

<b>Application No:</b> 2007/197	<b>Application Type:</b>
<b>Proposal:</b> Change of use from B1 (Light Industry) to B8 (Storage and Distribution)	<b>Location:</b> Unit 1, The Courtyard, Grane Road Haslingden
<b>Report of:</b> Head of Planning, Legal and Democratic Services	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 22 May 2007
<b>Applicant:</b> Hurstwood Properties UK Ltd	<b>Determination Expiry Date:</b> 16 May 2007

**Agent:**

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input type="checkbox"/>
Member Call-In	<input type="checkbox"/>
Name of Member:	
Reason for Call-In:	
<b>3 or more objections received</b>	Yes
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.

**APPLICATION DETAILS**

**1 The Proposal and the Site**

The unit is part of the scheme for the development of the former Snowking site off Grane Road, Haslingden. The units are grouped in a U shape with a single access to Grane Road to a shared parking and service area. Work is proceeding on the construction. Unit 1 is sited at a lower level than Grane

Road with its blank side wall facing the road. There are terraced houses on the opposite side of the road and open land to the west of the building

Planning permission for the development as a whole was granted on the basis that the use of the units should be restricted to B1. A prospective tenant intends to use Unit 1 for the hire of platform lifts which is in a different use class (B8).

The application is accompanied by a planning statement. It says that the proposal would still be an employment use with 5 employees. The company is established and owns 11 lifts which can be accommodated in the building but are intended to be on site the majority of the time reducing comings and goings. There is no intention of storing the lifts within the shared car park/service yard. The tenant would require use of the building between 6 am and 7 pm Monday to Saturday but normal working hours would be between 8 am and 5 pm.

## **1.2 Relevant Planning History**

2005/225 – Outline planning permission for 12 light industrial (B1) units granted in September 2005 subject to conditions.

2006/301 – Full planning permission granted for the erection of light industrial (B1) units granted on 20 September 2006 subject to 16 conditions. Before granting permission Development Control Committee considered 46 letters of objection.

There was no condition controlling the operating hours of the units when completed but one of the conditions (number 16) restricted working hours during construction. The buildings are nearing completion but none are occupied. The contractors have carried out concreting works outside the permitted hours leading to complaints from neighbours. The Council has served a Temporary Stop Notice to prevent further breaches of the condition.

2007/198 – A planning application to vary condition 16 of the approval to extend working hours during construction was submitted on 22 March 2007. Neighbours objected to both this application and the application (197) for change of use now being considered by Committee. The application to vary the working hours was refused under delegated powers on 25 April 2007 for the following reason:-

“By reason of noise and disturbance, the carrying out of construction works outside the permitted hours would be seriously detrimental to the residential amenities of occupiers of adjacent dwellings contrary to Policy 1 of the adopted Joint Lancashire Structure Plan and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.” An appeal has now been lodged.

## **1.2 Policy Context**

Rossendale District Local Plan

DS1 – Urban Boundary

J3 – Existing Employment Areas

## DC1 – Development Criteria

### Joint Lancashire Structure Plan

#### Policy 1 – General Policy

### Other Material Planning Considerations

PPS1 – Sustainable Development

PPG4 – Industrial and Commercial Development

PPG13 – Transport

PPG24 - Noise

## **2. CONSULTATIONS**

### Lancs CC (Highways)

No comments

## **3. REPRESENTATIONS**

3.1 Neighbours have been notified and the application advertised by site notice. 19 copies of a standard letter have been received objecting to this application (and also to application 2007/198). The letters have boxes for people to tick and a space for their own written comments. One individual letter has been received plus a letter from Grane Residents Association accompanied by 27 signatures.

3.2 Points raised include the following:

- The development should never have been allowed in the first place as it is a monstrosity not appropriate to Grane village.
- It is claimed that the buildings are not in accordance with the approved plans in height, position and materials.
- The change of use would alter what the building was originally intended to be used for.
- It would lead to additional traffic.
- Hours should be restricted to normal office hours and only during the week to avoid the disturbance to neighbours that occurred when Snowking occupied the site.
- There would be a precedent for other changes of use that would create additional traffic and disturbance to neighbours.

## **4. ASSESSMENT**

4.1 The application is for the use of a unit that has not previously been occupied but has consent for light industrial (B1) use as part of a larger development. It is proposed to use the unit as a base for the hire of platform lifts which falls within Use Class B8 (Storage and Distribution). Light industrial units.

4.2 The development as a whole has been controversial with numerous objections to the original planning application and complaints from neighbours as the development has proceeded. However, the issues to be considered on the current application must be restricted to those that are relevant to the change of use.

- 4.3 A B1 use should be capable of being carried out without noise or disturbance to neighbours. The main issue is whether the activities associated with the use now proposed are likely to cause additional problems. The blank side wall of the unit is faced by houses on the opposite side of Grane Road. The parking and servicing area in front of the building is lower than the road and will be at least partially screened by the landscaping that is proposed. On the basis of the information that has been provided by the applicant's agent, the use will not be noisy and will generate no more traffic than the approved B1 use. A condition is recommended to ensure that the platform lifts are not stored outside the building.

## 5. SUMMARY OF REASONS FOR APPROVAL

- 5.1 The proposed use of the building for platform lift hire (Class B8 of the Town and Country Planning (Use Classes) Order) would not harm the character of the area nor significantly affect the amenities of occupiers of nearby property. The proposed development would comply with the criteria of Policy DC1 and with Policy J3 of the adopted Rossendale District Local Plan.

## 6. RECOMMENDATION

That the application be approved subject to conditions.

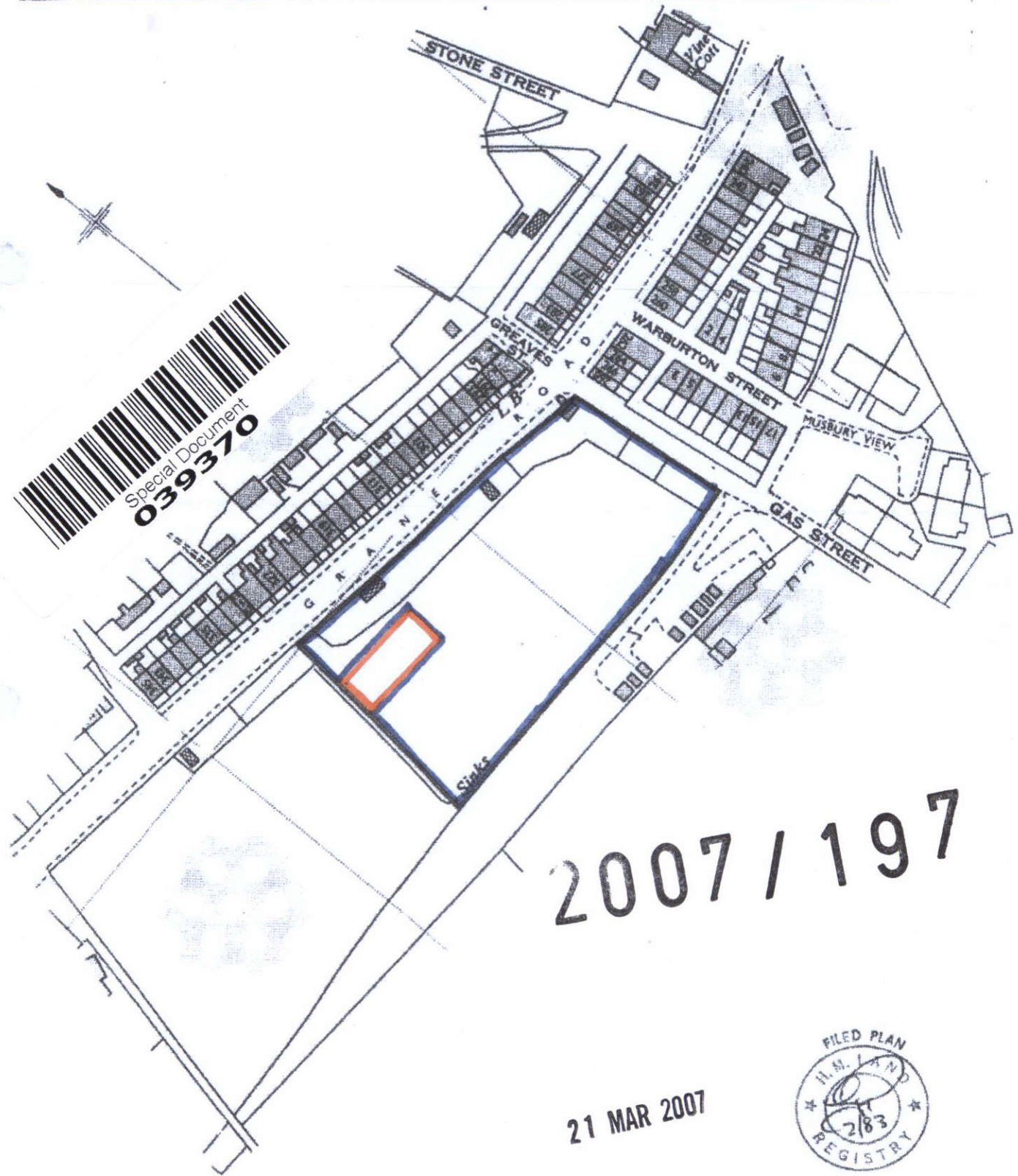
## 7. CONDITIONS

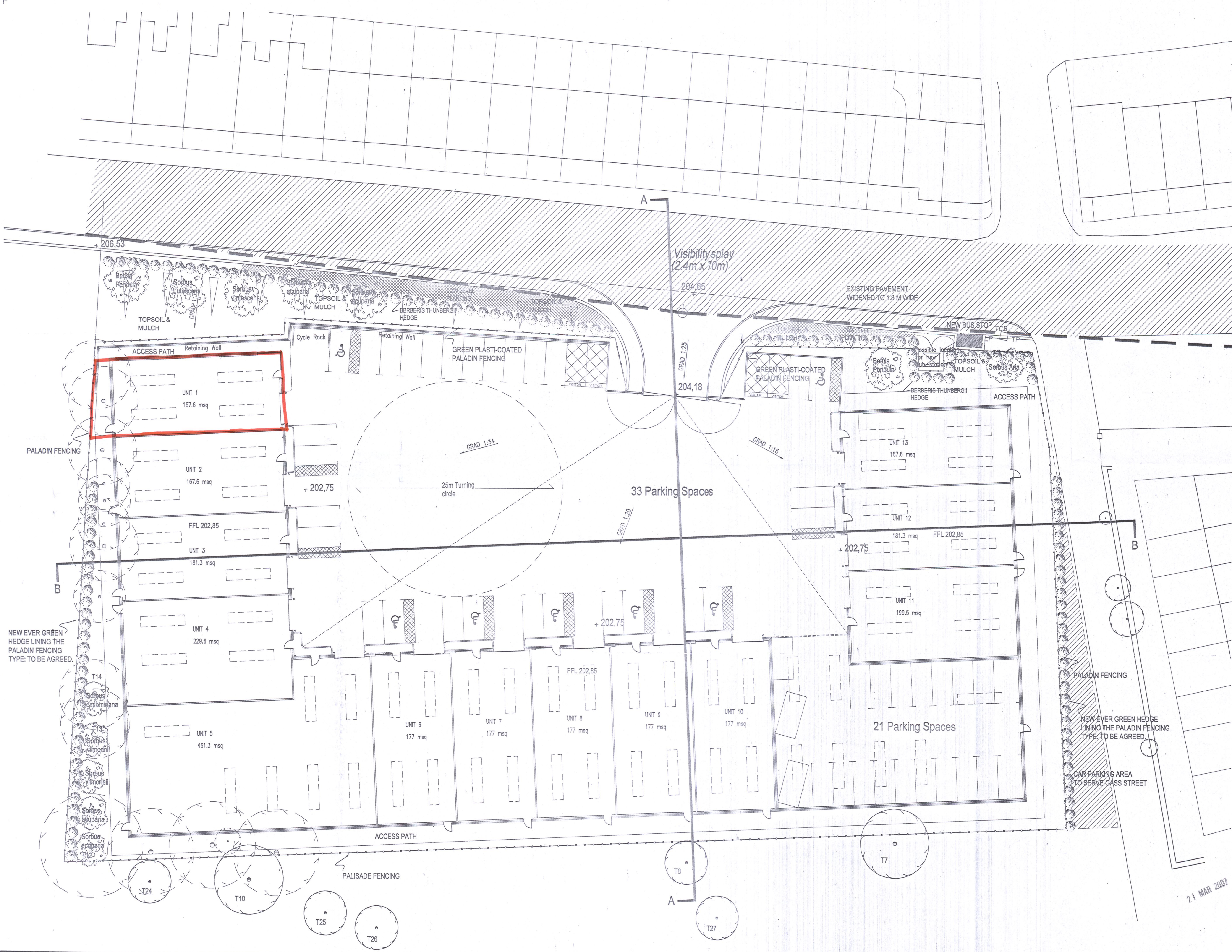
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
*Reason: Required by Section 51 of the Planning and Compulsory Purchase 2004 Act.*
2. The development hereby permitted shall be carried out in accordance with the amended drawing received on 21 March 2007.  
*Reason: To define the permission and ensure a satisfactory form of development.*
3. The platform lifts shall be stored within the building and not on the adjacent parking/servicing area.  
*Reason To protect the visual amenities of the area and the residential amenities of occupiers of nearby dwellings.*

<b>Contact Officer</b>	
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Position	Senior Planning Officer
Service / Team	Development Control
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Email address	

*Snook file*

H.M. LAND REGISTRY		TITLE NUMBER	
		LA480896	
ORDNANCE SURVEY PLAN REFERENCE	SD 7722	SECTION B	Scale 1/1250 Enlarged from 1/2500
COUNTY LANCASHIRE	DISTRICT ROSSENDALE	© Crown copyright 1980	





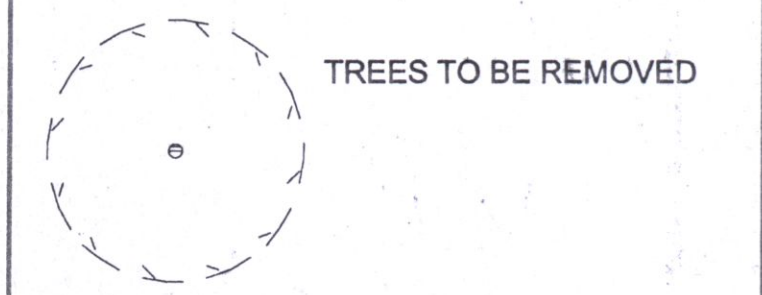
status **PLANNING**

**HEDGES:**  
 BERBERIS THUNBERGII  
 'ROSE GLOW'  
 LARGE NURSERY STOCK,

**LOW LEVEL PLANTING:**  
 COTONEASTER HORIZONTALIS.

**TREES:**  
 BETULA PENDULA AND SURBUS ARIA,  
 ALL TO BE ROOT-BALLED & DOUBLE-STAKED.  
 PITS TO BE AT LEAST 750x750x750, BROKEN  
 UP IN BASE, GRAVEL 150MM DEEP & LAND  
 DRAINAGE AS NECESSARY.  
 BACKFILL PREMIUM GRADE SANDY-LOAM  
 TOP SOIL (UNSCREENED).  
 FERTILISE TOP 100mm WITH 100g/m<sup>2</sup>  
 GRAMONE.

**MAINTENANCE:**  
 PRUNE/DRESS DAMAGED WOOD AS  
 NECESSARY.



**TOTAL AREA** 2640.8 msq

**54 CAR PARKING SPACES**

**VISIBILITY SPLAY LINE**

A	CHANGES FOR PLANNING APPROVAL	12.07.06
revision		date

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 19 Silverwell Street  
 Bolton BL1 1PR  
 T: 01204 525321  
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**Bradshaw Gass & Hope**

client  
**HURSTWOODS DEVELOPMENTS**

project  
**GRANE ROAD INDUSTRIAL UNITS**

drawing  
**PLANNING PERMISSION SITE LAYOUT**

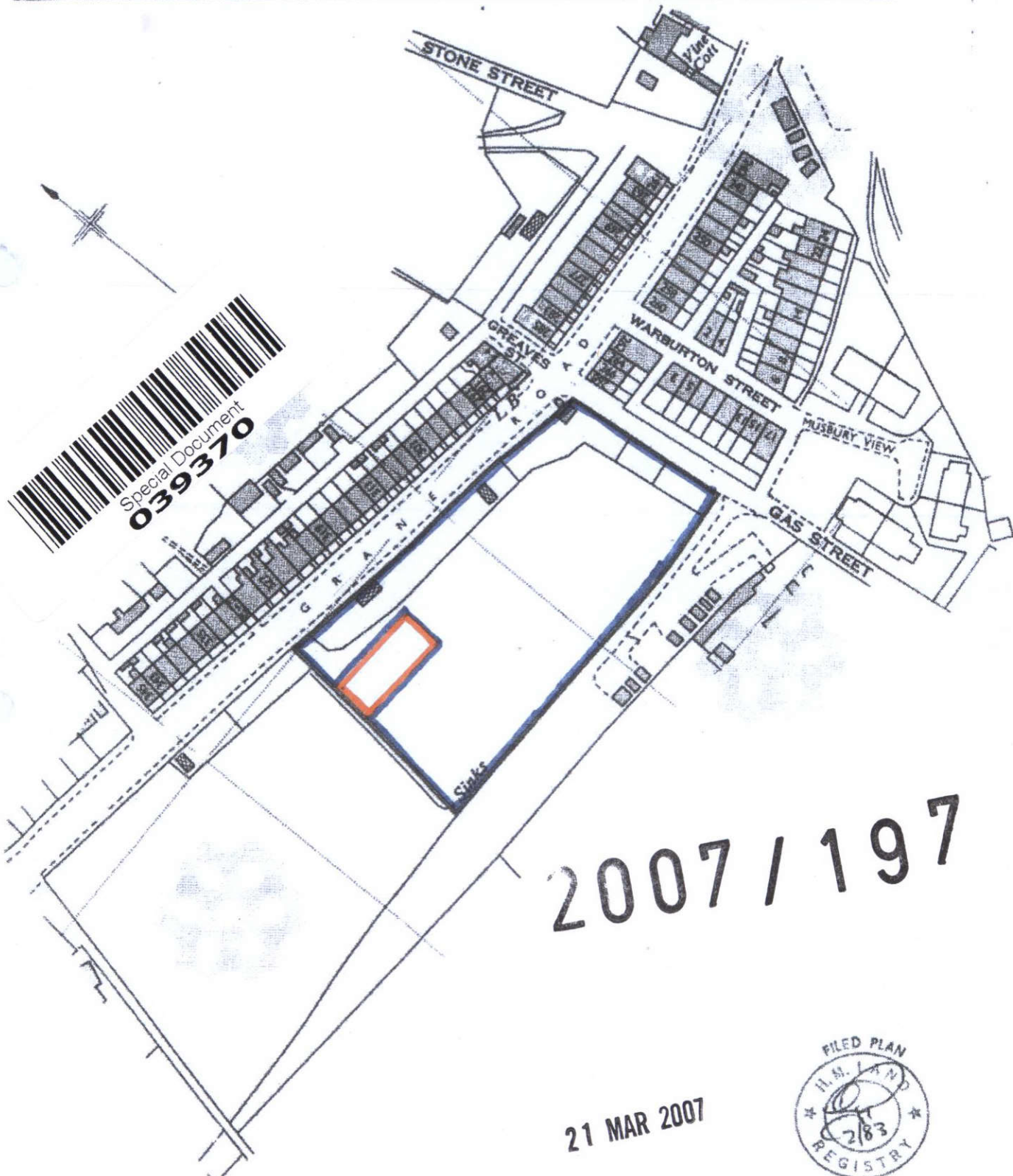
**2007/197**

drawn	DTL	date	20.04.06
approved		date	
scale	<b>1:200</b>	rev	<b>A1</b>
drawing no	<b>1837.9.PP02</b>	rev	<b>A</b>
dept.	ARCHITECTURAL		RIBA

21 MAR 2007

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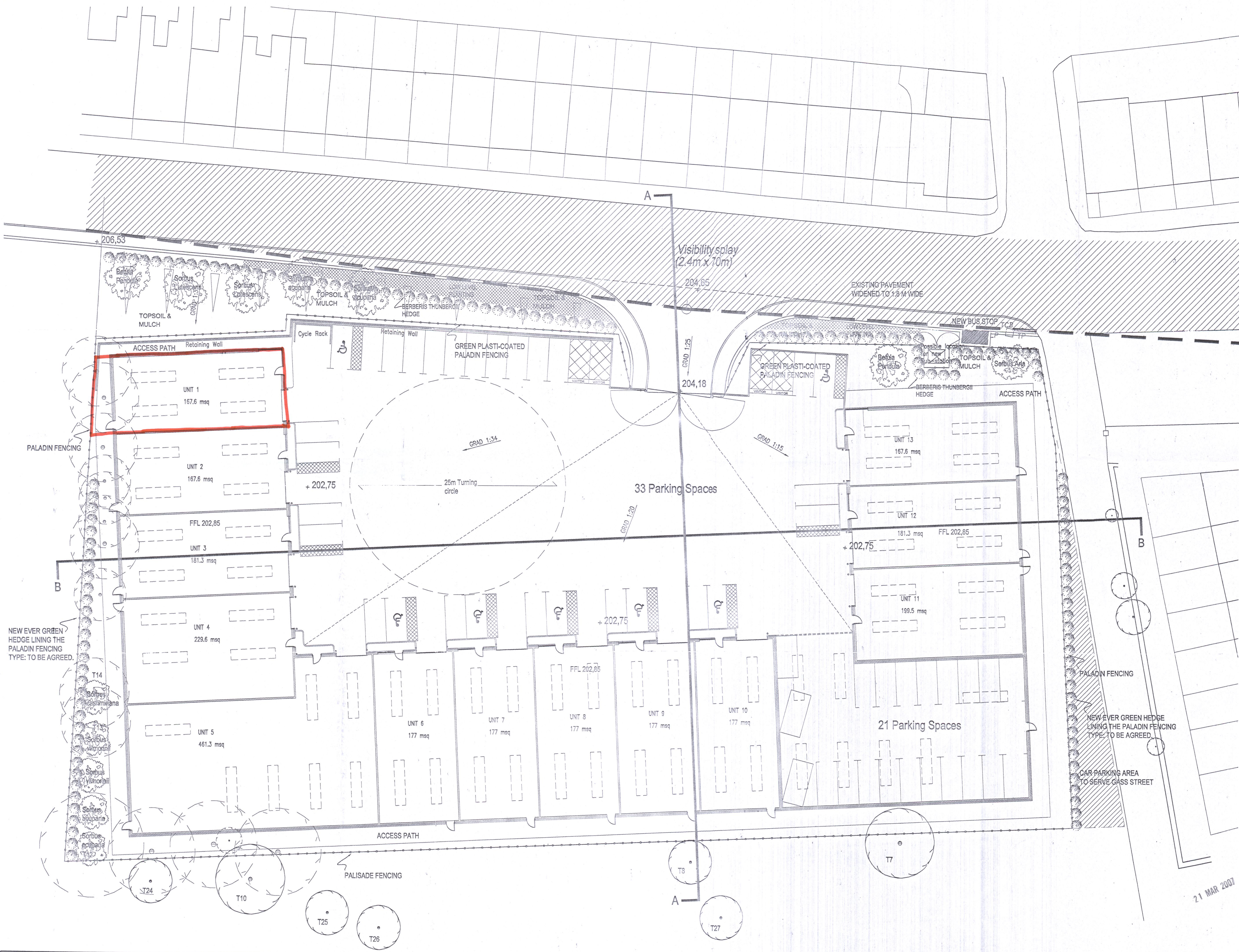
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2007 / 197

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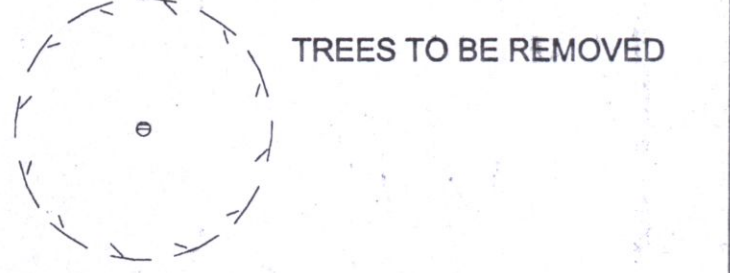
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