

APPLICATION DETAILS

1. SITE AND PROPOSAL

1.1 The Site

- 1.1.1 The application site lies to the north-east of Bacup Road, Harehome and is bounded by the River Irwell on the northern and western boundaries as it bends round. The site is flat and has the remnants of a former red brick building, most likely last used by United Utilities or its predecessor.
- 1.1.2 The site is flat and has a grassed area adjacent to Bacup Road occupied by a number of mature Cherry Trees. Behind this area, the site is enclosed by a palisade fencing which encloses the southern and western parts of the site. The northern and eastern parts of the site are enclosed by 4 metre high red brick wall. The site is vacant but ground cover plants, grass and serral growth have taken hold on the frontage of and within the site. The part of the site farthest from Bacup Road has a concrete hardstanding.
- 1.1.3 The site lies within the Urban Boundary.

1.2 Relevant Planning History

2003/607 – Use of site as a temporary compound and construction of a permanent highway access – Approved 04/12/2003 subject to conditions regarding landscaping and that the site should not be used to store portakabins or containers without the prior written consent of the Local Planning Authority. The consent is extant until 4th Dec 2008.

2006/134 – (Outline) Erection of 12 dwellings – refused and dismissed at appeal.

2. THE PROPOSAL

- 2.1 The application seeks consent for the use of the site as a storage compound for a temporary period with the construction of a permanent access in to the site. The proposal would involve clearing the site, including vegetation behind the fencing and within the walls, to enable the site to be used for storage with Class B8, which may include containers and the applicant has confirmed that they would be willing to be bound by a condition that would prevent the containers being stacked higher than the brick walls. There would be no proposed change to the boundary treatment of the site although the gates at the existing entrance to the site would be formally closed off once the proposed access was operational.
- 2.2 The proposed access would be located centrally within the frontage of the site, directly opposite No. 453 Bacup Road. The access would involve the insertion of double gates into the palisade fencing and would result in the loss of one cherry tree to enable the proposed access to be constructed. The access would be sited farther to the west than that approved under 2003/607. The proposed

hours of operation of the storage compound would be 08:00 to 18:00 Monday to Friday and would employ 2 people full time.

3. POLICY CONTEXT

3.1 National Planning Policy

PPS1 – Delivering Sustainable Development
PPG4 – Industrial, Commercial Development and Small Firms
PPG13 – Transport
PPS 25 – Flood Risk

3.2 Regional Planning Policy

Regional Spatial Strategy for the North-west

3.3 Saved Policies of the Rossendale District Local Plan.

DS1 – Urban Boundary
DC1 – Development Criteria
DC4 – Materials

4. OTHER MATERIAL PLANNING CONSIDERATIONS

4.1 None.

5. INTERNAL CONSULTATIONS

5.1 Arboriculturalist – recommends that the existing Cherry trees at the front of the site are not worthy of protection by TPO although the Wild Cherry trees in the western corner of the site adjacent to the river, subject to silviculture being undertaken, might be worthy of protection. The replacement of the existing trees on the frontage of site with semi-mature specimens should be negotiated with the applicant.

6. EXTERNAL CONSULTATIONS

6.1 Lancashire County Council – Highways – do not object subject to the provision of a hard-surfaced access road, resiting of a gully within the junction and disabled crossing points also at the junction.

6.2 Environment Agency – do not object to the scheme subject to a condition requiring a Sustainable Urban Drainage Scheme being submitted by the applicant for approval and subsequently being installed on site.

7. REPRESENTATIONS

7.1 One site notice posted on 12/09/2008 as shown on the site plan. 39 neighbours were notified by letter on 05/09/2008 to accord with the General Development

Procedure Order. The site notice has been posted to go above and beyond the regulatory requirement to ensure a high level of Community engagement to accord with PPS1.

2 letters of objection and a 19 signature petition objecting to the scheme on the following grounds:

- Noise
- Traffic congestion
- Lack of parking
- Height of the containers

8. REPORT

- 8.1 The main considerations of the application are the principle of the scheme, its impact on visual and residential amenity and highway safety.
- 8.2 The application site lies within the Urban Boundary where the principle of development is acceptable. The proposed Class B8 storage use has an extant consent on the site which controls the siting of containers and portakabins on the site which could still be implemented until 3rd December 2008 and the applicant has indicated their intention to implement the scheme if planning permission is not forthcoming. Notwithstanding, the B8 storage use would be restricted to operating between 08:00 to 18:00 Monday to Friday and would not normally be a use which would give rise to noise and disturbance. Nevertheless, conditions should be imposed to control the hours of operation and the height and area of storage within the compound. In addition the use would be for a temporary period which would give the Council control to not renew planning permission if complaints were received during the temporary period consented. As such, the proposed development is considered to be acceptable in principle subject to a condition limiting the consent to a two year period.
- 8.3 The scheme would not materially alter the boundary treatment of the site and the applicant has indicated that they would be willing to be bound by a condition limiting the height of storage within the site to below the height of the boundary red-brick wall, also a condition requiring a landscaping scheme to the front of the site to include mature replacement trees for the existing Cherry trees. Conditions should also include works to the trees on the western boundary of the site adjacent to the River Irwell. The existing planting on the site could be removed without the requirement for planning permission and none of the trees on the site in their current are worthy of retention. As such, with the restrictions on the height of storage, replacement trees and landscape planting scheme and works to preserve the existing trees on the western boundary, the application is considered acceptable in terms of visual amenity.
- 8.4 The proposed development would not involve the erection or construction of a buildings or alternative boundary treatment. The proposal would not therefore affect the occupiers of adjoining properties in terms of loss of light, privacy or outlook. Residential amenity should not be harmed due to the nature of the use

and the hours of operation. As such, the proposed development is considered acceptable in terms of residential amenity.

- 8.5 The proposal includes the construction of a new permanent access into the site rather than using the existing track to the rear of Rostron's Buildings. The proposed access is farther to the west than the previously approved access. LCC – Highways requested amendments to the submitted scheme to demonstrate adequate visibility splays, dropped pedestrian kerbs at the junction of the site access and Bacup Road, the relocation of a drainage gully and that the access road be constructed in a permeable tarmac surface. Amended plans have been submitted by the applicant demonstrating these requirements. In addition, a condition requiring a parking and turning area to be provided and maintained within the site should be attached. The proposal is considered acceptable in terms of highway safety.

9. CONCLUSION

- 9.1 The proposed development is acceptable in principle, would not harm visual amenity or residential amenity and would not be detrimental to highway safety.

10. RECOMMENDATION

- 10.1 Approve subject to conditions.

11. REASONS FOR APPROVAL

The proposed development is acceptable in principle, would not harm visual amenity or residential amenity and would not be detrimental to highway safety. As such, the proposed development accords with PPS1 – Delivering Sustainable Development, PPG4 – Industrial, Commercial Development and Small Firms, PPG13 – Transport, PPS 25 – Flood Risk, Regional Spatial Strategy for the North-west and saved policies DS1 – Urban Boundary, DC1 – Development Criteria and DC4 – Materials of the adopted Rossendale District Local Plan.

12. 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 shall be carried out in accordance with the plans numbered 2794/05 A and date stamped 17th OCT 2008 unless subsequently amended and approved in writing by the Local Planning Authority.

Reason: To ensure the development complies with the approved plans and for the avoidance of doubt.

3. The proposed use of the land for Class B8 storage is granted for a period of two years from the date of the decision notice after which the Use hereby approved shall cease and all materials and containers stored or any other items used for storage, shall be removed from the site within 28 days of the Use hereby approved, ceasing.

Reason: To allow the acceptability of the Use be established in the interests of residential amenity.

4. Prior to the commencement of development on site, the applicant shall submit to the planning authority for their approval, a scheme detailing parking and turning within the site. The agreed scheme will be implemented prior to the Use hereby approved first commencing and shall thereafter be maintained for as long as the Use remains in existence.

Reason: To provide adequate parking and turning within the site in the interests of highway safety residential amenity pursuant to Saved Policy DC1 – Development Criteria of the Rossendale District Local Plan.

5. Any construction works associated with the development hereby approved shall not take place except between the hours of 8:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction works shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays.

Reason: To safeguard the amenities of nearby residential properties, in accordance with PPG24 – Noise and the criteria of Policy DC1 of the adopted Rossendale District Local Plan.

6. The premises shall not be open for trading except between the hours of 08:00 and 18:00 Monday to Friday and shall not be open for business on Saturdays, Sundays or Bank Holidays.

Reason: To prevent noise and disturbance to nearby residential properties in the interests of residential amenity pursuant to saved policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

7. Prior to the commencement of development on site for the scheme hereby approved, a scheme for the provision of surface water drainage works, including a scheme for surface water attenuation where necessary, shall be submitted by the applicant/developer to be approved by the Local Planning Authority. The development shall be constructed in accordance with the with the approved scheme and thereafter maintained.

Reason: To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

8. Prior to the commencement of development on site for the proposal hereby approved, a scheme detailing the silviculture of the trees in the south-western corner of the site adjacent to Bacup Road and the River Irwell, shall be submitted by the applicant/developer to be approved by the Local Planning Authority. The approved scheme shall be implemented outside of the growing directly following the commencement of development, unless otherwise agreed by the Local Planning Authority in writing.

Reason: To ensure the continued health of the trees in the interest of visual amenity, sustainability and flood risk management pursuant to PPS1 – Delivering Sustainable Development, PPS25 – Flood Risk, Regional Spatial Strategy for the North-West and Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:1991 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To ensure the continued health of the trees in the interest of visual amenity, sustainability and flood risk management pursuant to PPS1 – Delivering Sustainable Development, PPS25 – Flood Risk, Regional Spatial Strategy for the North-West and Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

10. Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority a scheme detailing the soft-landscaping and planting scheme which shall include semi-mature specimen trees to be planted on the site frontage to Bacup Road to replace the existing mature Cherry Trees. The approved soft-landscaping shall be carried out in the first planting season after the commencement of development or the use whichever is the sooner, and any plants which are removed, die or become seriously damaged or diseased within 2 years of planting shall be replaced by others of the same size/species unless a variation is agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will be of satisfactory appearance, in accordance with the criteria of the saved Policy DC1 of the adopted Rossendale District Local Plan.

11. The extent of the area to be used for storage shall be limited to the concrete hardstanding as indicated on Drawing No. 2794/05 A date stamped 17 OCT 2008.

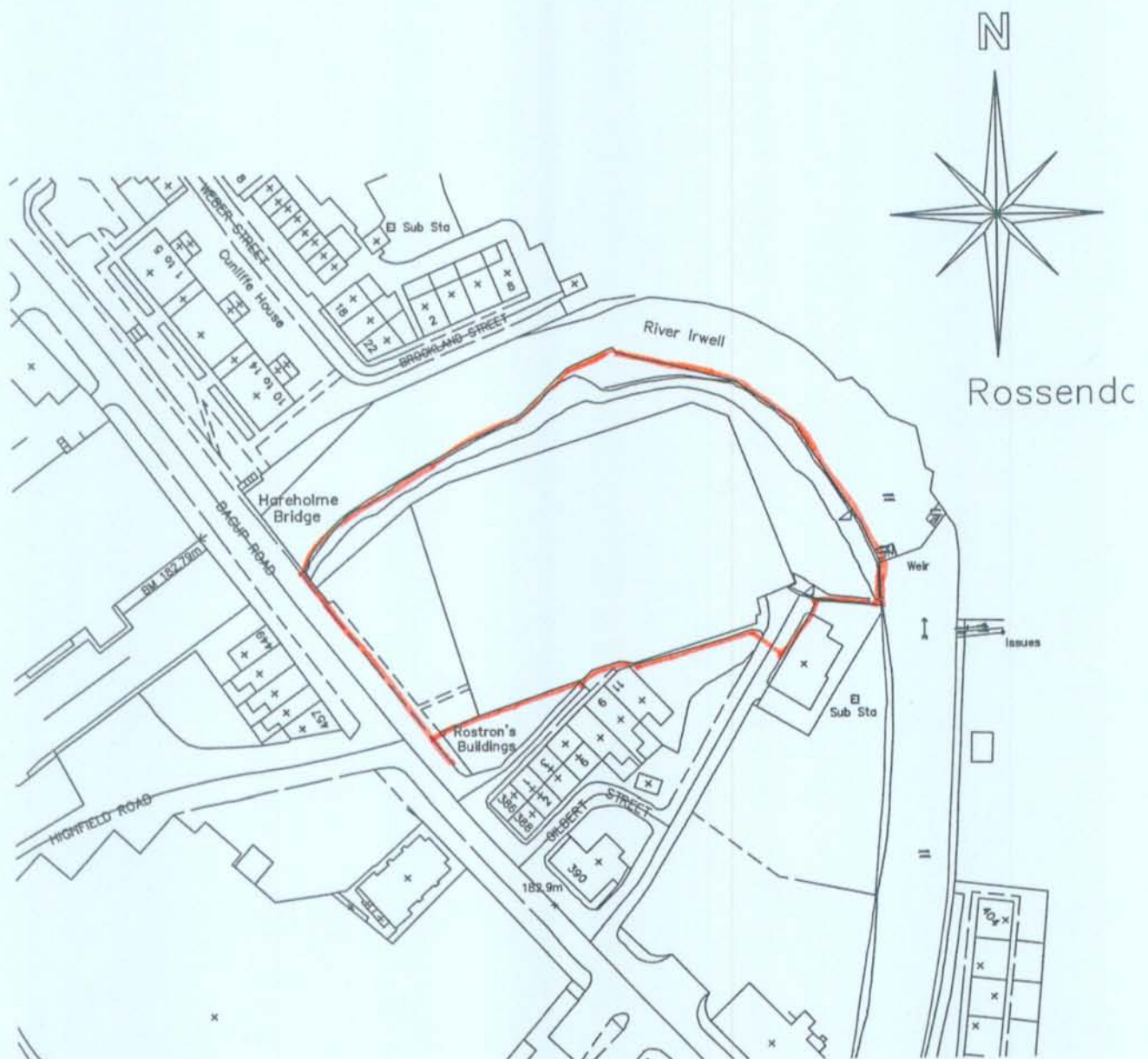
12. The height of any materials, containers, cabins or any other item stored on site either individually or cumulatively shall at no time exceed the height of the existing boundary wall or 4 metres high whichever is the lower height.

Reason: To prevent the over-intensive use of the site in the interests of visual amenity pursuant to saved policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

13. **INFORMATIVE**

The River Irwell is designated "Main River" and is subject to Byelaw Control. In particular, no works may take place within 8 metres from the bank top of the watercourse without the prior consent of the Agency. Consent is also required under the Water Resources Act 1991, for any works on, over or within the channel of the watercourse, including construction of surface water outfalls.

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2008/629

LOCATION PLAN
Bacup Road Hareholme
Rossendale BB4 7JJ

scale 1:1250

03 SEP 2008

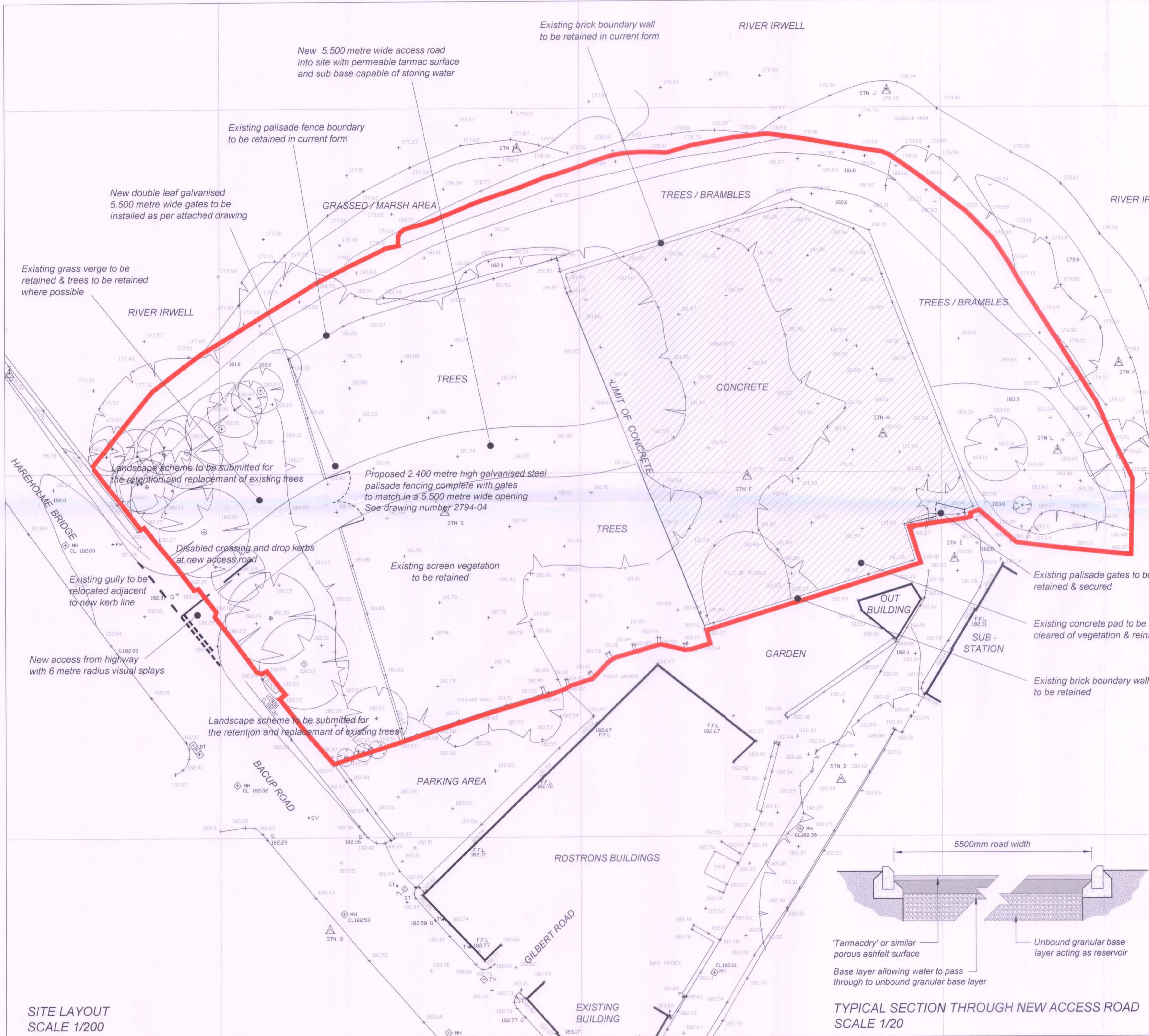
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DO NOT SCALE DIMENSIONS FROM THIS DRAWING
ALL DIMENSIONS TO BE CHECKED ON SITE AND DISCREPANCIES REPORTED IMMEDIATELY TO THE ARCHITECTS



CONTROL STATION CO-ORDINATES

STN	EASTING	NORTHING	LEVEL
A	000.000	300.000	183.080
B	972.069	3029.992	182.590
C	028.800	3046.547	182.244
D	1041.408	3070.487	181.965
E	936.051	3091.259	181.893
F	1018.544	3079.729	181.912
G	984.976	3075.809	181.843
H	1034.027	3084.274	181.951
I	993.084	3115.745	178.101
J	1034.027	3121.980	178.459
K	1059.650	3091.962	179.233
L	1052.842	3082.431	183.428

ABBREVIATIONS

AV	AIR VALVE/VENT	FH	FIRE HYDRANT	FB	POST BOX
B	BOLLARD	FP	FLAG POLE	RE	RODDING EYE
BB	BELLSHA BEACON	G	GULLY	RS	ROAD SIGN
BL	BED LEVEL	GM	GAS METER	SP	SIGN POST
BS	BUS STOP	GV	GAS VALVE	ST	STOP SIGN
BT	BRITISH TELECOM	IC	INJECT CHAMBER	TB	TELEPHONE BOX
CL	COVER LEVEL	IL	INVERT LEVEL	TL	TRAFFIC LIGHT
DR	DILAPIDATED	LH	LAMP HOLE	TP	TELEGRAPH POLE
DS	DISUSED	LP	LAMP POST	TV	CABLE TV BOX
EL	ELEC JUNCT. BOX	MH	MANHOLE	UH	UNABLE TO LIFT
EP	ELECTRICITY POLE	P	POST/POLE	WH	WATER METER

SYMBOLS

	SURVEY STATION		BENCH MARK
	TREE		TRIAL PIT
	CARP'S HEDGE		BOREHOLE

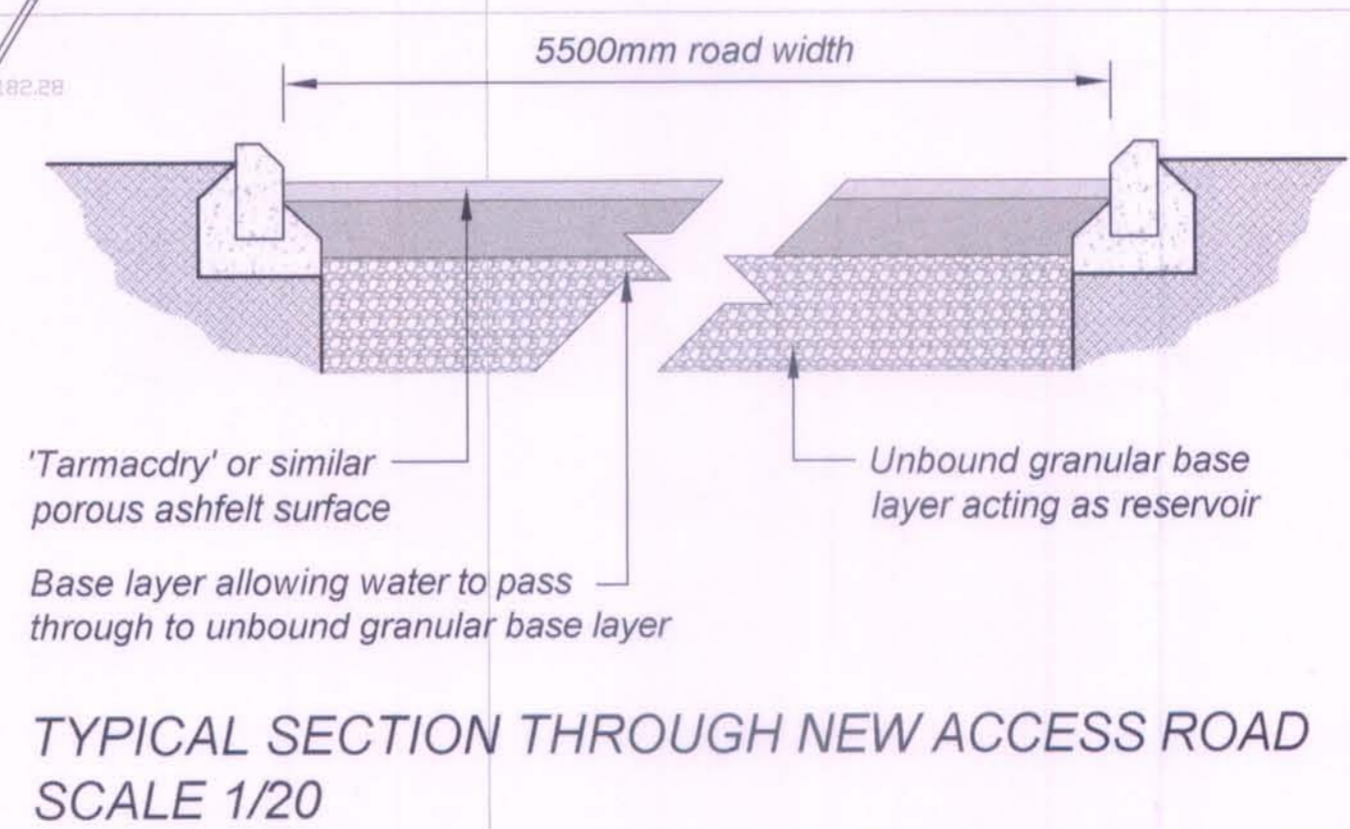
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- LOCAL GRID USED AND ORIENTATED TO MAGNETIC NORTH.
- ALL LEVELS ARE IN METRES RELATED TO O.S.M. PUBLISHED VALUE 182.79
- ONLY MANHOLES AND SERVICES VISIBLE AT TIME OF SURVEY SHOWN.
- ALL INVERT LEVELS SHOWN ARE TO THE BOTTOM OF THE MANHOLE AND IRRESPECTIVE OF ANY OTHER PIPES/BACKDROPS ENTERING OR LEAVING.
- ALL DRAINAGE INFORMATION TO BE CHECKED PRIOR TO COMMENCEMENT OF ANY DRAINAGE WORKS/SCHEMES.
- CHANNEL LEVELS SHOWN ON ROADS ARE TO FINISHED TARMAC LEVEL.

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2008/629

A	GENERAL AMENDMENTS TO ANNOTATIONS & SECTIONAL DETAIL ADDED.	DF	16-10-08
REV	DESCRIPTION	BY	DATE
<p>R.A. FISK & ASSOCIATES Chartered Architects 20 Chorley Road Swinton Manchester M27 5AJ Tel: 0161-793-5300 Fax: 0161-794-4799 e-mail: info@rafisk.co.uk</p> <p>AMENDED PLANS RECEIVED 17 OCT 2008</p> <p>CLIENT: GREENVILLE PROPERTIES LTD</p> <p>PROJECT: LAND OFF BACUP ROAD HAREHOLME ROAD RAWTENSTALL, BB4 7JJ</p> <p>TITLE: PLANNING APPLICATION DRAWING</p>			
SCALE	DRAWN BY	DRAWING No.	REV.
AS SHOWN	DF	2794/05	A
DATE	STATUS		
SEPT '08	PLANNING		



SITE LAYOUT
SCALE 1/200