

**TITLE: 2005/157 - ERECTION OF NEW WAREHOUSE & WATER STORAGE TANKS, RE-ROOFING OF EXISTING BUILDINGS AND ASSOCIATED ALTERATIONS (OUTLINE)
BACUP SHOE CO LTD, RAILWAY STREET, STACKSTEADS**

TO/ON: DEVELOPMENT CONTROL COMMITTEE 11 OCTOBER 2005

BY: TEAM MANAGER DEVELOPMENT CONTROL

APPLICANT : BACUP SHOE CO LTD

DETERMINATION EXPIRY DATE : 14 JUNE 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

The applicant makes use of an extensive range of traditional mill buildings accessed from Baldwin Street. The site is bounded to the north and west by the River Irwell, to the east by terraced housing fronting Short Street and to the south by Railway Street.

The principal building on the site comprises of a substantial 4-storey stone building. Attached to it on the north and east sides are 2-storey stone buildings and old weaving sheds, with a tall free-standing chimney to its west side.

The site is now used for the storage and distribution of footwear, with ancillary offices, and presently employs 65 people.

Proposal

The firm wishes to :

- a) add to the storage space on the site;
- b) utilise the existing space within the 4-storey building more effectively;
- c) make-good the roofs over existing weaving sheds; &

d) up-grade the fire-fighting facilities at the premises.

To that end, it wishes to :

1. Demolish the 2-storey building, and other buildings, on the north side of the 4-storey building and erect here a new building to cover an area of 28m x 71m and with a height of 15m (3.5m less than the existing 4-storey building), thereby adding significantly to storage capacity and enabling goods to be taken into/removed from the existing building more easily. The lower part of its external walls are to be constructed in buff brick and the upper part of walls and roof to be clad in profiled metal-sheeting of varying colours.
2. Replace the roofs on weaving sheds towards the east end of the site with a new mono-pitch roof which increases the height of building immediately adjacent to Short Street from 3.25m to 5m. The external walls being heightened and new roof will be clad in profiled metal-sheeting.
3. Erect four tanks between the new building and the river, to vary in diameter up to 5m and have a height of 9.5m, in which water will be stored to feed the sprinkler-system to be installed.

The applicant envisages that as a result of the above works the number of people employed at the site would initially increase by approximately a dozen, but ultimately in excess of 30, whilst the number of lorries visiting the site each day would increase from 12 to 18.

Consultation Responses

LCC(Highways) No objection in principle. It is satisfied that the proposed building is setback sufficiently from Baldwin Street to enable HGV's to park in front of the intended bay-doors and load/unload without obstruction of the highway. It further advises that it would be desirable for a permission for additional staff/customer parking on the south side of Railway Street to be implemented if the current proposal proceeds (Planning Permission 14/04/839). It also wishes all HGV's to access the site via Baldwin Street and for a separate pedestrian footbridge over the river to be provided.

LCC(Archaeology) advises that although none of these mill buildings have been included upon Central Government's List of Buildings of Special Architectural or Historic Interest they are, nevertheless, of sufficient interest to warrant a proper record being made of them before any works commence.

The Environment Agency has no objection to the proposed extension so long as it has a floor-level no lower than 216m AOD, to minimise the risk of flooding.

English Nature advises that it is not aware of any sites of nature conservation importance that could be significantly affected by the proposed development. However, it recommended that prior to permission being granted the existing buildings be surveyed by a suitably qualified person for the presence of bats.

Notification Responses

Letters of objection have been received from a nearby firm and 57 local residents, together with a petition bearing 94 signatures. Their reasons for objection are as follows :

1. The 4-storey metal-clad monstrosity proposed is totally out of keeping with the character and appearance of the area and will detract from the heritage interest of this magnificent Victorian mill.

2. This new building will appear ugly, overbearing and cause a loss of light for residents, particularly those on Short Street.
3. If the premises are now used 24-hours a day residents will experience noise and light pollution.
4. By adding to HGV traffic the proposal will result in danger and congestion on roads and air/noise pollution.
5. Baldwin Street Bridge is incapable of taking more traffic.
6. The premises possess inadequate parking/servicing facilities.
7. The danger associated with storing tonnes of highly flammable/toxic products at the premises.
8. Will devalue nearby houses.
9. The proposal will adversely affect bats within the existing buildings/the wildlife interest of the River Irwell and the landscaped trail on the north side of the river, etc.

A Councillor has also registered his concerns that :

1. The proposed building is of a design that does not compliment the existing buildings and is of a scale that is completely out of character with the neighbourhood and will overshadow houses
2. The proposal may entail demolition of the chimney.
3. The riverbank on the opposite side from the development is the home for various types of wildlife and there are bats around the existing buildings.

Development Plan Policies

Rossendale District Local Plan (Adopted 1995)

The application site lies within the Urban Boundary and is specifically identified as being within an Existing Employment Area, wherein Policy J3 favours development for employment purposes. Other relevant policies are :

- DC1 - Development Control
- E9 - Pollution
- E12 - Noise Attenuation

Joint Lancashire Structure Plan (Adopted 2005)

- Policy 1 - General Policy
- Policy 2 - Main Development Locations
- Policy 7 - Parking
- Policy 20 - Lancashire's Landscapes
- Policy 21 - Lancashire's Natural & Man-Made Heritage

Other Material Planning Considerations

- PPS1 - Sustainable Development
- PPG4 - Industrial & Commercial Development
- PPG13 - Transport
- PPS23 - Pollution Control
- PPG24 - Noise

LCC Parking Standards

Planning Issues

A substantial number of local residents have objected to the application (by way of individual letters and a petition). However, without exception, they make reference to the bulk of the proposed building as being unacceptable, although other matters are raised.

In determining this application it must be borne in mind what the applicant is seeking permission for :

outline permission is being sought for a new warehouse and four water-tanks having the siting/footprint shown on the submitted drawings, together with re-roofing of the existing buildings identified, using the facing materials indicated.

The applicant has reserved for later consideration the design of the proposed works and the landscaping of the site. That is to say, permission is NOT being sought for the bulk of the proposed building or the additional bulk resulting from re-roofing of existing buildings : the elevational drawings submitted being indicative and intended to show that the facing-materials for which permission is now sought are appropriate.

This being the case, the main issues to consider are as follows :

- 1) Principle; 2) Heritage Interest; 3) Townscape Impact; 4) Neighbour Amenity; 5) Traffic/Parking; 6) Fire Precautions; & 7) Wildlife Interest.

PRINCIPLE

There is no objection in principle to the proposed development, the site already being in employment use and lying within the Urban Boundary and an Existing Employment Area.

HERITAGE INTEREST

The existing buildings to be demolished/alterd are not of such archaeological or historic interest to warrant refusal of this application in order to retain them in their existing form. However, I concur with the view of LCC(Archaeology) that the buildings should be properly recorded prior to the commencement of any works. I also consider it important that measures are taken to ensure the chimney is not damaged during the course of any demolition/construction works or subsequently by the manoeuvring of HGV's , etc in its vicinity.

TOWNSCAPE IMPACT

The existing complex of buildings, though large, does not appear unduly prominent or intrusive in the townscape, being of such longstanding and of 'traditional' design and facing-materials. The most imposing elements of the complex visible to the public are the 4-storey building and the chimney. Both are to remain. It is considered that the principle of erecting a new building, and the four water-tanks, with the siting/footprints proposed is appropriate without undue detriment to the character and appearance of these elements of the existing buildings or the area in general. Likewise, with construction of a mono-pitch roof over the existing weaving-sheds indicated.

The design (and therefore bulk) of these new-build elements is reserved for later consideration when a reserved matters application is made. Therefore I will comment only in broad terms on this matter. The concerns expressed by residents in respect of these new-build elements are legitimate and would be of concern to me if a reserved matters application were received showing them to be of the scale shown on the indicative elevations. That said, it may be that the applicant can make the case for an element of the new building to rise to the height shown on the indicative elevations (to add to storage capacity and allow easier access to the existing 4-storey building), and for profiled metal-sheeting to be used to a significant degree. In

my view the facing-materials cannot be approved prior to submission for approval of details of the design (and bulk) of the new-build elements.

NEIGHBOUR AMENITY

The points made above in relation to townscape impact hold true also with respect to neighbour amenity.

With respect to other matters relating to neighbour amenity I would advise as follows :

The proposal will enable a greater level of activity on the site and, consequently, more traffic can be expected. However, as that activity is storage, local residents are not likely to experience disturbance by reason of noise emanating from the buildings. Likewise, the additional HGV traffic generated by the proposal is not going to have reason to pass along any residential roads to reach the premises. Since bay-doors for taking goods in and out of buildings will be located in the west elevation HGV's will not have reason to use other than Baldwin Street between the main road and the premises. Baldwin Street serves this and other commercial premises, and has no housing fronting to it.

TRAFFIC/PARKING

I have no reason to doubt the LCC(Highways) view that the local road network (including Baldwin Street Bridge) is capable of accommodating the additional traffic generated by this proposal. While it may be desirable for a separate pedestrian bridge to be provided over the river at this point, as requested by the Highway Authority, for the applicant to provide this would entail significant cost and result in people passing through their service yard. A condition is recommended to address its request for the car parking permitted by Planning Permission 2004/839 to be provided if the proposed development proceeds. The applicant advises that they wish to construct this car park in May/June 2006 in any case, and thereby free-up space for additional lorry parking.

FIRE PRECAUTIONS

In response to the concern expressed about the storing of tonnes of highly flammable/toxic products at the premises the applicant has confirmed that :

- the range of products to be stored at the premises will be unchanged;
- the goods stored are regularly tested to ensure compliance with regulations and the standards set by such reputable retailers as ASDA, Tesco, etc in respect of flammability/toxicity;
- the proposed water-tanks are to enable a sprinkler-system to be installed that complies with the very high health and safety standards they set themselves and are required by their insurers.

WILDLIFE INTEREST

The applicant has employed a suitably qualified person to carry out a survey of the existing buildings and surrounds for wildlife. Whilst bats were seen foraging along the edge of the woodland area on the north side of the river, no evidence was found of this protected species roosting in the existing buildings. Birds nests were found on the roofs of buildings. Accordingly, they advise that there is no wildlife interest which will be caused such harm that permission should be refused, although the applicant is advised to avoid commencing demolition works once the nesting season has begun and then strip slated-roofs with care for bats which may be found, in accordance with the requirements of the Wildlife & Countryside Act 1981.

Whilst construction works may cause some disturbance to wildlife in the landscaped area fringing the north bank of the river this will be short-term and cannot be avoided/mitigated.

Summary of Reasons for Approval

The proposed development is appropriate in principle within the Urban Boundary and this Existing Employment Area and, subject to conditions, is not likely to cause unacceptable detriment to the visual or neighbour amenity, highway safety, natural and man-made heritage or any other material consideration.

Recommendation

That Outline Permission be granted, subject to the following conditions :

1. 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. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason : Required by Section 92 of the Town and Country Planning Act 1990 (as amended).
2. Notwithstanding what was indicated on the submitted application form, before the development hereby permitted is first commenced full details of the reserved matters (namely the design and external appearance of the building(s) and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.
Reason: The permission is in outline only.
3. The development hereby permitted shall be carried out in accordance with the submitted Location Plan and Drawing No 03/078-03 .
Reason: To define the permission and ensure a satisfactory form of development.
4. The new building hereby permitted shall have a floor level no lower than 216m Above Ordnance Datum, unless otherwise agreed in writing with the Local Planning Authority before any development is first commenced.
Reason: To reduce the risk of flooding, in accordance with the wishes of the Environment Agency and PPG25.
5. The first reserved matters application to be submitted shall be accompanied by details of the surfacing, drainage and marking out/delineation of the service yard/vehicle manoeuvring area to be formed to west side of the existing/proposed buildings and any system to be provided for illumination of this area. The approved scheme shall be implemented prior to first occupation of the new building hereby permitted. This area shall not thereafter be used for any purpose other than the parking, loading/unloading and manoeuvring of vehicles.
Reason: To ensure satisfactory on-site provision of servicing/lorry manoeuvring areas, in accordance with Policy 7 of the adopted Joint Lancashire Structure Plan.
6. Prior to first occupation of the new building hereby permitted Planning Permission 14/04/839 shall be implemented unless the Local Planning Authority has otherwise agreed in writing.

Reason: To ensure adequate on-site provision of car parking, in accordance with Policy 7 of the adopted Joint Lancashire Structure Plan.

7. No works shall take place until a programme of building recording and analysis has been carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority.

Reason : To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building, in accordance with Policy 21 of the adopted Joint Lancashire Structure Plan.

NOTES FOR APPLICANT

Bats and nesting birds are protected under the Wildlife and Countryside Act 1981. Your attention is drawn to the recommendations contained in the report of July 2005 undertaken by Bowland Ecology Ltd.



Building Footprint

