

TITLE: 2005/453 - ERECTION OF EXTENSION TO WORKSHOP AND ASSOCIATED STORAGE YARD & CAR PARK LAND ADJ SOLOMON COMMERCIALS LTD, KINGSWAY, HOLDEN VALE, HASLINGDEN

TO/ON: DEVELOPMENT CONTROL COMMITTEE - 11 OCTOBER 2005

BY: TEAM MANAGER DEVELOPMENT CONTROL

APPLICANT : SOLOMON HOLDINGS LTD

DETERMINATION EXPIRY DATE : 30 OCTOBER 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

Solomons presently occupy premises at the east end of Kingsway, comprising of a building of recent construction, with extensive areas of hardstanding to its south and east side. The building measures 29m x 41m x 11m in height, the lower part of its external walls clad in reconstituted stone and the upper part of the walls and roof clad with grey profiled metal-sheeting. At the present time 25 people are employed at the site, engaged in the fitting of refrigerated units on lorry chassis.

To the north, east and south of Solomons existing premises is open land. To the west is a cleared and serviced plot of land awaiting development. At the time planting was undertaken to the east and south of Solomons existing premises the southern and western boundaries of this plot were bunded/planted, to help screen it from the housing then proposed (and now built) on Grange Park Way.

Proposal

In order to extend their premises Solomons have purchases the neighbouring plot. Permission is sought to extend the existing building with the erection of an extension measuring 35m x 56m x 11.25m in height, to be clad in matching facing-materials. The greater part of this extension will sit on Solomons existing site, displacing

storage of lorries. The greater part of the new site will be hard-surfaced, a small part fronting Kingsway to provide an additional 8 car parking spaces for staff/visitors but the majority for storage of lorry chassis awaiting the fitting of refrigeration units.

The applicant advises that :

- the building extension and new yard will be used at the same hours as the existing premises;
- whilst there may be need to move lorry chassis from the extended yard into the building outside normal working hours (in preparation for the next days work within the workshops), there will be no outside working;
- the proposed development will result in a dozen more people being employed at the site.

Consultation Responses

LCC (Highways) has no objection in principle but wishes to ensure that the proposed development does not result in loss of the turning-head at the east end of Kingsway.

The Environment Agency has no objection subject to satisfactory arrangements being made for the disposal of foul and surface water.

Notification Responses

Occupiers of a house on Grange Park Way object to the application. Although indicating they have no objection in principle with development of this site, they express a number of concerns :

The proposed extension is bigger than the original building and, though at present noise levels are "fairly low", a doubling of turnover may change this.

Their house will face the proposed service yard and the fence bounding it is unsightly.

They would like to see : a) the proposed extension moved so no part extends beyond the boundaries of Solomons existing site; b) restrictions placed on operations to reduce the possibility of unacceptable noise levels at unsociable hours; & c) additional boundary planting.

Development Plan Policies

Rossendale District Local Plan (Adopted 1995)

In short, Solomons existing site, and the site it now wish to extend onto, lie within the Urban Boundary of Haslingden and are part of a larger site specifically allocated for Employment development. Other policies relevant to this application are :

DC1 - Development Criteria

E9 - Pollution

E12 - Noise Attenuation

The open land lying to the north, east and south of Solomons existing site forms part of an area of Greenlands/an Important Wildlife Site. Grange Park Way forms part of a recent housing development permitted on land allocated in the Local Plan for Employment development.

Joint Lancashire Structure Plan (Adopted 2005)

Policy 1 - General Policy

Policy 2 - Main Development Locations

Policy 7 - Parking

Policy 14 - Business and Industrial Land Provision

Other Material Planning Considerations

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

LCC Parking Standards

Planning Issues

The main issues to consider in dealing with this application are as follows :

- 1) Principle; 2) Design & Appearance; 3) Neighbour Amenity; & 4) Traffic/Parking.

PRINCIPLE

There is no objection in principle to the proposed development, the use intended for the application site being in accordance with Local Plan policy.

DESIGN & APPEARANCE

The proposed extension will not detract unacceptably from the character and appearance of the area. By reason of its siting it will not appear unduly prominent or intrusive from any public view point, and is to be constructed in materials matching those of the existing building. Subject to suitable landscaping of the land lying between the Kingsway and the 2.4m high fence to bound the storage yard, and around the proposed car park, I am satisfied the proposed hardstandings will not be unduly prominent or intrusive to the public.

NEIGHBOUR AMENITY

The proposed extension will not result in an unduly large building for the size of the extended site. Indeed, by reason of extending the existing building (rather than developing the vacant plot independently, with a building in its centre of comparable size) avoids building being as near to the housing on Grange Park Way as might have been expected.

The new workshop will be accessed principally by means of one of six bay-doors located in the east elevation (ie facing away from the housing). However, to minimise the likelihood of noise disturbance to residential neighbours, the Environmental Health Manager and I consider it appropriate for a permission to be conditioned to ensure work within the workshops does not continue whilst the one bay-door in the south elevation and one bay-door in the west elevation are open. Similarly, it is appropriate to condition the permission to ensure that industrial operations within the extended site do not occur other than within the building.

To further screen the application site from the view of neighbours conditions are recommended to ensure the existing boundary planting is retained/reinforced.

TRAFFIC/PARKING

The local road network can satisfactorily accommodate the traffic likely to be generated by this development. In accordance with the Highway Authorities wishes a condition is proposed to ensure the turning-head at the east end of Kingsway is not lost.

Summary of Reasons for Approval

The proposed development accords with the allocation of the site in the Rossendale District Local Plan and Policy 14 of the Joint Lancashire Structure Plan and, subject to conditions, is not considered likely to detract to an unacceptable extent from visual or neighbour amenity, highway safety or any other material consideration.

Recommendation

That permission be granted, subject to the following conditions :

1. The development permitted shall be begun before the expiration of three years from the date of this consent.
Reason :The condition is required by virtue of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used for the roof and external walls shall match in colour, form and texture those on the existing building, and the roller-shutter doors shall be painted a colour first agreed in writing with the Local Planning Authority prior to first use of the extension.
Reason: In the interests of the visual amenity of the area in general and the existing building in particular and in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
3. The roller-shutter doors in the west and south elevations of the extension hereby permitted shall only be opened for the purpose of allowing people, materials and vehicles to enter/exit and shall not be allowed to remain open at other times.
Reason : To prevent noise disturbance for residential neighbours, in accordance with the criteria of Policy DC1 and Policy E12 of the adopted Rossendale District Local Plan.
4. No industrial activities shall take place on the premises as hereby extended other than inside a building.
Reason: In the interests of the amenity of residential neighbours, in accordance with the criteria of Policy DC1 and Policy E12 of the adopted Rossendale District Local Plan.
5. No system of external illumination shall be erected or installed without the prior written consent of the Local planning Authority.
Reason: In the interests of the amenity of residential neighbours, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.
6. No development shall take place until details of the proposed foul and 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 drainage arrangements have been fully implemented.
Reason: To secure proper drainage and to prevent flooding, in accordance with the criteria of Policy DC1 and Policy E9 of the adopted Rossendale District Local Plan.
7. Notwithstanding what is shown on the submitted drawing, a turning-head (with 1.8m wide footway surrounding it) shall be provided to adoptable standard at the east end of Kingsway prior to first use of the extension hereby permitted and shall thereafter be kept freely available for public use.

Reason : In the interests of highway safety and to accord with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

8. Before the extension hereby permitted is first occupied the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan, and shall not thereafter be used for any other purpose.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

9. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority in respect of the land-edged-red and the land-edged-blue, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The submitted scheme shall also provide for the landscaping of that area hatched in green on the Proposed Site Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

10. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building, and any trees or plants in the approved details of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area, in accordance with the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

NOTES FOR APPLICANT

Please note: Your attention is drawn to the comments of the Environment Agency dated 11/8/05 (copy attached).

Please Note : This consent may require the construction, improvement or alteration of an access to 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. Therefore before any access works can start you must contact the LCC Environment Directorate, quoting the planning application number.

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EXISTING GATE CONTROLLED ENTRANCE

5 GAR PARKING SPACES

EXISTING SERVICE YARD

PROPOSED EXTENSION

SERVICE BAYS

01 AUG 2005

2005/453

SERVICE YARD

LOW IMPACT BUFFER ZONE

KINGSWAY

ROAD

