

**TITLE: 2005/225 - ERECTION OF 12 LIGHT INDUSTRIAL UNITS (OUTLINE)
FORMER SNOWKING SITE, 270 GRANE ROAD, HASLINGDEN**

TO/ON: DEVELOPMENT CONTROL COMMITTEE - 6 SEPTEMBER 2005

BY: TEAM MANAGER - DEVELOPMENT CONTROL

APPLICANT : COUNTRYSIDE PROPERTIES (SPECIAL PROJECTS) LTD

DETERMINATION EXPIRY DATE : 13 JULY 2005

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.

Site

This application relates to a broadly rectangular site, measuring approx 65m X 110m, located on the south side of Grane Road (B6232).

Within the centre of the site is a building of 1,530 sq m in floor-area. It has been vacant for the last four years, but was formerly occupied by Snowking. Vehicles can gain access to the site by means of a private access at the western end of the site frontage or via Gas Street, an un-made road at the eastern end of the site, the use of which is shared with residents of houses fronting Warburton Street.

The building on the site is at a lower level than Grane Road, screened to a significant degree from the houses on the opposite side of the main road by the high-hedge/trees on the site frontage. Mature trees at points along the western and southern boundaries break views into the site from the open land beyond.

Proposal

As first submitted the application sought outline permission to replace the existing building with a series of 13no Class B1 (Light Industrial) Units of 2,760 sq m in floor-

area. The proposed units were to be served off a new vehicular access to be formed midway along the frontage to Grane Road. It was of concern to me that construction of the new access, and formation of its visibility-splays, would have resulted in the loss of all of the high-hedge/mature trees fronting the site.

At my request, the scheme has been amended and outline permission is now being sought to replace the existing building with a series of 12no Class B1 (Light Industrial) Units of 2,460 sq m in floor-area. Whilst the matters of design/external appearance/landscaping have been reserved for later consideration, permission is being sought at this stage for the siting and means of access to the proposed units.

The submitted layout proposes that an L-shaped building be erected, units to have their backs towards the southern and eastern boundaries of the site and face on to a communal service yard/parking area. Vehicles will be able to gain access to this area solely via the existing access-point at the western end of the site frontage. However, it is to be up-graded to conform to current standards, and the opportunity taken to widen the pavement, in a manner enabling the frontage hedge/trees to be retained.

Relevant Development Control History

In July 2004 outline permission was refused for residential development of 4 hectares of land, of which the Snowking site formed part (Applic No 2004/134).

Consultation Responses

LCC (Planning) advises that the proposal generally accords with the provisions of the Structure Plan. However, to address its concerns about the poor accessibility of the site and accord with Policy 1b), it considers that a financial contribution should be sought to enhance bus services/stops in the vicinity.

LCC (Highways) raises no objection to the proposal on highway grounds. However, it recommends Conditions to ensure :

- Satisfactory facilities are provided within the site for the parking and manoeuvring of vehicles.
- The access-point is provided to the appropriate standard, with any gate suitably set-back.
- The pavement to the front of the site is built-out, to facilitate better visibility at the access-point.
- The production of a Travel Plan to encourage staff and visitors to the site to do so other than by means of the private car.
- A financial contribution of £10,000 towards improvement of bus facilities in the vicinity, entailing provision of bus shelter at the bus-stop immediately in front of the site and at the one on the opposite side of Grane Road.
- A financial contribution of £5,000 to fund the provision of a vehicle-activated speed-warning sign between the Holcolme Road/Grane Road junction and the site.

Lancashire Constabulary wishes the detailed scheme to be drawn-up with regard to crime prevention, ideally with a view to achieving Secure by Design status.

The Environment Agency has no objection subject to conditions to ensure the adequacy of drainage arrangements.

The Environmental Health Manager raises no objection to the proposal but would wish the units to be constructed between the hours of 7am-7pm Monday to

Friday/8am-1pm Saturday and be of sufficiently robust construction to provide sound-attenuation.

Notification Responses

Grane Residents Association objects to the proposal for 3 reasons :

1. Noise Pollution - Snowking caused residents noise nuisance, particularly by reason of early hours deliveries/external activities.
2. Increased Traffic - The proposal will add considerably to traffic volumes and, thereby : increase the dangers on Grane Road; to the difficulties for pedestrians wishing to cross it: to air pollution from exhaust fumes; and property damage by vibration from passing vehicles.
3. Unused Employment Premises - Permission should not be granted for this development while there remain unoccupied employment premises elsewhere.

Objections have been received from the occupiers of 50 dwellings in the local area.

The following reasons for objection have been advanced :

1. Vacant industrial premises elsewhere in Haslingden/prefer residential redevelopment of this site.
2. Proposal entails over-development of the site/will impact adversely on wildlife by reason of loss of grassland, mature trees & hedgerow/will result in loss of views of the countryside.
3. Will increase traffic on Grane Road and, thereby, cause : additional accidents; difficulties for pedestrians wishing to cross; inconvenience and noise disturbance for residents.
4. The proposed development will be served by a ramped-access, which will be dangerous to use, and will result in a loss of resident parking/difficulties for residents cars seeking to exit Gas Street.
5. Will devalue nearby houses.

Development Plan Policies

Rossendale District Local Plan (Adopted 1995)

In short, the application site lies within the Urban Boundary of Haslingden and is specifically identified as an Existing Employment Site, wherein Policy J3 sets out a presumption in favour of retaining employment use.

- DS1 - Urban Boundary
- J3 - Existing Employment Areas
- DC1 - Development Criteria
- E4 - Tree Preservation
- E9/E10/E12 - Pollution/Groundwater Protection/Noise Attenuation
- T5/T7/T8/T10 - Lorry Parking/Disabled Access/Bus Services

Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 2 - Main Development Locations
- Policy 7 - Parking
- Policy 20 - Lancashire's Landscapes

Other Material Planning Considerations

- PPS1 - Sustainable Development
- PPG4 - Industrial and Commercial Development
- PPG13 - Transport
- PPG23 - Pollution Control

Planning Issues

In dealing with this application the main issues to consider are as follows :

1) Principle; 2) Traffic; 3) Landscape Impact; & 4) Neighbour Amenity.

PRINCIPLE

There is no objection in principle to redevelopment of the site for the use proposed, nor for the intended increase in floor area. Indeed, I consider the implementation of this scheme would be a positive benefit in economic/employment terms and do away with a building which was of utilitarian appearance and looks even worse for having been vacant for a number of years.

TRAFFIC

The Highway Authority is satisfied that the local road network can satisfactorily accommodate the traffic likely to be generated by the proposal. It is also satisfied that, subject to provision of the access improvements/off-street parking facilities proposed and the off-site works/facilities detailed above, the proposal will not adversely affect highway safety. The up-grade of bus-facilities in the immediate vicinity of the site, in order to encourage staff/visitors to use means of travel other than the private car, is also to be welcomed.

LANDSCAPE IMPACT

The proposal will result in building being sited significantly nearer to the site boundaries than is presently the case. However, this need not result in unacceptable detriment for neighbours or for the character and appearance of the area (as viewed from either Grane Road or from the open countryside to the west and south). The Applicant having agreed to amend the access arrangement, and thereby enabled the high-hedge/mature trees fronting the site to be retained, I am satisfied the proposed units can be accommodated on the site without unacceptable landscape impact. It will, of course, be important (in terms of neighbour and visual amenity) to secure appropriate details in respect of the design/external appearance of the buildings and landscaping of the site at the 'reserved matters' stage.

NEIGHBOUR AMENITY

Class B1 industrial uses must, by their nature, be uses capable of being "carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". Accordingly, I have no concern about how the activities of occupiers of the intended units will impact on neighbours. Indeed, to have the units face away from the houses fronting Warburton Street and remove the commercial traffic from Gas Street is to be welcomed.

Summary of Reasons for Refusal

As amended, the proposed development is appropriate in principle, having regard to Policy DS1 and J3 of the Rossendale District Local Plan and, subject to conditions, will not result in unacceptable detriment to neighbours, the landscape, highway safety or any other material consideration.

Recommendation

That permission be granted subject to the following conditions :

Conditions

1. Approval of the details of the design and external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason : The application is in outline only.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
Reason : Required by Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. *Reason : Required by Section 92 of the Town & Country Planning Act 1990.*

4. The development shall be carried out in accordance with the following plans :
 - i. FEC03A - Site Location Received 13/4/05
 - ii. FEC01J - Proposed Site Layout Received 23/8/05*Reason : For the avoidance of doubt.*

5. Prior to construction of any part of the building hereby permitted :
 - a. a sum of £10,000 shall be paid to the Local Planning Authority to be expended on the provision of a bus shelter at the bus-stops immediately fronting the site and on the opposite site of Grane Road to it; and
 - b. the sum of £5,000 shall be paid to the Local Planning Authority to be expended on the provision of a vehicle-activated speed-sign on the north side of Grane Road, between its junction with Holcombe Road and the site, and for works of white-lining within the highway.*Reason: To minimise use of the private car and in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan*

6. Prior to first use of any of the units hereby permitted the pavement to the front of the site shall be built-out into the carriageway of Grane Road, at the applicants expense, in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure adequate visibility, in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan*

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting the Order, there shall not at any time in connection with the development hereby permitted, be erected or planted, or allowed to remain, upon the land hereinafter defined, any building, wall, fence, hedge, tree, shrub or other device which will obstruct the view above a plane 1 metre above the crown level of the adjoining highway. The piece of land affected by this condition shall be that part of the site in front of a line drawn from a point 2.4 metres measured along the centre line of the proposed access from the carriageway of Grane Road to points measured 70 metres in each direction along the

nearer edge of the carriageway of Grane Road from the intersection of the centre line of the proposed access.

Reason: To ensure adequate visibility, in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan

8. Any gate erected at the access shall be positioned a minimum distance of 12 metres behind the nearside edge of the carriageway of Grane Road. *Reason: To ensure adequate visibility, in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan*
9. The building shall not be occupied until the proposed vehicle parking/manoeuvring areas have been constructed, drained, surfaced and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. These areas shall not thereafter be used for any purpose other than the parking/manoeuvring of vehicles. *Reason: To ensure satisfactory off-street parking facilities, in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
10. Covered and secure cycle and motorcycle facilities shall be provided prior to first occupation of any of the units hereby permitted, in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure adequate cycle/motorcycle storage facilities, in the interests of highway safety and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
11. A Travel Plan framework shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. *Reason: To minimise use of the private car, in the interests of highway safety and sustainability, and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*
12. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented. *Reason: To secure proper drainage and to prevent flooding and in accordance with the criteria of DC1 of the adopted Rossendale District Local Plan.*
13. Any construction works associated with the development hereby approved shall not take place except between the hours of 8:00am and 6:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. *Reason : To safeguard the amenities of nearby residential properties in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.*

NOTE FOR APPLICANT

- 1) This consent requires the construction works within the public highway. Under the Highways Act 1980 Section 184, the County Council as Highway

Authority must specify the works to be carried out. Only the Highway Authority, or a contractor approved by the Highway Authority, can carry out these works and therefore before any access works can start you must contact the Environment Directorate at Lancashire County Council, quoting the planning application number.