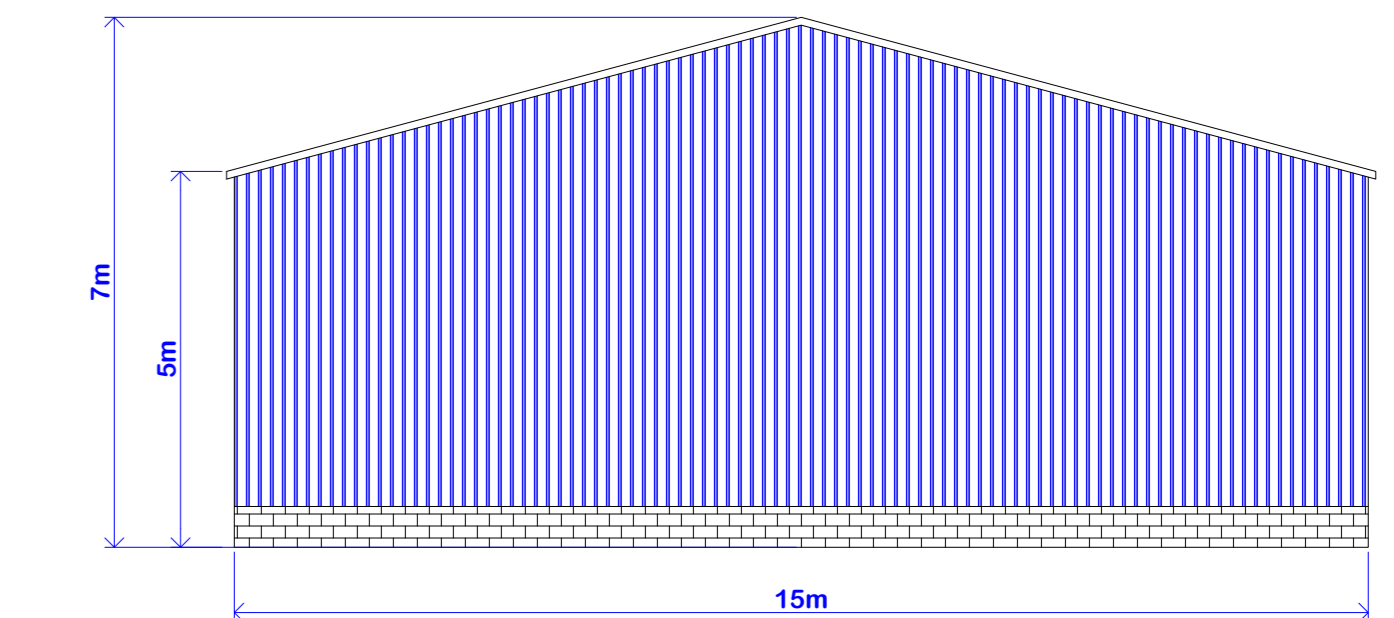
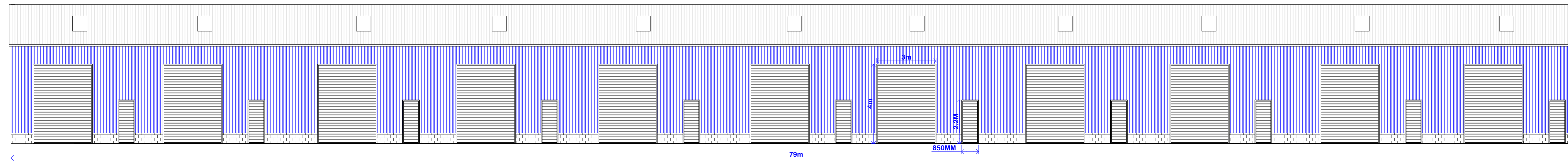
Stanfords VectorMap



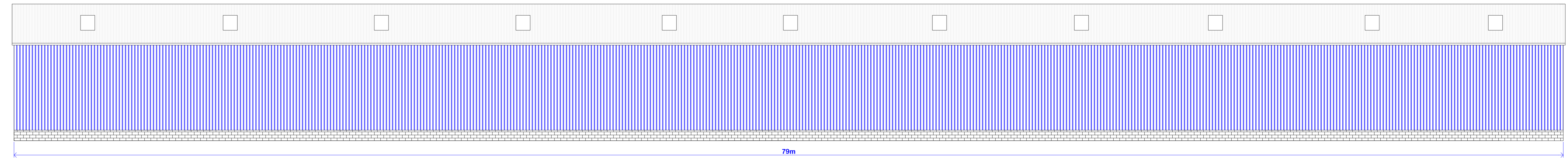
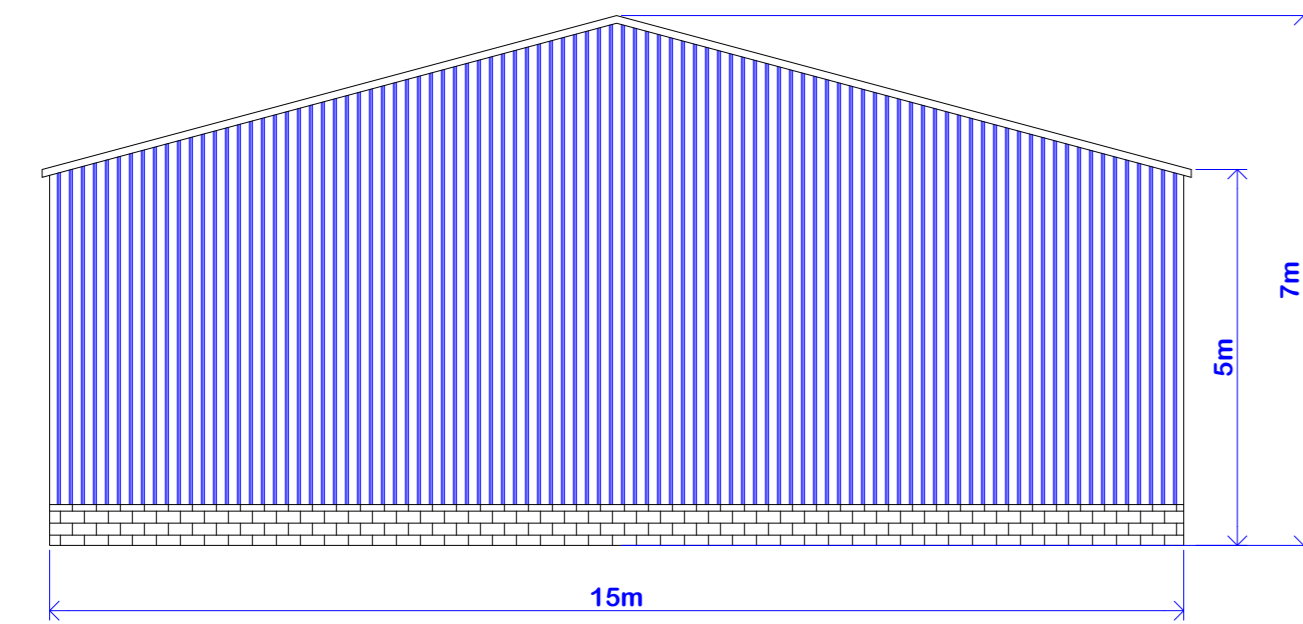
Land on the East Side of York Avenue, Haslingden BB44HG

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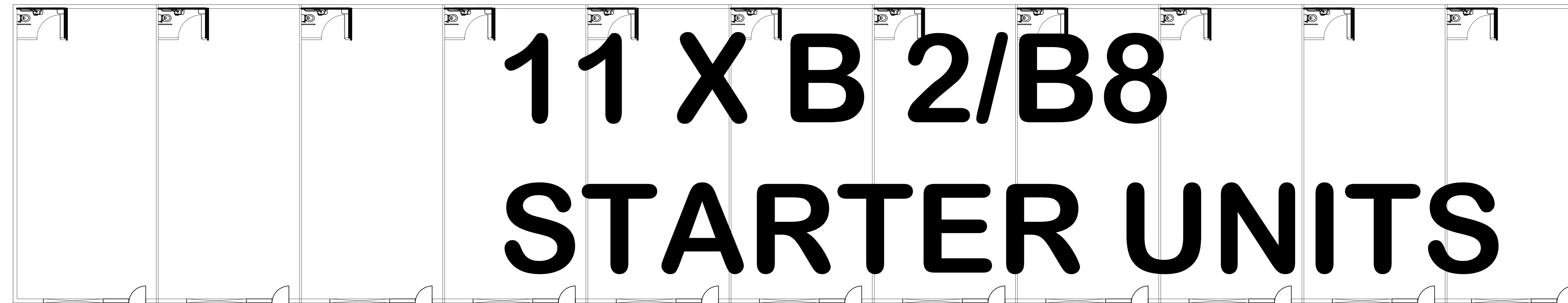
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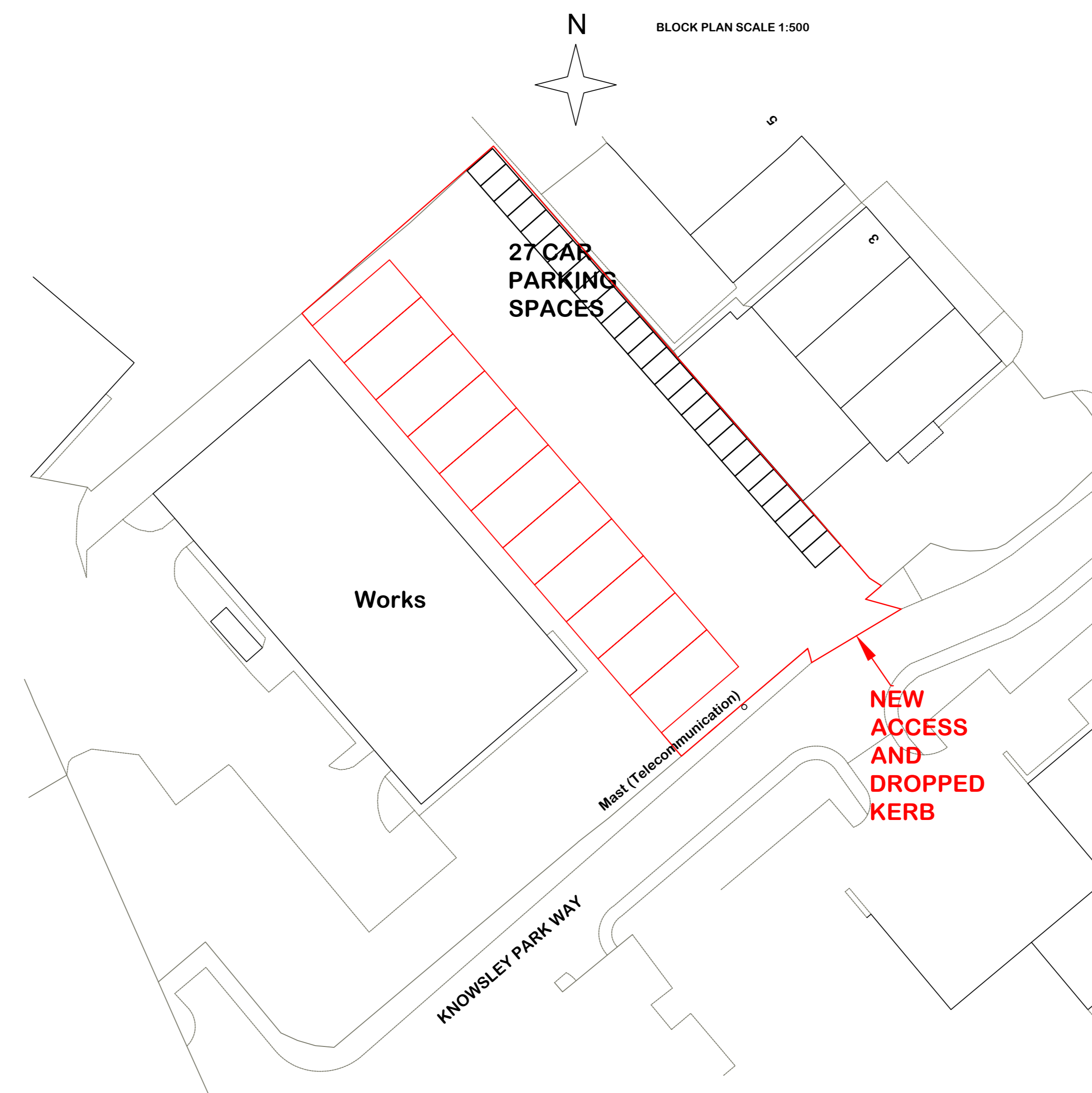
MATERIALS: ROOF IN WILLOW (12 B 27) COMPOSITE BOX
 PROFILE TIN SHEETS WITH GRP ROOFLIGHTS
 WALLS IN SARGASSO BLUE (RAL 5002) BOX PROFILE TIN
 SHEETS
 LOWER WALLS IN RED FACE BRICK TO EAST AND SOUTH
 ELEVATIONS, AND IN BLOCK TO NORTH AND WEST ELEVATIONS
 ROLLER SHUTTER AND PERSONEL DOORS IN GALVANIZED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



PROPOSED PLAN VIEW



DRAWN BY: Planning Consultancy Ltd Office A, Bradley Hill Farm Cloughton-on-Brook, Preston PR3 0GA Telephone 01 995 640135 Mobile 07913 296 287 e-mail: mel@mplanning.co.uk	CLIENT: PETE SPENCE	DATE: 13 February 2023 DWG NO.: MUP3621.13
	PROJECT: 1 No NEW BUILDING TO FORM 11 No INDUSTRIAL UNITS	SCALE: 1:100 & 1:500 AD
	LOCATION: Land to the East Side of York Avenue, Haslingden BB444HG	





Application Number:	2023/0453	Application Type:	Full Planning Permission
Proposal:	Demolition of existing green metal stalls and canopy, removal of fabric awnings and addition of new steel fixed canopies. Replacement gates and railings to northern and southern elevations. Replacement of paving and reworking of levels. Construction of new steel structure to provide sheltered seating.	Location:	Haslingden Market Blackburn Road Haslingden Rossendale BB4 5QG
Report of:	Planning Manager	Status:	For publication
Report to:	Development Control Committee	Date:	5 th December 2023
Applicant:	Rosendale Borough Council	Determination Expiry Date:	01.11.2023

Contact Officer:	Claire Bradley	Telephone:	01706 238636
Email:	planning@rossendalebc.gov.uk		

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	
3 or more objections received	
Other (please state):	Yes – Council application on Council Owned Land

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

Approval subject to conditions contained in this report.

2. APPLICATION SITE

The application site is Haslingden Market. The site is surrounded by a stone wall and railings. The existing market provides an external shopping experience for customers. The market has 12 permanent stalls housed in masonry structures with metal shutters and traditional fabric awnings. There is currently provision for 20 table top stalls located under a fixed shelter.

There is a stone built toilet block adjacent to the access from Blackburn Road which can be accessed from within the market area or directly from Blackburn Road. The toilets have been closed to the public since the beginning of the Covid 19 pandemic and have not reopened.

The existing trader accommodation houses a single prep kitchen with basic facilities. The space also accommodates an accessible WC, plant space and store.

Located within the Haslingden Conservation Area, the Haslingden Market main entrance is off Blackburn Road to the south of the market. In addition to the main entrance there is another entrance to the north of the market which connects to a passageway directly from the middle of Deardengate.

3. RELEVANT PLANNING APPLICATION HISTORY

No previous applications

4. PROPOSAL

The Council have undertaken consultation with the local community which received a high level of engagement. The response to the consultation indicated that there was a desire for the market to;

- Have a better variety of stalls
- More food stalls
- More frequent opening times
- Evening opening hours

The following key objectives have been established for the market regeneration;

- Provide an area for seating
- Create shelter from the weather
- Improve trader facilities
- Remove out of hours public access to the toilets
- Create a welcoming and inviting environment
- Improve the gradients and accessibility of the landscaping
- Provide new signage for the market which will create unity and continuity across the various stalls
- Flexible area for events

The proposal seeks to demolish the existing green metal stalls and canopy, remove the fabric awnings and create new steel fixed canopies. The gates to both the north and south entrances are to be replaced in addition to the railings.

The existing 12 stone-built trader stalls are to be retained, along with the other stone structures including the WCs. The central covered external stall area is to be

demolished and replaced with a new steel structure, which will provide sheltered seating for visitors; this will cover an area of 88m². The general layout of the market is to be retained. The new steel structure will have a ridge height of 5.5m, which is approximately 0.9m above the ridge height of the trader stalls. It will have a corrugated roof, the underside of which will be painted yellow. The Design and Access Statement notes that the gable ends of the structure are to be semi enclosed; in part by steel with signage cut outs and also with timber fins in a vertical orientation. The timber fins will help to break the wind without causing increases in the wind felt to either side of the structure. Planters are also located at the gable ends to reduce the wind exposure whilst also adding visual interest to the market.

The central shelter will have picnic style benches and will accommodate around 100 people. The existing material awnings will be removed, and a fixed canopy constructed from steel will be installed above each stall; each stall will also have a hanging sign introduced, suspended from the steel canopy. New paving will be introduced across the market, it is proposed that as part of the landscaping works, a large number of cobble setts, which are being removed from Deardengate will be reused within the market, to create zones at the entrance of each trader stall.

New gutters and rainwater goods are to be powder coated aluminium in dark grey.

The existing toilets will be retained and refurbished; it is proposed that the entrance from Blackburn Road will be closed off so that they are only accessible from the market during trading hours. The rooms within the trading area will also be refurbished with kitchen facilities, floor finishes and decoration. An access door is to be provided, linking the trader area to the rear car park.

The entrances to the market will also be upgraded, this will include the removal of the existing low arches and introduction of new steel structures which match the detail and proportion of the new steel shelter. The new market sign will be integrated into the arch, it will read 'Haslingden Market' as a cut out in the steel. New steel signs reading 'market' will also be attached to the stonework on the gable ends of two of the stalls.

The railings will also be replaced and will provide additional protection from the wind. They are to be made of steel flats or fins which, like the timber on the shelter, will help to break up the wind. The same approach is to be taken on the gates. The metal shutters on the stalls will be decorated in a colourful paint.

The existing Victorian style lamps are to be serviced and decorated. The existing external lighting mounted to the trader stalls is to be replaced with contemporary energy efficient fittings and new festoon lighting is to be provided throughout. A central steel column has been provided in the space, which will house power outlets, providing power to event equipment.

5. POLICY CONTEXT

National Planning Policy Framework

Section 2	Achieving Sustainable Development
Section 4	Decision Making
Section 6	Building a Strong Competitive Economy
Section 7	Ensuring the vitality of Town Centres
Section 12	Achieving Well Designed Places
Section 16	Conserving and Enhancing the Historic Environment

Development Plan

Local Plan Policies

Policy SS: Spatial Strategy

Policy SD1: Presumption in Favour of Sustainable Development

Policy SD2: Urban Boundary and Green Belt

Policy ENV1: High Quality Development in the Borough

Policy ENV2: Historic Environment

Policy R1: Retail and Other Town Centre Uses

Policy R3: Development and Change of Use in Town, District and Local Centres and Neighbourhood Parades

Other material considerations

National Planning Practice Guidance

Bacup Conservation Area Appraisal

6. CONSULTATION RESPONSES

Consultee	Summary of response
Growth Lancashire (Conservation)	See Heritage Section below
LCC Highways	No objections subject to a condition
RBC Economic Development	Letter of Support

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 24.10.2023 and neighbouring properties were notified by letter sent out on 18.10.2023. The application was advertised on 27.10.2023

No representations have been received

8. ASSESSMENT

The main considerations in this case are as follows:

- 1) Principle;
- 2) Heritage/Visual Amenity;
- 3) Residential Amenity;
- 4) Access, Parking and Highway Safety

Principle

The market is located within close proximity of the core retail area within Haslingden which is designated as a District Centre, and forms part of the primary public realm within the Haslingden Town Centre 2040 vision.

The proposed scheme is for the regeneration of the market to create a better environment for traders and customers.

The site is within the Urban Boundary.

Policy R1 supports development proposals that maintain or strengthen the retail offer and vitality and viability of District Centre

Consequently it is considered that in principle the proposal meets the requirements of Sections 2, 7 and 16 of the NPPF and Policies SD1, SD2 and R1 of the Local Plan.

Heritage/Visual Amenity

The site is located within Haslingden Conservation Area

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 127)*
- *“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 130).*

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 197 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.*

Policies ENV1 and ENV2 of the Local Plan seek to ensure that the built and historic environment is safeguarded and enhanced and proposals take into account design, lighting and materials.

The new central structure providing sheltered seating is to be constructed from steel which is to be painted dark grey. The roofing material is to be corrugated metal sheeting. Gutters and rainwater goods are to be powder coated aluminium, also in dark grey.

At either end of the steel structure there are timber vertical slats acting as a wind break.

The new fixed canopies to the trader stalls are to be made from ‘I’ section steel fixed back to the masonry. The steel is to be painted dark grey to match the central structure.

The external paving is to be replaced throughout with new stone topped concrete paving, providing a natural stone finish.

Cobble setts are to be relocated from Deardengate and reused within the entrances to the market trader stalls.

In the conservation area, Haslingden Market is located within Character Area 4: 20th Century Clearance & Rebuild. Under Key Negative Features, it is noted that the market is closed most of the week and thus creates a dead space in a central location.

Growth Lancashire have been consulted and have commented as follows:

The market itself is somewhat enclosed and located to the rear of Deardengate, which is one of the principal routes through the conservation area. The proposed alterations to the market are contemporary in appearance and will modernise the space; this is mainly due to the use of steel work through the scheme and cut-out signage, timber, and bright colour scheme. Whilst the use of more traditionally designed gate/railings and central seating area, for example with the introduction of more ornate metalwork, might make the proposal appear more sympathetic within the conservation area, I do not have an issue with the design of the proposed scheme.

The current market space was constructed in 1997 and as such, it does not contribute visually to the historic character of the conservation area and is in my view of neutral value. I feel that the contemporary design of the scheme does not detract from the historic value of the area and works well with the existing marketplace design. The coursed stone and slate roofs compliment the materials found elsewhere in the conservation area and the proposed scheme does not detract from this. The reuse of the stone setts and refurbishment of the Victorian style streetlamps will help introduce/restore an element of historic character to the space, which will in turn help balance the contemporary nature of the scheme.

The proposed colour scheme includes a variety of colours; however, they are slightly muted in tone and due to the somewhat enclosed nature of market and contemporary design of the scheme, I feel that they do not detract from the character or appearance of the conservation area. I also feel that the hanging signs, despite appearing contemporary in design in the rendered images, will not have any notable impact on the conservation area, as they are well integrated into the overall scheme.

As discussed above, the market is said to create a dead space within a central location within the conservation area. The proposed scheme will help to resolve this issue by bringing use back to the space. I feel that the reuse of the space will be a positive change within the conservation area, and that any harm to the character and appearance caused by the scheme will be limited and balanced by the positive reuse of the space.

The proposed development will have limited harm to the Conservation Area which is balanced by the positive re-use of the space.

It is considered that the proposal would meet the statutory test 'to preserve' the character and appearance of Haslingden Conservation Area. As such, the scheme would meet with the objectives of Chapter 16 of the NPPF and accord with policy ENV 2 of the Local Plan.

Residential Amenity

Paragraph 130 of the NPPF 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.”*

The proposed development will not impact on the residential amenity of nearby occupiers. The market is a long established use of the site, and will not change fundamentally as a result of the proposals.

The proposed development will be in accordance with Policy ENV1 and the NPPF.

Access, Parking and Highway Safety

There will be no significant impact on access, parking or highway safety from the proposed development.

The Highway Authority have advised that there are no objections to the proposed development and it will not have an impact on highway safety in the surrounding area.

9. CONCLUSION

The proposal will result in the positive re-use of the market space, enhancing the facility and the built environment, and resulting in the regeneration of the market area.

The proposals have also been assessed as having no adverse impacts on visual amenity residential amenity, or highway safety. The scheme is acceptable on balance in relation to heritage impact.

On this basis it is considered that the proposal is in accordance with the Rossendale Local Plan and the NPPF.

10 RECOMMENDATION

That planning permission is granted subject to the following conditions:

11. 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:

Application Form received

Drawing No: 7221 L (00) 01 Existing Location and Site Plan received 04.10.2023

Drawing No: 7221 L (00) 02 Existing Elevations received 04.10.2023

Drawing No: 7221 L (1-) 01 Existing Plan received 04.10.2023

Drawing No: 7221 L (1-) 02 Proposed Plan (01) received 11.10.2023

Drawing No: 7221 L (2-) 01 Proposed Elevations received 04.10.2023

Drawing No: 7221 L (2-) 02 Proposed Elevations received 04.10.2023

Drawing No: 7221 L (2-) 03 Proposed Elevations received 04.10.2023

Drawing No: 7221 L (2-) 04 Proposed Elevations received 04.10.2023

7221 Haslingden Market Design Access and Heritage Statement received 04.10.2023

Haslingden market report received 04.10.2023

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

3. The proposed materials and colours shall be as detailed in the Design, Access and Heritage Statement.

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

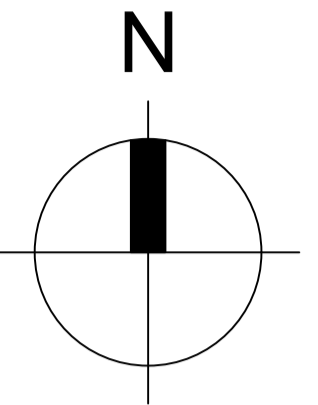
4. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours
 - ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network.

12. 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.



LAYOUTS OF UNITS 5-12 INDICATIVE AND HAVE NOT BEEN SURVEYED

RATCLIFFE FOLD

BLACKBURN ROAD



New steel entrance gates within steel 1" section arch.

New steel railings to match gate profile

ENTRANCE

Existing central metal stalls and canopy demolished and new steel structure constructed to provide sheltered seating

SHELTERED SEATING AREA

STORE
PLANT ROOM
NO ACCESS

PREP

PREP

Existing concrete paving replaced with stone paving and levels reworked to improve accessibility. New aco slot drains provided connecting to existing drainage arrangements.

FLEXIBLE ZONE

New steel post to support lighting and provide power connection for events.

MAIN ENTRANCE

New steel railings to match gate profile

New steel entrance gates within steel 1" section arch

Low wall and railing extended to meet WC building. Existing walls and gate leading to WC's from Blackburn Rd demolished.

MALE WC

FEMALE WC

01	EW	JP	Dimensions added	2023 10 11
no.	by	chk.	revision	date

client

Rosendale
BOROUGH COUNCIL

project Hasingden Market

by	chk.	date	scale	sheet size
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OH EW - 1:100 A1

title Proposed Site Plan

status	job no / dsg. no	revision
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P 7221 L(1-) 02 01



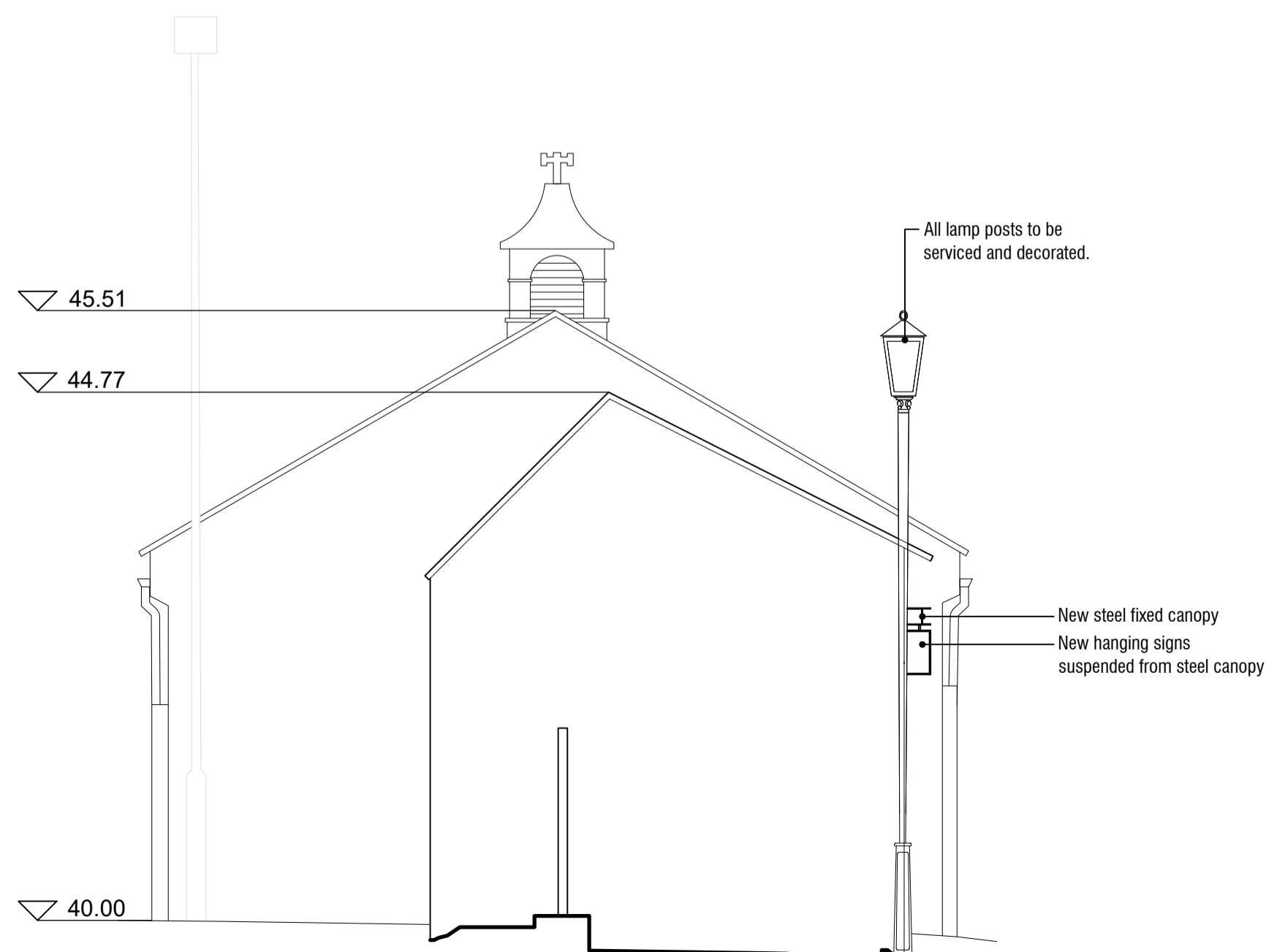
REAR ELEVATION TO EASTERN TRADER STALLS



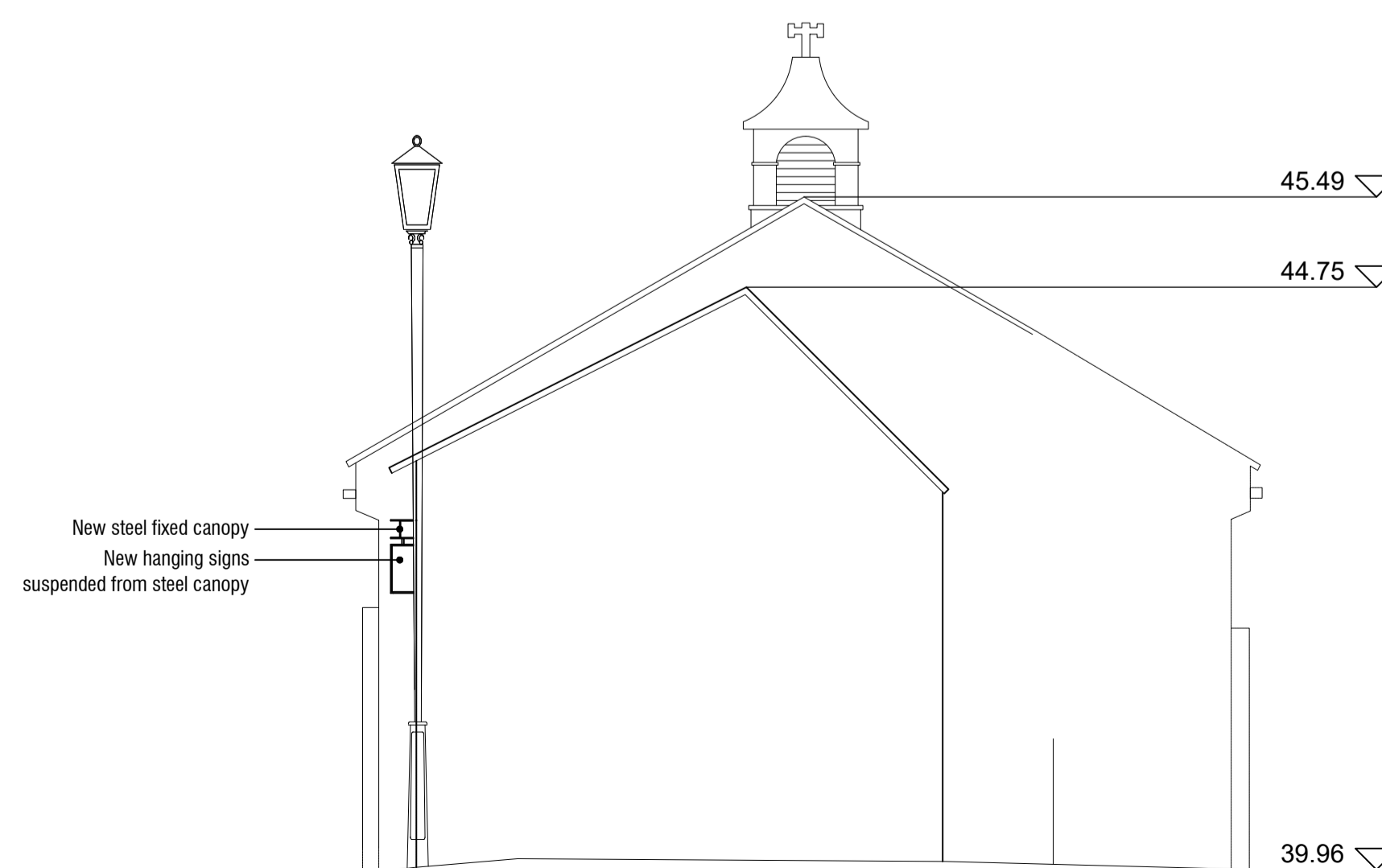
KEY



PRINCIPAL ELEVATION TO EASTERN TRADER STALLS



NORTHERN ELEVATION EASTERN TRADER STALLS



SOUTHERN ELEVATION EASTERN TRADER STALLS

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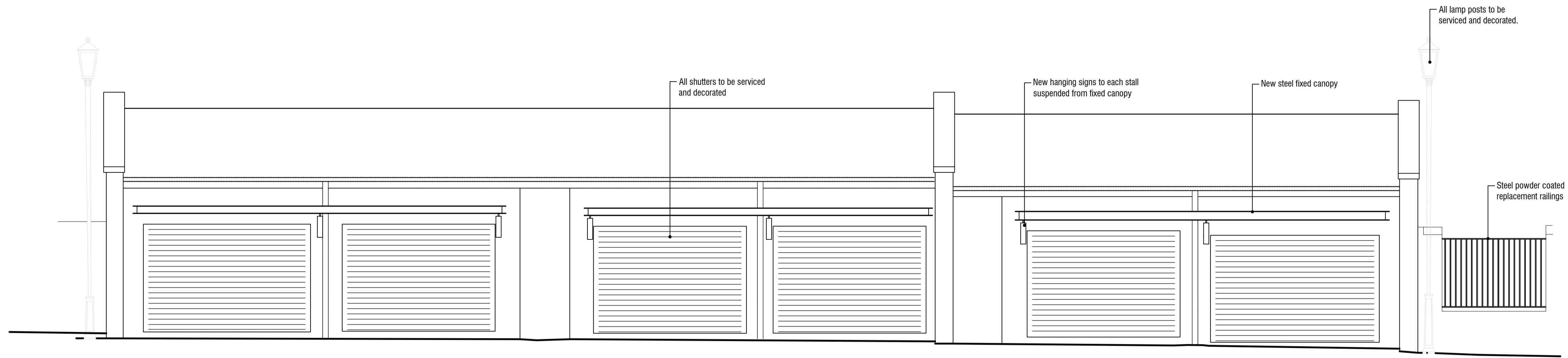
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title Proposed Elevations
Eastern Trader Stalls

status job no. / dsg. no. revision

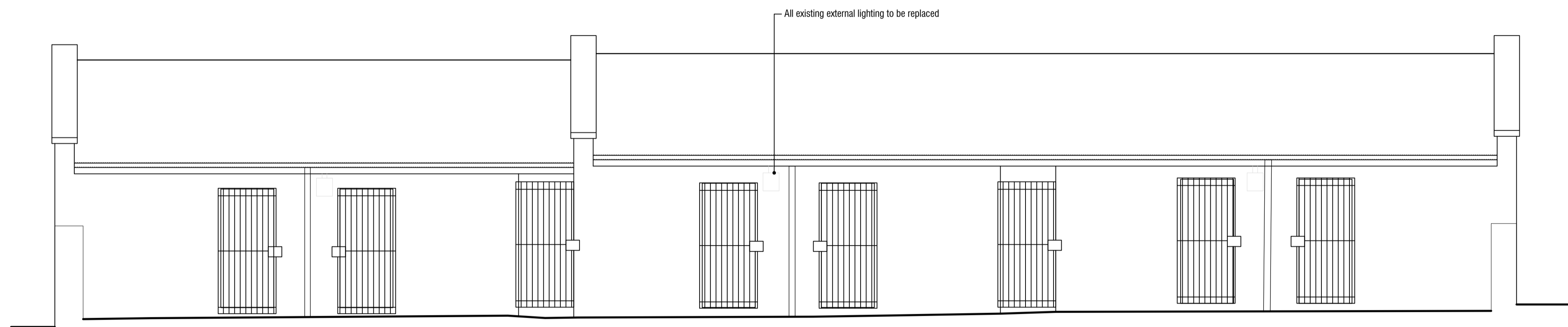
P 7221 L(2-) 01 -



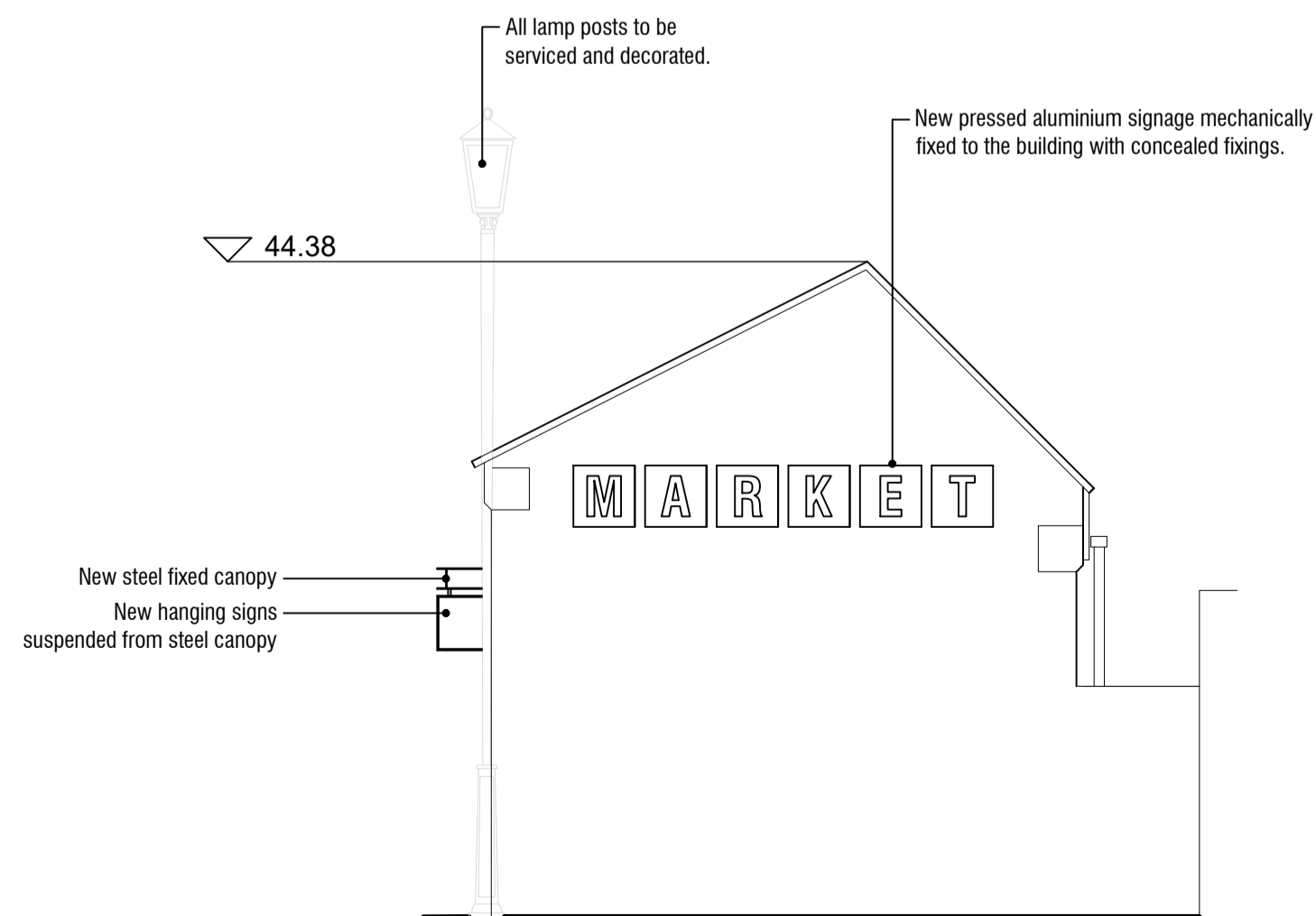
PRINCIPAL ELEVATION TO WESTERN TRADER STALLS



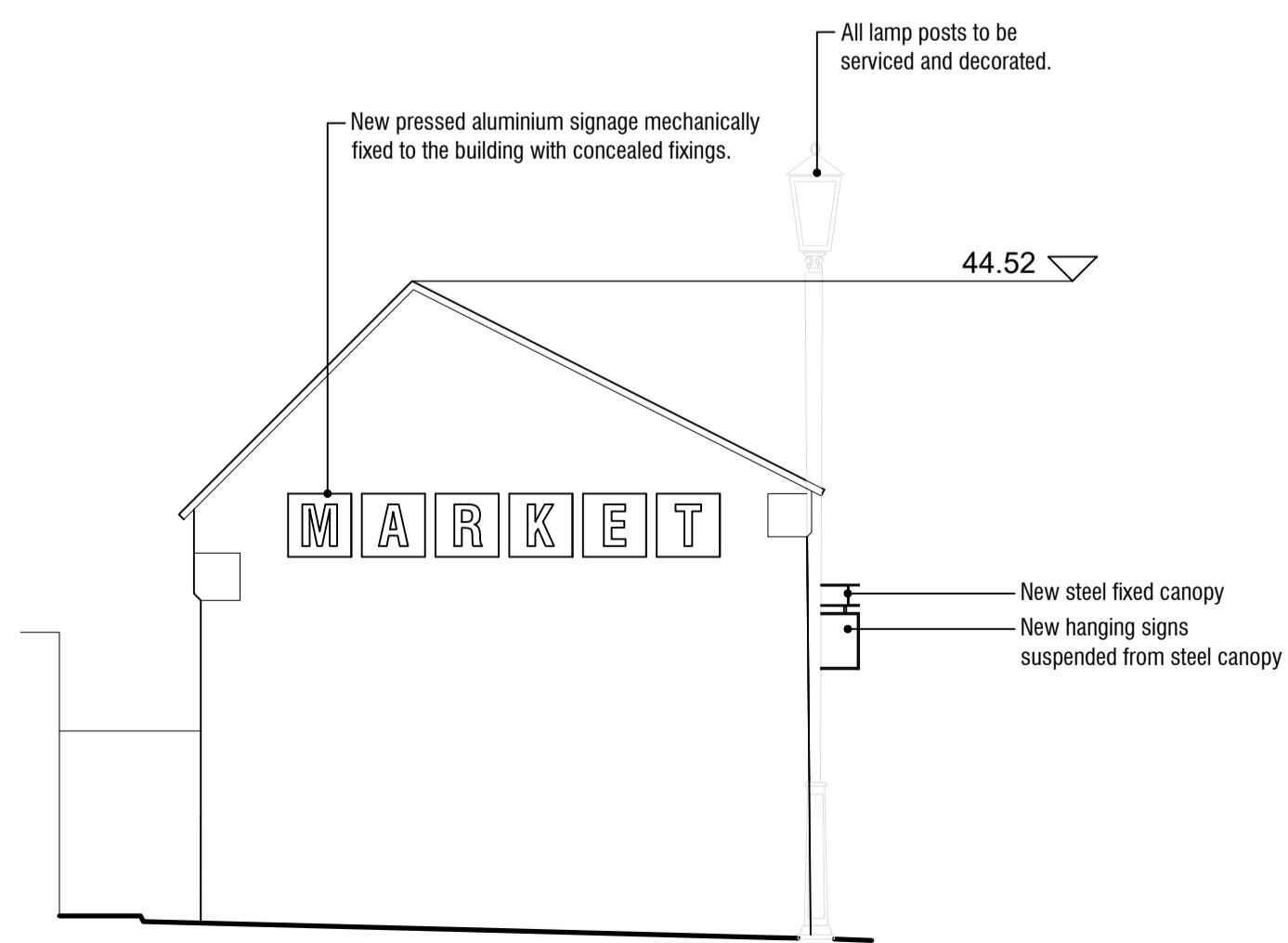
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REAR ELEVATION TO WESTERN TRADER STALLS



NORTHERN ELEVATION WESTERN TRADER STALLS



SOUTHERN ELEVATION WESTERN TRADER STALLS

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Rossendale
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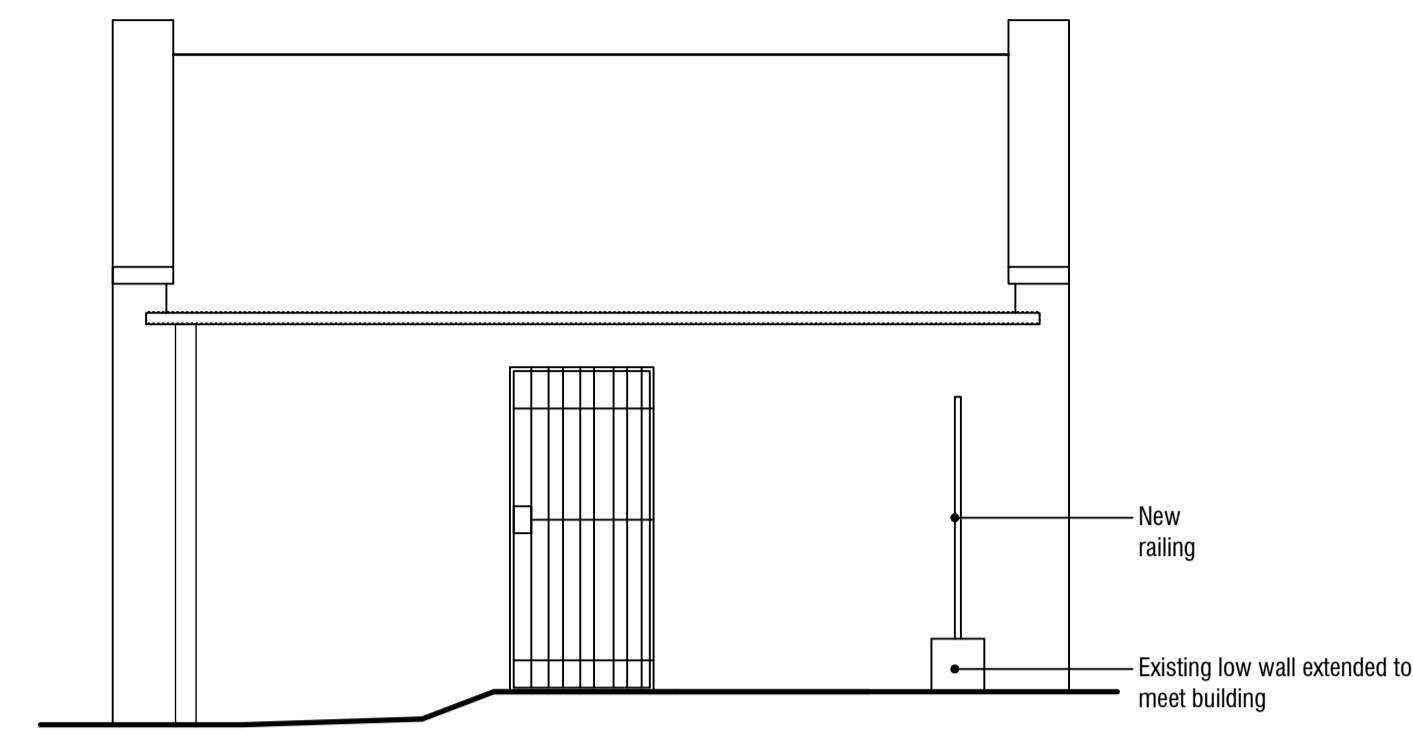
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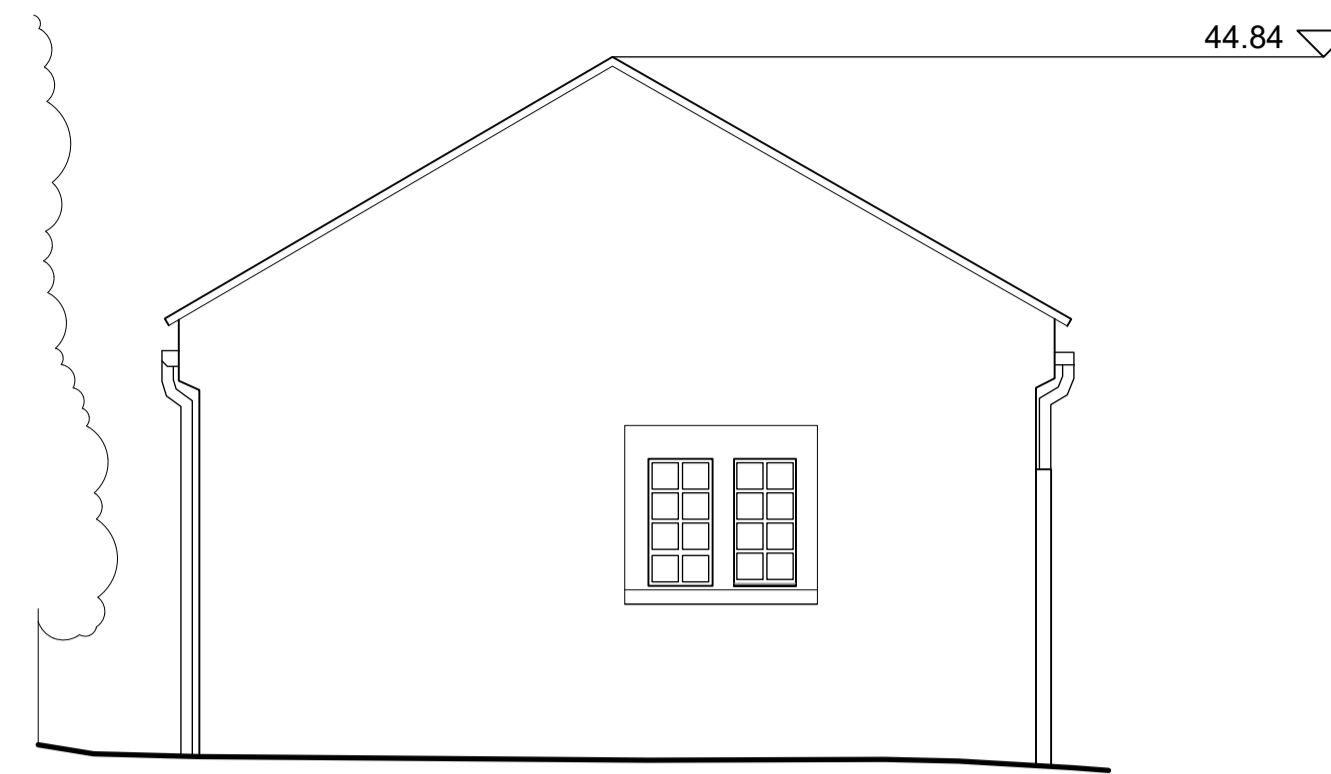
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Western Trader Stalls

status: job no. / dsg. no. revision:

P 7221 L(2-) 02 -



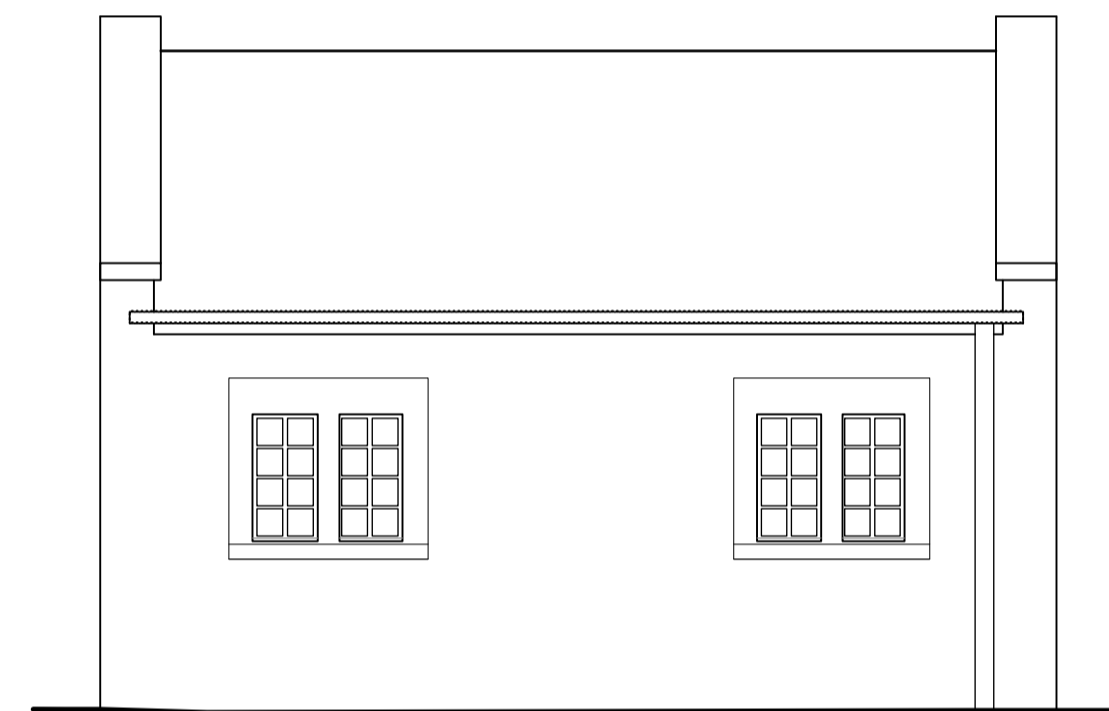
PRINCIPAL ELEVATION TO WC BLOCK



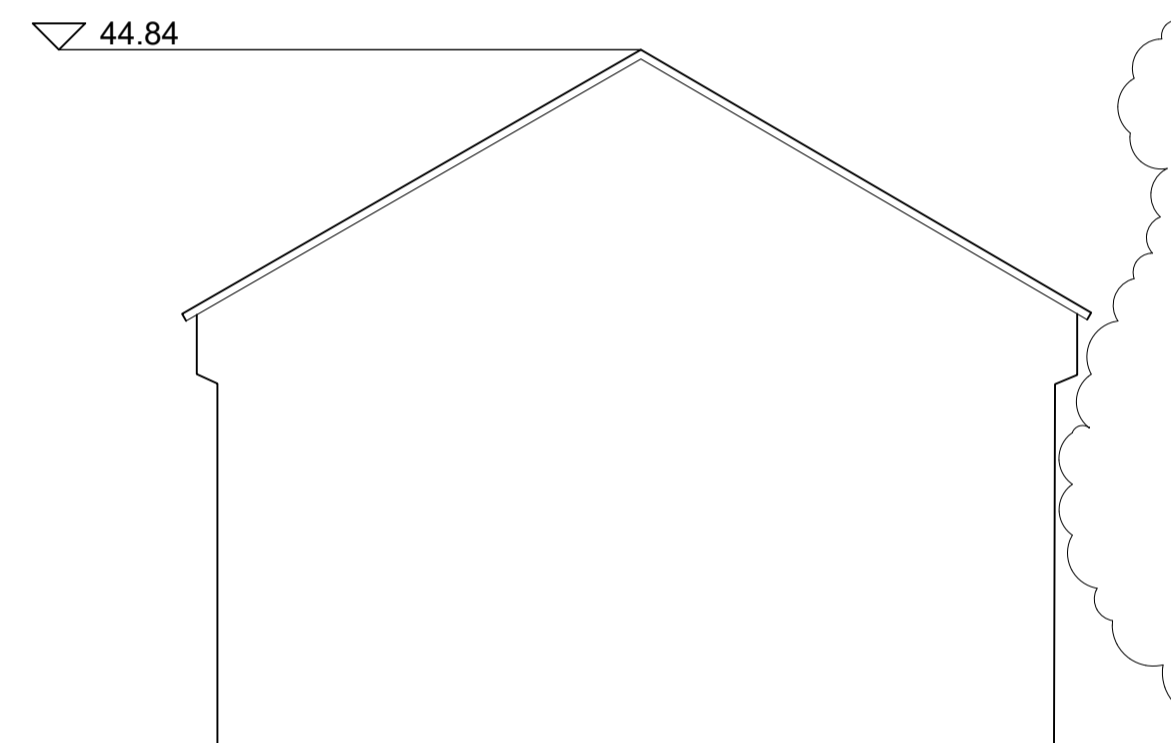
NORTHERN ELEVATION TO WC BLOCK



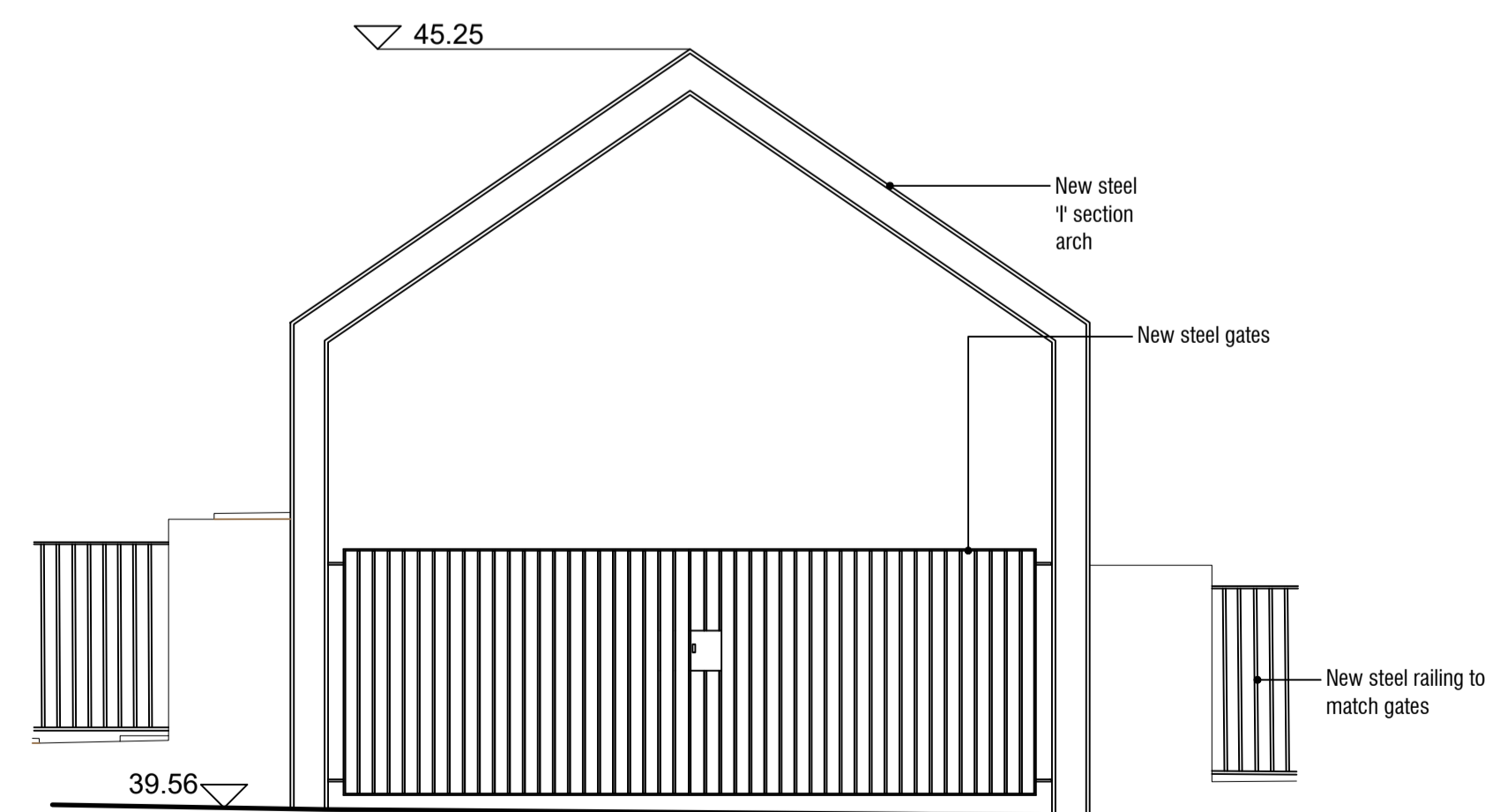
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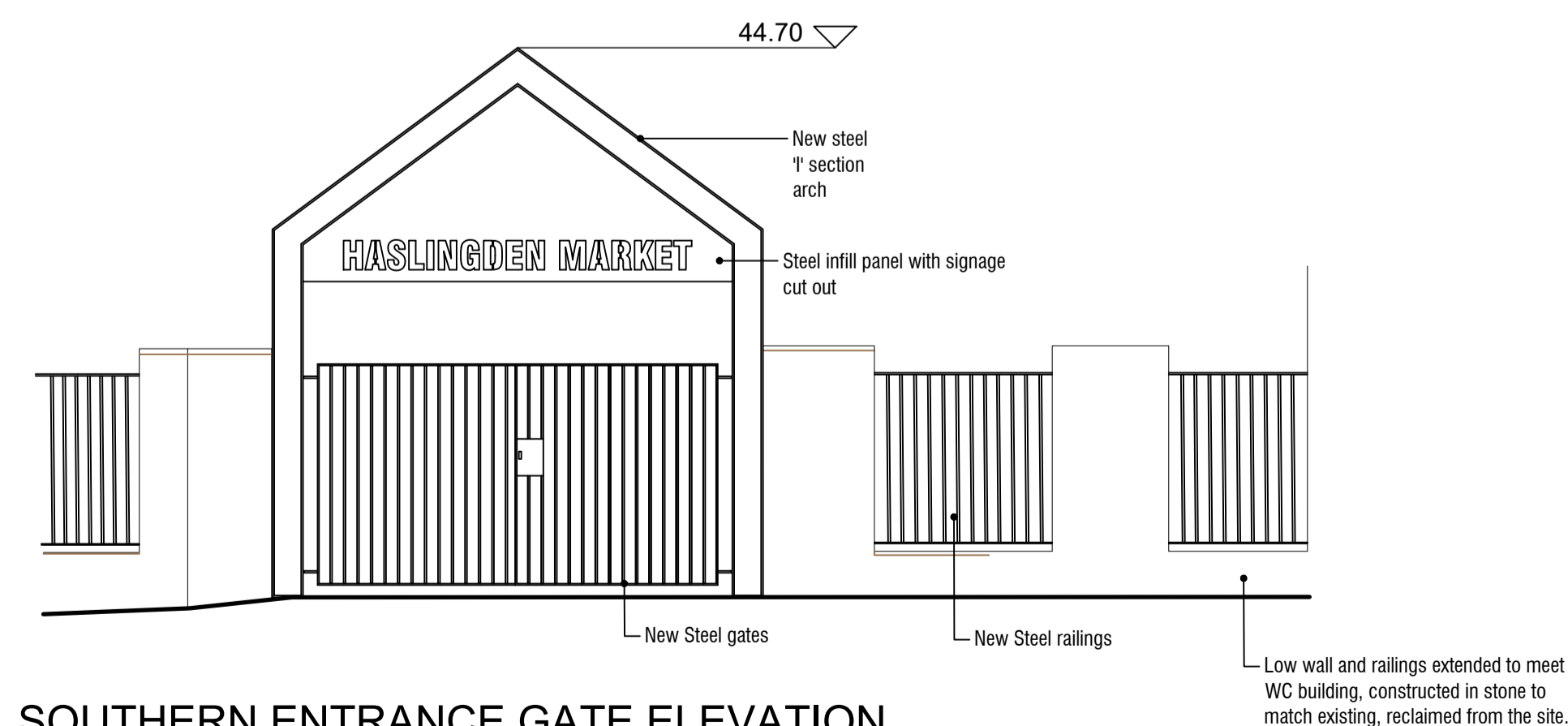
REAR ELEVATION TO WC BLOCK



SOUTHERN ELEVATION TO WC BLOCK



NORTHERN ENTRANCE GATE ELEVATION



SOUTHERN ENTRANCE GATE ELEVATION

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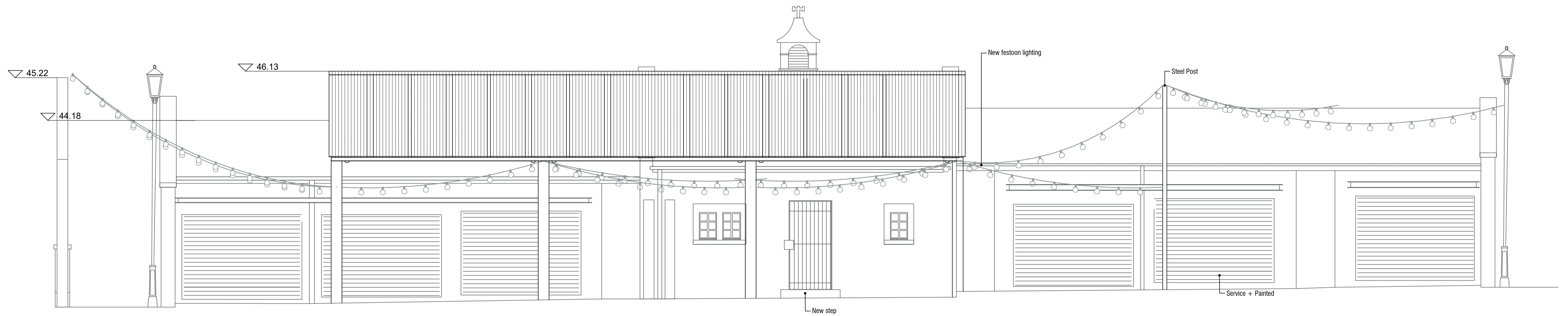
Rossendale
BOROUGH COUNCIL

project Hasingden Market

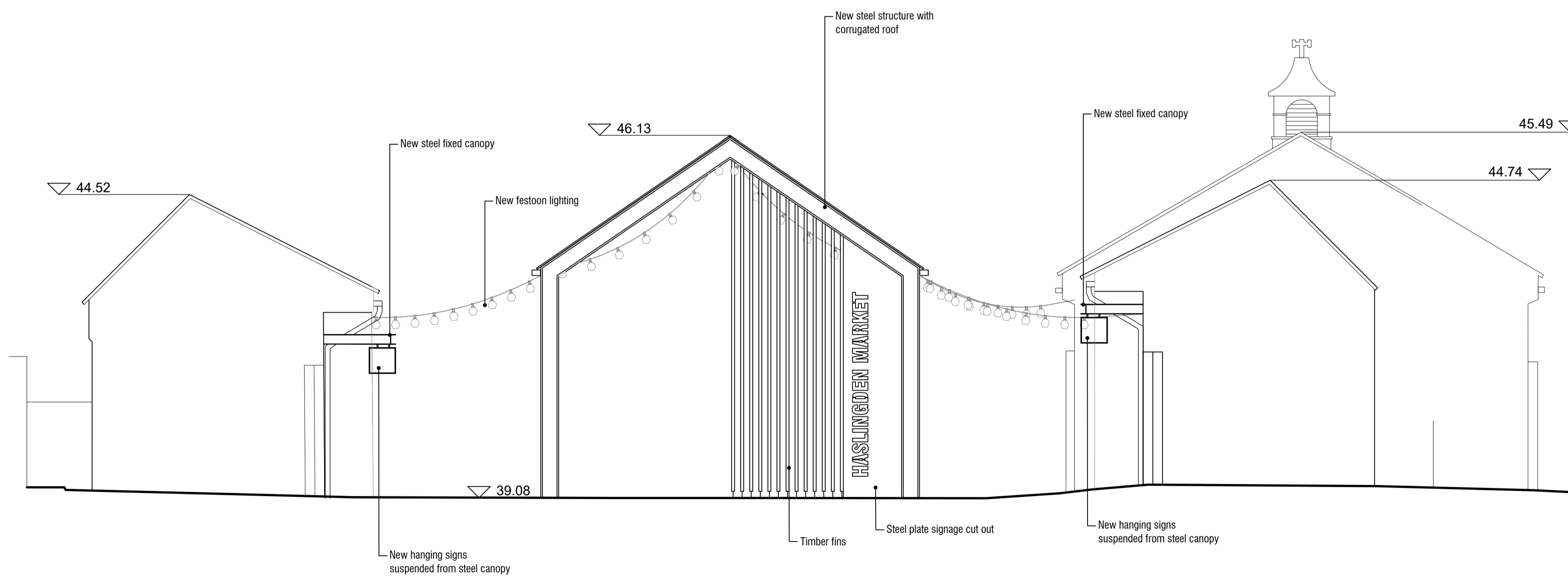
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chk. EW
date 2023 09 29
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title Proposed Elevations
Wc Block + Entrance

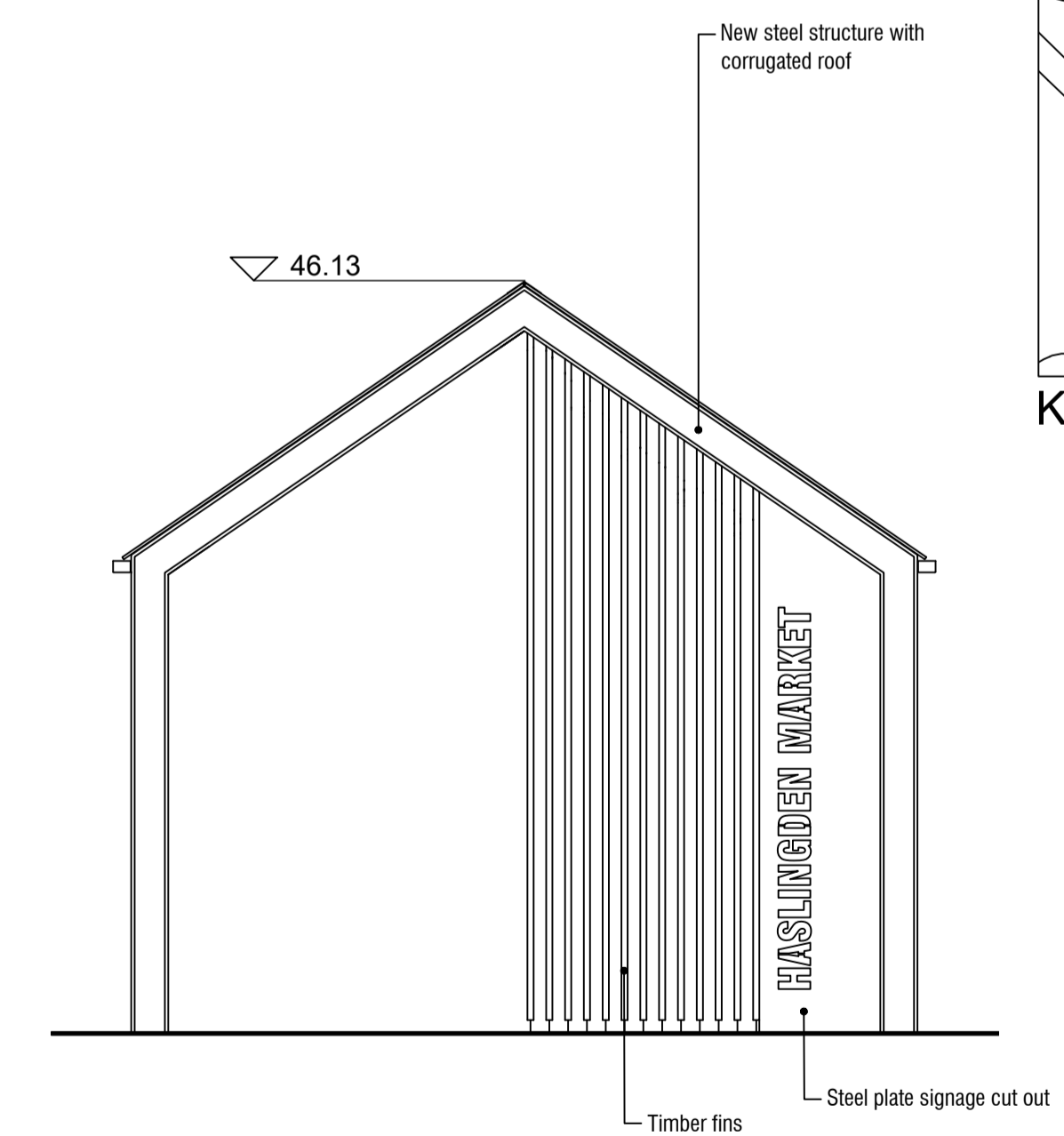
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revision -



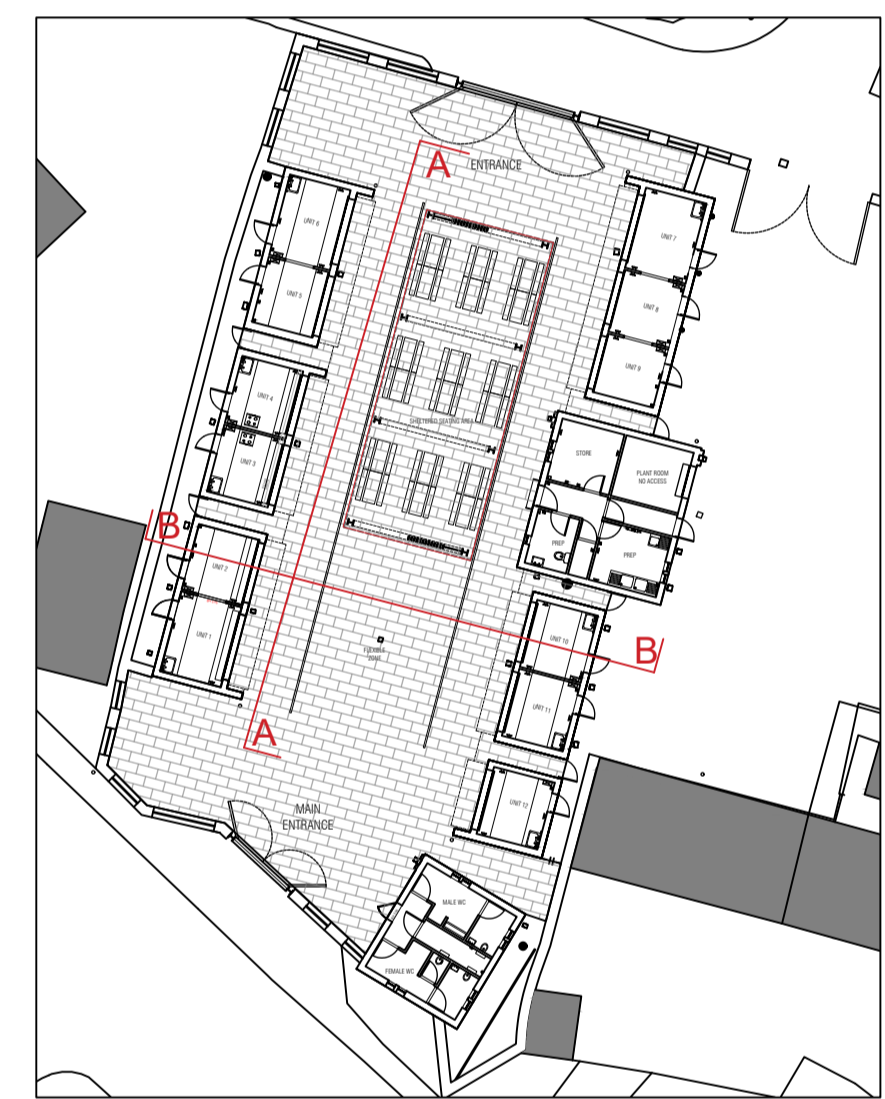
SITE ELEVATION (A)
NEW STEEL STRUCTURE WESTERN ELEVATION



SITE ELEVATION (B)
NEW STEEL STRUCTURE SOUTHERN ELEVATION



NEW STEEL STRUCTURE
NORTHERN ELEVATION



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title: Proposed Elevations					

status	job no. / dsg. no.	revision
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3.0 | Design
3.3 | Appearance



3.0 | Design
3.3 | Appearance







HASLINGDEN MARKET

