

Application Number:	2023/0505	Application Type:	Full
Proposal:	Partial demolition of existing factory and erection of new building	Location:	Primrose Mill Commerce Street Haslingden Rossendale BB4 5JT
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	19.03.2024
Applicant:	Solomon Commercials Limited	Determination Expiry Date:	05.02.2024 EOT agreed to 22.03.2024
Agent:	Condale Construction Limited		

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

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

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 site relates to an industrial unit located on Commerce Street in Haslingden and is occupied by Solomon Commercials.

In June 2023 this unit unfortunately suffered a major fire, and was partially demolished as the remaining structure was unsafe.

The site is located at a lower level than the road, with the access sloping down into the site from Commerce Street

The site is located within the urban boundary and within Employment Allocation EE16 (Carrs Industrial Estate).

3. RELEVANT PLANNING APPLICATION HISTORY

X/1994/056: Proposed extension to existing building for production warehousing and loading facilities – Approved with Conditions

4. PROPOSAL

This application seeks consent to erect a new industrial unit on the same footprint as the existing/previous unit.

The original building comprised three sections, an office block, and two production sections of differing heights

The existing offices are to be retained and refurbished.

The proposed development will result in the two production buildings being the same height.

5. 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
TR4: Parking

Other material considerations

National Planning Practice Guidance

6. CONSULTATION RESPONSES

Consultee	Response
LCC Highways	No objections subject to conditions
United Utilities	No objections
Environment Agency	No objections subject to conditions
Cadent Gas	No objections subject to informative
Lancashire Fire and Rescue	No objections
Environmental Protection	No objections subject to conditions
LLFA	No objections subject to conditions

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 15.11.2023, neighbours were notified on 07.11.2023 and a notice appeared in the Rossendale Free Press on 10.11.2023.

No comments have been received.

8. ASSESSMENT

The main considerations in this case are as follows:

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

Principle

The proposed development is located within the urban boundary on land allocated for employment.

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

Visual Amenity

Paragraph 135 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).”*

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

The building will replace existing building and the fire damaged structures that have been removed, however the replacement building will have a continuous roofline, not stepped as previously.

The building have an eaves height of 8.5 metres and a ridge height of 9.93 metres. The office building that is to be retain has a brick plinth with cladding above.

The main building to be constructed utilises composite cladding with the walls being clad in Moonstone and Anthracite colours, and the roof being Goosewing Grey.

The proposed building is acceptable and appropriate for its use as an industrial unit and in keeping with the character of the area and the streetscene.

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 should 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;

There are no dwellings in the immediate vicinity of the site and it falls within an existing employment allocation.

The proposed development is not considered to impact on the amenity of any neighbouring property and is in accordance with Policy ENV1 and the NPPF.

Access, Parking and Highway Safety

LCC Highways have commented as follows:

The drawing 'Car parking' 23/08/01 dated September 2023 shows 28 car parking spaces marked out within the yard.

It is understood that the vans currently parked within the yard are displaced from the building due to the fire damage and once this is restored the external yard will be free for staff parking.

We would request that these spaces are designated for staff parking.

We would also request that a secure and covered cycle store is provided at the site for at least 3 cycles to ensure that staff can travel sustainably to site.

We would support the provision of electric vehicle charging points.

Conclusion

Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The proposal will not impact highway safety or capacity and is in accordance with the Rossendale Local Plan.

9. CONCLUSION

The proposed development is acceptable in terms of principle, visual amenity, neighbour amenity and highway safety and therefore is acceptable and in accordance with the Rossendale Local Plan in and the NPPF.

10. CONDITIONS AND REASONS

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 application form received 06.11.2023 and the following drawings and documents, unless otherwise required by the conditions below:

Location Plan received 06.11.2024

Drawing No: 23/08/10 Block Plan received 06.11.2023

Drawing No: P23-01156 Topographical Survey received 06.11.2023

Drawing No: 23/08/07 Section received 06.11.2023.

Drawing No: 23/08/09 Drainage received 06.11.2023

Drawing No: 23/08/01 Existing Elevations received 06.11.2023

Drawing No 23/08/03 Existing Plans received 06.11.2023

Drawing No 23/08/02 Proposed Elevations received 06.11.2023

Drawing No 23/08/04 Rev B Proposed Plans received 06.11.2023

Drawing No 23/08/08 Roof Plan received 06.11.2023
Drawing No: 23/08/10 Car Parking Plan received 14.12.2023
Revised Phase 1 Desk Study received 14.12.2023
Planning Statement received 14.12.2023
Phase II Ground Investigation Report received 09.01.2024
Surface Water Drainage Survey received 23.01.2024
Phase II Ground Investigation Further Comments received 30.01.2024

Reason: To define the permission 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 car parking shown on drawing 'Car parking' dated September 2023 showing 28 car parking spaces within the internal yard shall be designated and delineated prior to the first use of the development hereby permitted. The car park shall thereafter only be used for staff parking.

Reason: To provide sufficient car parking within the site.

5. A secure and covered cycle store shall be provided for at least 3 cycles prior to first use of the development hereby permitted.

Reason: To support sustainable travel modes.

6. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will be based on the following reports:
 - Phase 1 Environmental Desk Study report by Roger Geotechnical Services (RGS) Ltd. Referenced: C3857/23/E/5828-Rev1 Dated Dec. 2023.
 - Phase 2 Geo-environmental Investigation by Roger Geotechnical Services (RGS) Ltd. Referenced: C3857/23/E/5829_rev1 Dated Jan. 2024.

Any changes to the approved remediation strategy will require the written consent of the local planning authority. The scheme shall be implemented as approved.

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 189 of the National Planning Policy Framework.

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

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 189 of the National Planning Policy Framework.

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

Reason: To ensure that the proposed piling operation and installation, does not harm groundwater resources in line with paragraph 189 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

9. 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;

- a) A model of the existing drainage system, based on the CCTV survey provided (24.10.2023 Condale Carrs Industrial Estate, 29/10/2023, Stewart Drainage Solutions Limited) to demonstrate:
 - i. Current runoff rates and volumes for the 100% (1 in 1-year), 3.3% (1 in 30-year) and 1% (1 in 100-year) annual exceedance probability events.
 - ii. That flooding does not occur on any part of the site for the 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change
 - iii. That flooding does not occur in any buildings for the 1% (1 in 100-year) annual exceedance probability event + 45% climate change
- 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 + 40% climate change allowance, with an allowance for urban creep;

- iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep
- 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) 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, 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 173 and 175 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and Policy ENV9 of the adopted Rossendale Local Plan.

10. The occupation/use of the development shall not take place 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

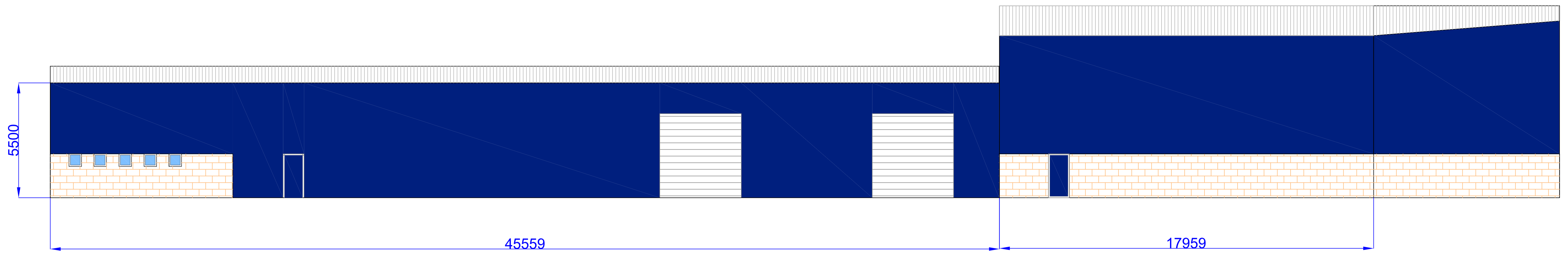
development as constructed is compliant with the requirements of Paragraphs 173 and 175 of the National Planning Policy Framework.

11. INFORMATIVES

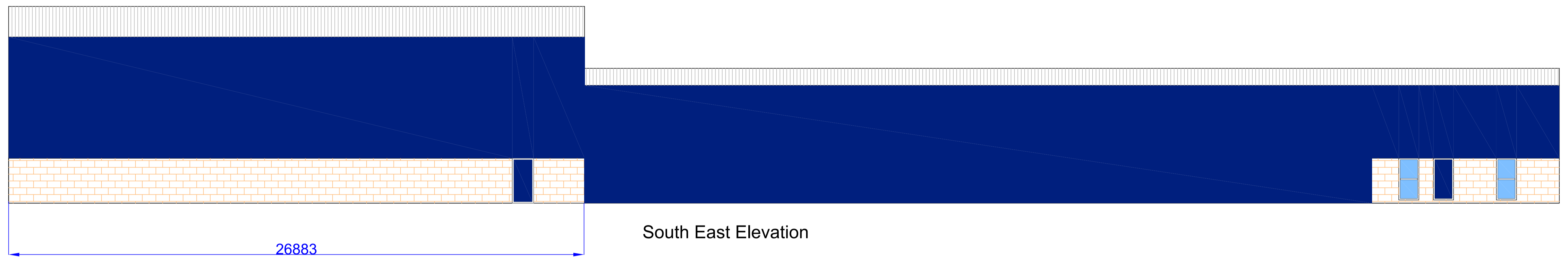
1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.
2. The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at risk of flooding. The Environment Agency have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category. These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#standing-advice-for-vulnerable-developments>
3. 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

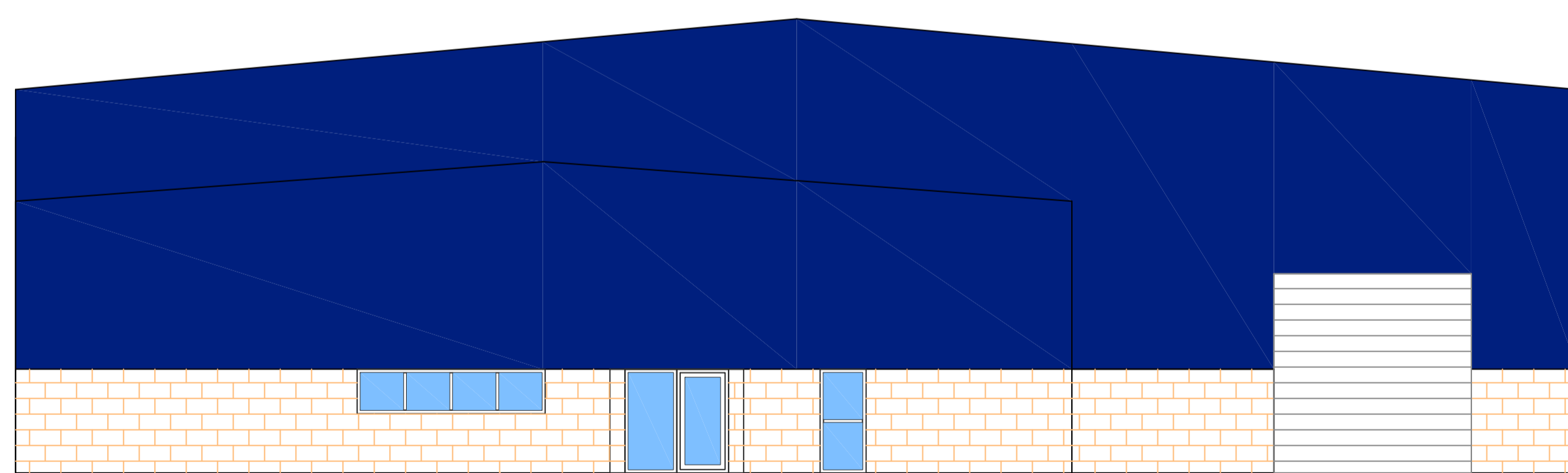
Prior to carrying out works, including the construction of access points, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.



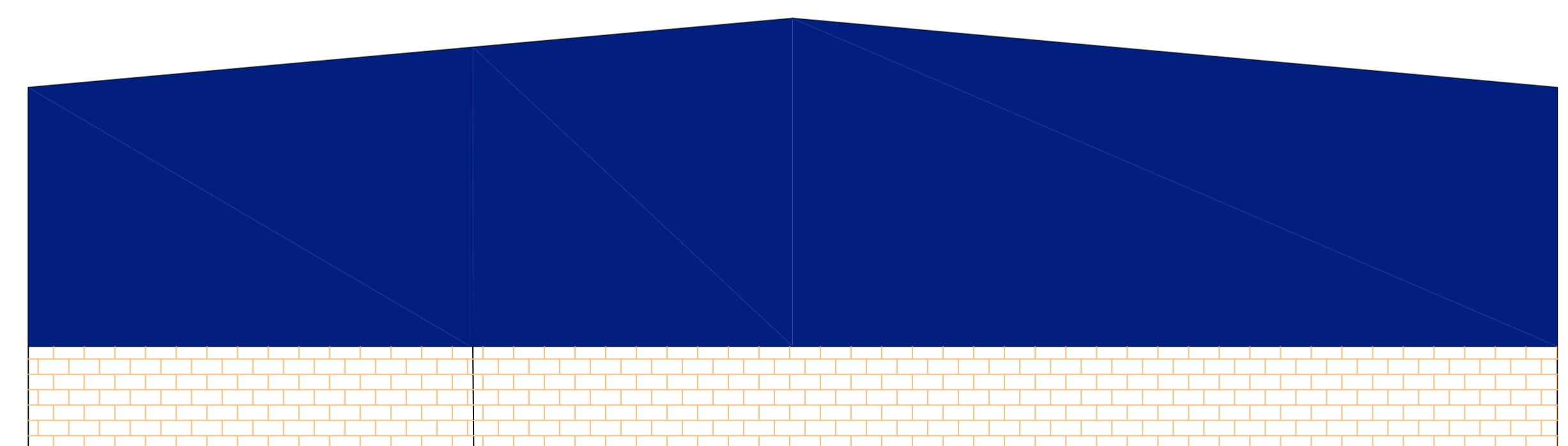
North West Elevation



South East Elevation



North East Elevation



South West Elevation

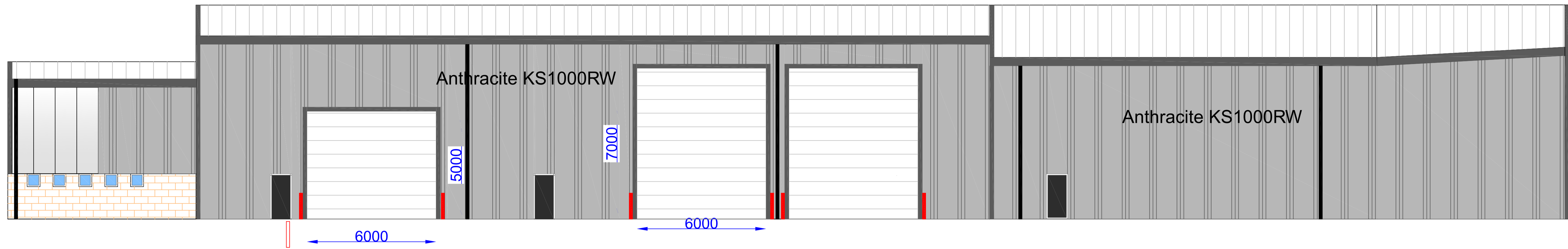
Condale Construction Limited

Project:
Solomon Commercials Limited
Carrs Industrial Estate
Rebuild

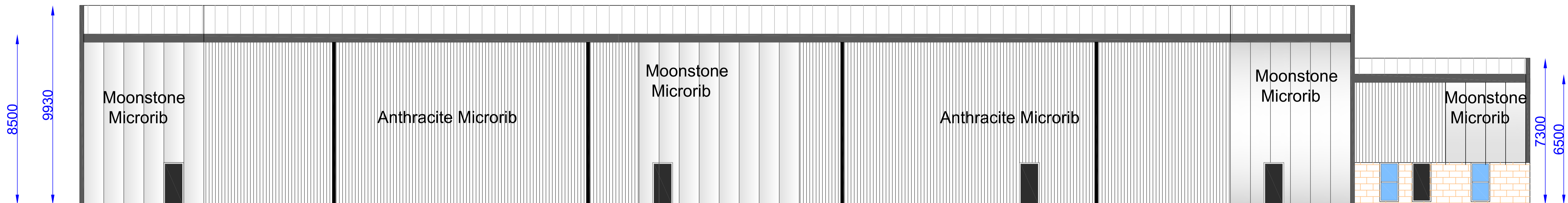
Existing and Previous
Elevations

Date: September 2023
Project Number: 23/08/01
Drawing Number 23/08/01

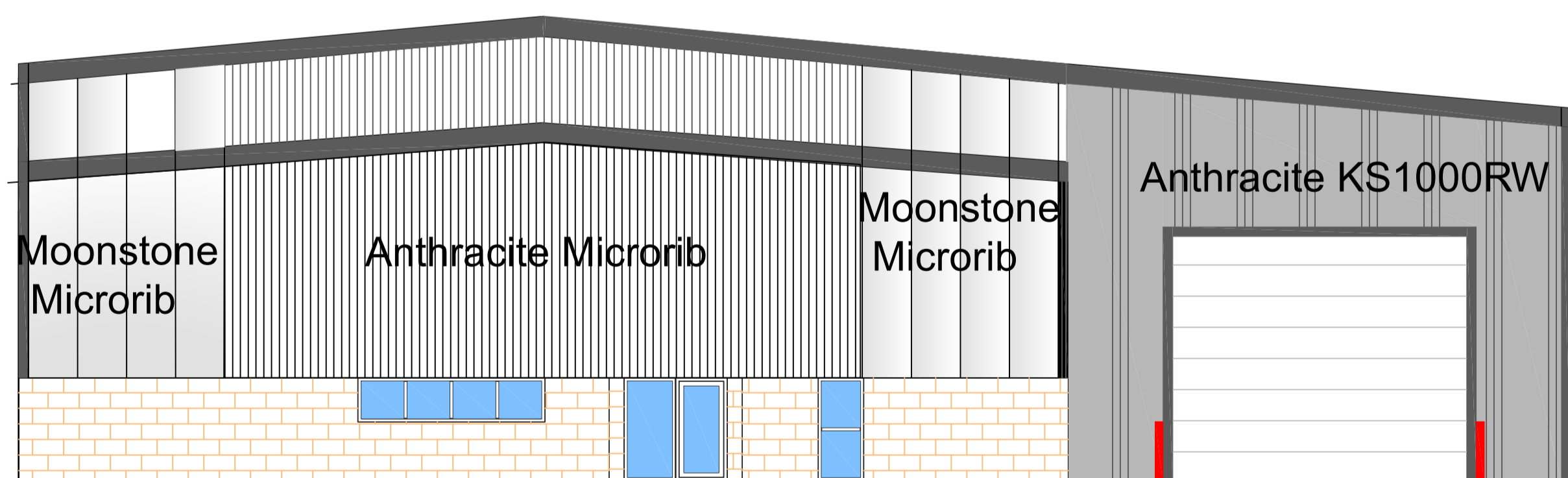
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North West Elevation



South East Elevation

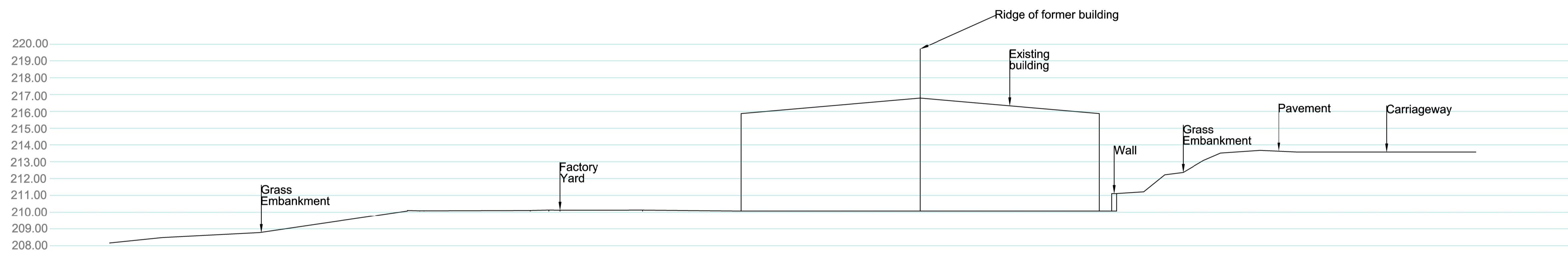


North East Elevation



North East Elevation

<p>Condale Construction Limited</p>	<p>Project: Solomon Commercials Limited Carrs Industrial Estate Rebuild</p>	<p>Proposed Elevations</p>	<p>Date: September 2023 Project Number: 23/08/01 Drawing Number 23/08/02</p>	<p>Scale 1:100 @ A1 Revision D</p>
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Condale Construction Limited

Project:
Solomon Commercials Limited
Carrs Industrial Estate
Rebuild

Section

Date: September 2023

Scale 1:150 @ A1

Project Number: 23/08/01

Drawing Number 23/08/07



Solomon^o
Temperature Controlled Vehicles

SOLOMON
PANEL
VANS

Solomon^o
Temperature Controlled Vehicles

OMCT
BRATTBERG

OMCT
BRATTBERG





