

Application No: 2008/0621 Proposal: Erection of Office Accommodation (3,021 sq m) and Associated Works	Application Type: Full Application - Major Location: Land Adjoining Rising Bridge Inn, Blackburn Road, Rising Bridge
Report of: Planning Unit Manager	Status: For Publication
Report to: Development Control Committee	Date: 8 th December 2008
Applicant: LCDL	Determination Expiry Date: 9 th December 2008
Agent: LCC Property Group	

REASON FOR REPORTING Tick Box

- Outside Officer Scheme of Delegation**
- Member Call-In**
- Name of Member: _____
- Reason for Call-In: _____
- More than 3 objections received**

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. SITE

- 1.1 The application site lies to the north of Rising Bridge Road and to the south of Blackburn Road, Rising Bridge. The site has a frontage of 105 metres to Blackburn Road varies between 60 and 118 metres deep to its frontage onto rising Bridge Road which is 58 metres and is relatively flat with a gentle increase in level from Blackburn Road to Rising Bridge Road. The site is currently vacant although has been tipped with material in the past and has a partially constructed access on its southern boundary onto Rising Bridge Road.
- 1.2 To the north of the site across Blackburn Road is an area of residential properties focussed around The Close and Oak Avenue; to the east of the site is an open area separating the site from St. John's Church; to the south-east stand a bungalow and behind that, Stonefold Primary School; to the south-west is the access to Baxenden Chemicals; to the west facing the site stand 13-19 Rising Bridge Road and Underbank Road whilst to the north-west the land is occupied by the former Rising Bridge Inn and the junction of Rising Bridge Road and Blackburn Road.
- 1.3 The application site lies within the Urban Boundary as designated in the Rossendale District Local Plan although is not allocated for a specific use. The site is also identified with the Rossendale Employment Land Study which identifies the site as the most desirable employment location in the Borough available for development.

2. RELEVANT PLANNING HISTORY

- 2.1 2002/352 - Erection of 1 no industrial unit – Refused although subsequently allowed on appeal. The proposed use was classed as a Class B1 paint factory the consent lapsed on 20/05/2008.

2003/125 - Development of commercial unit, car park and implementation of landscaping – withdrawn.

3. THE PROPOSAL

- 3.1 The application seeks consent for the erection of 3, 021 square metres of office space provided in 9 two storey office units. The units would be laid out with a terrace of 4 units fronting Blackburn Road with the access road separating the 5th detached unit fronting Blackburn Road. The remaining 4 units would front on to Rising Bridge Road. The proposed offices are projected to provide employment space for 125 employees on a full time basis which the applicant seeks consent for 24 hour opening. The largest Units 1, 5, 6 & 9 would measure 12.6 metres wide by 16.1 metres deep with the remaining units being slightly smaller varying in width and depth. The highest part of the development would be the ridge of Block C reaching 9.2 metres high providing a 2 storey building.

- 3.2 The vehicular access would be taken directly from Blackburn Road together with access for pedestrians and cyclists as well as an access from Rising Bridge Road which would be for pedestrians and cyclists. All of the units would have individual pedestrian accesses to their principal entrance, denoted by small entrance foyers, facing either Blackburn Road or Rising Bridge Road. As part of the scheme the applicant proposes to create a pedestrian crossing over Blackburn Road. The scheme provides designated cycle parking and the proposed offices include shower and changing facilities within them. The proposal includes a bin store to be constructed with a natural stone plinth with different elevations using natural stone on the front elevation but render on the sides and rear under a natural slate roof.
- 3.3 The application was submitted with the following: Design and Access Statement, Planning Policy Justification, Market Appraisal, Ecological Survey, Transport Assessment, Framework Travel Plan, Contaminated Land Assessment, Heads of Terms for Legal Agreement and an Energy Statement. Arising from these documents, the applicant asserts that the scheme would be suited to the physical and social context of the site as well as providing economic opportunities for residents living near the scheme and within the wider Borough. The applicant undertook comprehensive pre-application discussions with officers as well as a consultation event with local residents at held at Stonefold Primary School on 16th June 2008. The event was publicised through advertisements in the press, posters and letters to adjoining residents. The applicant states that the comments arising from the meeting, such as adequate parking and safety of school children have been included in the proposal being considered.
- 3.4 The Market Appraisal concludes that this is a well-located site and suitably designed scheme which could attract interest from several sectors of the market which puts the scheme at an advantage over other alternative schemes in other parts of the Borough. The applicant's Ecological Survey concludes there are only habitats of common occurrence of low ecological value within the site. The Transport Assessment concludes that the scheme would be well located in terms of accessibility to public transport and by walk and cycle modes and the proposal would not detrimentally impact on the operational performance of the local highway network. The Framework Travel Plan essentially recognises the opportunities for more sustainable methods of transport available and being encouraged at the site and once the offices are occupied would set up a Travel Plan Company to review staff travel patterns and seek to encourage more sustainable patterns of transport accordingly.
- 3.5 The Contaminated Land Assessment found concentrations of Methane and Carbon Dioxide on the site partly due to the peat subsoil which would require pile foundations and granular surcharging to allow gases to escape and for settlement of the buildings. The originally submitted Heads of Terms offered a commuted sum payment of £53, 000 towards infrastructure, public transport service provision and sustainable transport initiatives in the vicinity. The Energy Statement, notwithstanding the BREEAM rating the development seeks to achieve, sets down the additional renewable energy and energy efficiency measures to be incorporated into the development, either all of them or in combination. These include the provision of a ground source heat pump, a

rainwater harvesting system and use of photo-voltaic cells on the roof as well as a permeable-surfaced car park. Through these measures the development strives to achieve a 10% reduction in the energy requirements of the development.

3.6 Since submission the applicant has partially revised the scheme and provided further information both in response to negotiations with Officers. The applicant's letter dated 30th October 2008 confirms the following points:

- Provision of a pedestrian access from Blackburn Road to Stonefold Primary School.
- The relocation of the bin store closer to the access to ease the manoeuvring of waste collection vehicles
- Permeable surfacing to the car park
- Seek the hours of operation to be 24 hours a day 7 days a week
- The revised car parking layout now provides for 64 parking spaces including 9 mobility impaired spaces with dropped kerbs shown
- Flood lighting is proposed to sides of the entrance buildings (Plots 4 & 5) with low level lighting is proposed throughout the rest of the scheme in the form of bollards
- The boundary treatment to the south-west of the site would be a closed-boarded timber fence and additional planting has been proposed adjacent to Plots 4 & 5
- Alterations to the highway layout to meet s278 requirements
- Section 106 contributions
 - £35,000 - towards cycling improvements
 - £6,000 - towards Travel Plan development and implementation
 - £2,000 - Bus Improvements £2,000 bus stop maintenance and improvement
 - £800 - Traffic Regulation Order
- Would be willing to accept a condition restricting the use of any building to be used as call centre although any further restriction on use or sub-division would hinder the viability of the scheme
- No CCTV is proposed for the scheme currently
- In order to access the NWDA funding for remediation works to the site must be completed by March 2009.

4. POLICY CONTEXT

4.1 National Planning Guidance

PPS1 – Delivering Sustainable Development
PPG4 – Industrial, Commercial Development and Small Firms
PPS7 – Sustainable Development in Rural Areas
PPG13 – Transport
PPS22 – Renewable Energy
PPS 23 – Planning and Pollution Control
PPG24 – Planning and Noise

4.2 Regional Spatial Strategy Policies

Policy DP 1 Spatial Principles

Policy DP 2 Promote Sustainable Communities

Policy DP 3 Promote Sustainable Economic Development

Policy DP 4 Make the Best Use of Existing Resources and Infrastructure

Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

Policy DP 6 Marry Opportunity and Need

Policy DP 7 Promote Environmental Quality

Policy DP 8 Mainstreaming Rural Issues

Policy DP 9 Reduce Emissions and Adapt to Climate Change

Policy RDF 1 Spatial Priorities

Policy RDF 2 Rural Areas

Policy W 1 Strengthening the Regional Economy

Policy W 2 Locations for Regionally Significant Economic Development

Policy RT 2 Managing Travel Demand

Policy RT 9 Walking and Cycling

Policy EM 1 Integrated Enhancement and Protection of the Region's Environmental Assets

Policy EM 2 Remediating Contaminated Land

Policy EM 5 Integrated Water Management

Policy EM 10 A Regional Approach to Waste Management

Policy EM 11 Waste Management Principles

Policy EM 15 A Framework For Sustainable Energy In The North West

Policy EM 16 Energy Conservation & Efficiency

Policy EM 17 Renewable Energy

Policy EM 18 Decentralised Energy Supply

Policy CLCR 1 Central Lancashire City Region Priorities

Policy CLCR 2 Focus for Development and Investment in Central Lancashire City Region

4.3 Saved Policies of the Rossendale District Local Plan

DS1 – Urban Boundary

DC1 – Development Criteria

DC4 – Materials

5. **INTERNAL CONSULTATIONS**

5.1 **Rossendale Borough Council**

Community Safety Officer – verbally confirmed that the scheme is acceptable.

Environmental Health –

Noise – recommend restricting hours of operation.

Contaminated Land – no objection subject to condition.

Forward Planning – no objection in principle and note that the site is identified as suitable for employment use, in the Rossendale Employment Land Study (2007) which has been adopted for Development Control Purposes. In addition, the Spatial Portrait in the Core Strategy, whilst carrying little weight at this time, outlines that Rossendale suffers from fewer jobs in the Borough than there are people of working age, leading to high levels of out-commuting for work; that a high proportion of people in Rossendale are employed in non-professional jobs and that gross weekly pay is significantly lower than either national or the regional average. The Regional Economic Strategy does not identify any Strategic Investment Sites in Rossendale which may be contributing to the many existing employment sites not coming forward to be developed for employment uses. The vision of the Sustainable Community Strategy of which the Core Strategy is the spatial expression, states that the Borough will seek to provide more high quality employment opportunities for local people. The proposal is considered to help to achieve these priorities by providing high quality employment opportunities within the Borough thereby helping to reduce levels of out-commuting.

Regeneration – support the scheme as will greatly assist in delivering the aim of creating new employment, redeveloping brownfield land and securing private sector investment into the Borough. Indeed, the scheme delivers a key element of the Council's Economic Strategy by providing enhanced employment opportunities for local people.

Street-scene and Liveability – no objection to the proposal in terms of landscape and maintenance and the proposed number of bins and storage facilities are acceptable.

6. EXTERNAL CONSULTATIONS

6.1 Lancashire County Council –

Ecology Unit – no objection in principle as the site has features of only low ecological importance but any recommendation for approval should be subject to conditions protecting nesting birds and require a detailed landscaping scheme.

Education – comments forwarded via Estates Unit.

Estates Unit – The proposal would lead to road safety implications in the vicinity of the school and have concerns regarding the boundary treatment.

Highways – do not object to the proposal subject to Section 106 agreement securing contributions towards cycling and bus stop improvements, travel plan development and monitoring and the creation of a footpath from Blackburn Road to Stonefold Primary School; also subject to a Section 278 requiring certain highway works and conditions requiring details of the site access works, demolition and construction management plan, car park management plan and that lighting be screened from highway users.

Strategic Planning – the scheme conforms with RSS policy in relation although points are raised in relation to the requirement for non-residential developments over 1,000 sq m to provide 10% of their predicted energy supply from decentralised or renewable energy. The parking standards proposed are below the upper limit of 86 spaces for a B1 use of this size.

Planning Contributions – request £53, 000

- £35,000 - towards cycling improvements
- £6,000 - towards Travel Plan development and implementation
- £2,000 - Bus Improvements £2,000 bus stop maintenance and improvement
- £10,000 – towards creating a pedestrian link between Blackburn Road and Stonefold Primary School

Travel Plan Officer – comments received via Planning Contributions Officer.

6.2 **Highways Agency** – no objection to the proposed scheme.

6.3 **Police** – no comments received.

6.4 **United Utilities** – no comments received.

6.5 **Rossendale Civic Trust** – no comments received.

6.6 **Rossendale Climate Change Group** – no comments received.

7. REPRESENTATIONS

7.1 A press notice was published on 19/10/2008. Three site notices posted on 05/09/2008 as shown on the site plan. 62 neighbours were notified by letter on 12/09/2008 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.

7.2 41 responses received objecting to the proposal.

36 standard letters objecting to the scheme on the following grounds:

- The proposed access would be close to an accident black spot
- Traffic would be travelling at high speeds as it exits the roundabout from the A56
- The access from Rising Bridge Road would not be adequate because of the amount of traffic using the road, particularly in relation to the school
- Privacy of pupils at Stonefold CE Primary School during PE lessons
- One letter includes a list of vacant properties in the area

5 individual letters received objecting to the proposal on the following grounds:

- Would be in the heart of the village
- Would be in a predominantly residential area
- Applicant's lack of consultation with residents
- There are vacant office blocks in the vicinity
- Local residents will not benefit from the scheme (apart from one or two getting jobs there)
- It would not greatly benefit local businesses
- Rising Bridge Road would be a better site for the access
- Congestion with school on Rising Bridge Road
- Rising Bridge Road already heavily trafficked
- People double parking on Rising Bridge Road
- The site was green land a few years back
- Increase in traffic and congestion
- Inappropriate scale of development for Rising Bridge
- Inadequate access to/from Blackburn Road
- Proximity to school
- Loss of view and loss of light
- Security at the site – if lacking could lead to youths congregating and vandalism

8. REPORT

8.1 The main considerations of the application are the principle of the development, in terms of Spatial Principles and Environmental Management as well as in terms of visual and residential amenity, highway safety, sustainability issues, Secure By Design principles and neighbour objections.

Principle

8.2 The proposal would be located within the Urban Boundary, would re-use brownfield land for economic purposes promoting economic growth and would be sited adjacent to existing public transport links and a nearby workforce. The scheme would include cycling facilities, involve the remediation of the land and proposes to achieve the "very good" BREEAM rating. As such, the proposal would promote sustainable communities and economic development, make the best use of existing resources and infrastructure, would manage the travel demand, would marry opportunity and need, would be seen to be mainstreaming rural issues by providing employment opportunities outside of the

main town centres of the Borough and would help to reduce emissions and would be adapting to climate change through the renewable energy measures proposed as well as the BREEAM rating.

8.3 The proposed development would involve the re-use of land which has previously been used for tipping materials on and which has ground conditions that require significant remediation works in order to bring the site forward. The North-West Development Agency has agreed to fund the proposed remediation works, estimated to be in the region of £820,000, in order to facilitate the development of the site for employment purposes. The applicant has confirmed that without the funding the scheme could not proceed. In addition, the planning permission is required in order to begin ground remediation works in early January to enable the grant to be spent this financial year. If planning permission is not forthcoming it would jeopardise the scheme which forms part of the scheme which is a Corporate Objective/Priority within the Council's Economic Strategy.

8.4 The application would be acceptable in terms of Spatial Principles and Environmental Management and is therefore considered acceptable in principle.

Visual Amenity

8.5 The proposed development would be two storeys high and would present natural stone facades and boundary walls with a natural slate roof to the frontages of the site. Internally, the rear elevations mostly obscured from outside views, would be finished in painted render. The scale of the proposed office blocks would be in keeping with the height of the surrounding properties, the offices would not be raised up above the surrounding levels and would be set back from the road as well as sufficiently away from adjoining buildings and the site bounded by a stone dwarf wall with railings. As such, the scheme would be in keeping with the character of the surrounding area and is thereby considered to be acceptable in terms of visual amenity.

Residential Amenity

8.6 The offices would be sufficiently distant from the nearby residential properties so as not to incur a loss of light, privacy or outlook. The one exception would be the property to the south-west of the site which is a bungalow that has several windows overlooking the site. The property is separated from the application site by between 8.5 and 9 metres from the boundary with the application site with the windows facing site all being secondary windows. Two serve the living room at the front of the property which has a main window facing Rising Bridge Road; the third window at the rear of the property serves a kitchen, which has windows facing north and east. In addition, the unit proposed nearest the property would have obscure glazed windows at first floor level and boundary treatment in the form of a close-boarded fence. As such, the proposal is considered not to cause material harm to the adjoining property in terms of light, privacy or outlook.

8.7 In terms of noise and disturbance the proposed office use is unlikely to materially harm the amenities of the residents of adjoining properties during day time hours, namely between 07:00 and 23:00 daily. However, at night time the

slamming of doors, vehicles leaving and entering the site and voices, together with lighting could create disturbances during hours when residents would put a high value on low levels of noise. As such, it is recommended that the hours of operation of the scheme should be restricted to 07:00 and 23:00 Monday to Friday and 09:00 and 18:00 on Saturdays and Sundays. Notwithstanding the condition, the applicant would have the option of applying to vary the condition to alter the opening hours in the future.

Highway Safety

- 8.8 The scheme proposes a new access into the site from Blackburn Road and provides adequate parking, turning and servicing provision for both vehicles and cyclists, together with a number of other highway improvements. The Highways Agency and LCC Highways are satisfied that the proposal would not create a highway hazard for vehicles exiting the roundabout on the A56 and make no reference to the area suffering from a high number of accidents. The new access demonstrates visibility splays measuring 2.4 metres by 90 metres, the scheme would involve an altered road layout to provide a pedestrian refuge in the centre of the carriageway as well as providing a right-hand turn into the site and a left-hand turn into Oak Avenue. New road markings would be made on the road to provide both aforementioned and red surfaced area with “Slow” markers. There would also two Traffic Regulation Orders to prevent waiting on the highway along the whole of the Blackburn Road frontage and the Rising Bridge Road frontage extending past the site towards the Rising Bridge Inn to prevent parking opposite 13-19 Rising Bridge Road and Underbank Road. The highway improvements would be secured via a Section 278 agreement outside of the remit of the planning system. The proposed access from Blackburn Road is considered not to detrimentally affect highway safety to Stonefold School and the scheme also provides for a footpath from Blackburn Road to the school to improve accessibility, reduce journey times, encourage walking and keep pedestrians away from traffic.
- 8.9 The Highway Authority considers the scheme acceptable in terms of highway safety subject to the following conditions securing a car park management plan, service, delivery and waste management plan, site clearance and demolition/construction plan and that lighting within the scheme shall not distract highway users. A section 106 agreement should secure the renewal of bus stop markings, contribute towards the improvements to National Cycle Route 6, the drafting and implementation of a Travel Plan and contribute towards the provision of a footway between Blackburn Road and Stonefold Primary School.

Sustainability Issues - Waste Management, Cycling facilities and Renewable Energy and Energy Efficiency

- 8.10 The development is required to meet a BREEAM “very good” standard which means that the scheme meets several demanding standards of sustainability including its location close to existing population and infrastructure and proximity to means of transport other than the private car, re-use of land, design of the buildings and the layout of the scheme. The scheme includes adequate provision for the management of waste including recycling bins and also provides covered and secure cycle parking as well as showering and changing facilities. The applicant has also indicated that the scheme could

include a ground source heat pump, a rainwater harvesting system or the use of photo-voltaic cells on the roof to reduce energy consumption to produce renewable energy, as well as a permeable-surfaced car park. As such, the scheme is considered to have included a very high standard of sustainability measures and could be viewed as an exemplar scheme in the future and therefore acceptable. A condition has been attached requiring a scheme for renewable energy and/or energy efficiency to be agreed and implemented prior to the scheme first being occupied.

Secure By Design

- 8.11 The layout of the proposed scheme allows for high levels of natural surveillance within the site, whilst the clearly marked entrances on the buildings which faces the road frontage also assists. Floodlighting would be proposed to the sides of Plot 4 & 5 at the entrance of the scheme, with other lighting provided to site through bollards providing security to the car park. The side areas to the building would be fenced off and the pedestrian and cyclist access to the car park from Rising Bridge Road would be gated with a coded entry system. The result would be only one way in and way out for the public visiting the site. As such, the scheme is considered to meet the tenets of Secure By design and is acceptable in this regard.

Neighbour Objections

- 8.12 In relation to the issues raised by neighbours not already covered in the preceding analysis, child protection is not normally a material planning consideration in any event the majority of the offices would not have direct views over the school and a close-boarded timber fence is proposed which would provide screening from the site to the school grounds. It is not clear that the application is at or forms part of the heart of the village but its central location close to residential areas, without being an inappropriate use in terms of noise, vibration and air pollution etc., is one of the criteria that gives the scheme its high sustainability credentials. The applicant has clearly undertaken substantive consultation with local residents and the Council so this point cannot be given substantial weight.
- 8.13 A number of points are raised but provide no substantive evidence such as: local residents and businesses would not benefit from the scheme, the site was green land a few years ago and inadequate access to/from Blackburn Road. There are a number of vacant office blocks in the vicinity, however, their size, tenure, rent levels and availability are not set down.
- 8.14 As the proposed vehicular access would be from Blackburn Road and a TRO placed on Rising Bridge Road to prevent parking, the matters relating to increase in traffic, congestion and double parking are not considered to carry weight in the consideration of this application. Rising Bridge Road would not be a better vehicular access for the scheme for these reasons. The increase in traffic is considered not to materially affect the efficient operation of the local highway network in the view of the Highway Authority.

9. CONCLUSION

- 9.1 The proposed development would be acceptable in principle, in relation to Spatial Principles and Environmental Management as well as in detail in terms of visual and residential amenity, highway safety, sustainability issues, Secure By Design principles and neighbour objections. As such, the scheme is considered acceptable subject to conditions and a section 106 securing provisions set down in paragraph 10.1.

10. RECOMMENDATION

- 10.1 That the Committee be minded to approve the application subject to conditions and the legal agreement requirements outlined below:
- I. The Head of Democratic and Legal Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following commuted sum payments £35,000 - towards cycling improvements, £6,000 towards Travel Plan development and implementation, £2,000 bus stop maintenance and improvement & £10,000 – towards creating a pedestrian link between Blackburn Road and Stonefold Primary School.
 - II. That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such legal agreement;
 - III. That authority be given for the decision notice relating to the application be issued, (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement,
 - IV. That authority be given to refuse the application if the applicant fails to complete the S106 agreement within a reasonable period on the grounds that the proposals do not support the aim and objectives of PPS1 Delivering Sustainable Development.

11. REASONS FOR APPROVAL

The proposed development would be acceptable in principle, in relation to Spatial Principles and Environmental Management as well as in detail in terms of visual and residential amenity, highway safety, sustainability issues, Secure By Design principles and no neighbour objections. As such the scheme is considered acceptable pursuant to National Planning Guidance:- PPS1 – Delivering Sustainable Development, PPG4 – Industrial, Commercial Development and Small Firms, PPS7 – Sustainable Development in Rural Areas, PPG13 – Transport, PPS 23 – Planning and Pollution Control and PPG24 – Planning and Noise; Regional Spatial Strategy Policies:- Policy DP 1 Spatial Principles, Policy DP 2 Promote Sustainable Communities, Policy DP 3 Promote Sustainable Economic Development, Policy DP 4 Make the Best Use of Existing Resources and Infrastructure, Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility, Policy DP 6 Marry Opportunity and Need, Policy DP 7 Promote Environmental Quality, Policy DP 8 Mainstreaming Rural Issues, Policy DP 9 Reduce

Emissions and Adapt to Climate Change, Policy RDF 1 Spatial Priorities, Policy RDF 2 Rural Areas, Policy W 1 Strengthening the Regional Economy, Policy W 2 Locations for Regionally Significant Economic Development, Policy RT 2 Managing Travel Demand, Policy RT 9 Walking and Cycling, Policy EM 1 Integrated Enhancement and Protection of the Region’s Environmental Assets, Policy EM 2 Remediating Contaminated Land, Policy EM 5 Integrated Water Management, Policy EM 10 A Regional Approach to Waste Management, Policy EM 11 Waste Management Principles, Policy EM 15 A Framework For Sustainable Energy In The North West, Policy EM 16 Energy Conservation & Efficiency, Policy EM 17 Renewable Energy Policy EM 18 Decentralised Energy Supply, Policy CLCR 1 Central Lancashire City Region Priorities, Policy CLCR 2 Focus for Development and Investment in Central Lancashire City Region; and the following Saved Policies of the adopted Rossendale District Local Plan: DS1 – Urban Boundary, DC1 – Development Criteria and DC4 – Materials. There are no other material considerations to outweigh this finding.

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 following approved plans unless otherwise agreed in writing by the Local Planning Authority:

XXX
 XXX
 XXX

Reason: In the interest of visual and residential amenity pursuant to Saved Policy DC1 - Development Criteria and for the avoidance of doubt.

3. Notwithstanding what is shown on the submitted drawings, the development shall not be commenced until full details (including representative samples and where required sampled panels constructed on site) of the external materials of construction to be used in the construction for the development, and for any means of enclosure forming part of the development hereby approved, have been submitted to and first approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials and shall thereafter be maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a detailed scheme of landscaping pursuant to and consistent with the submitted landscape framework. The scheme shall show existing trees and hedgerows on/bounding the site, detail of any to be retained and the measures for their protection in the course of development, together with details of the replacement planting to be provided. All planting, seeding and turfing proposed in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building to which it (most closely) relates, and any trees or plants which within a period of five 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 visual amenity and to accord with Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

5. No construction approved by this permission shall be commenced until:
 - a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site.
 - c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.
 - d) A Method Statement and remediation strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

A completion Report shall be submitted to the Local Planning Authority detailing the conclusions and actions taken at each stage of the works (to include validation works).

Reason for Condition:

To ensure the site is properly remediated and any risk to human health and controlled waters is minimised in accordance with saved Policy DC1 of the Rossendale District Local Plan.

6. Prior to the development hereby approved first being occupied, the bin stores, cycle parking & showering facilities shall be provided and made available for use as indicated on the approved plans, or as subsequently amended and approved by the Local Planning Authority, and shall thereafter be maintained.

Reason: To ensure adequate bin storage in the interest of health and visual amenity pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan and to encourage alternative methods of transport to the private car pursuant to PPG13 – Transport.

7. The hours of ground contamination remediation works shall on site shall be limited to 07:00 to 19:00 Monday to Friday and 08:00 – 13:00 Saturdays. Ground remediation work shall be carried out at no other time.

Reason: In the interests of the residential amenities of the occupiers of adjoining properties pursuant to PPG24 – Noise Saved Policy and Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

8. Any construction works associated with the development hereby approved shall not take place except between the hours of 08:00 and 19:00 Monday to Friday and 08:00 and 13:00 on Saturdays. No construction works shall take place on Sundays or any Bank Holiday.

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

9. The premises shall not be open for trading except between the hours of 07:00 and 23:00 Monday to Friday and 09:00 and 18:00 on Saturdays and Sundays.

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.

10. The development hereby approved shall at no time be used, wholly or in part, as call-centre where the staff/ gross floor space ratio would exceed 1:24.

Reason: To ensure that the site does not become over-intensively used thereby creating problems where car and cycle parking as well as bin storage would be over-subscribed, in the interests of highway safety and visual amenity pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

11. Prior to the development approved first being occupied, a scheme detailing the siting, positioning and angling of lighting to the buildings and for the sensitive management of signage to incorporated within the buildings or on the frontage of the site, shall be submitted to and approved by the Local

Planning Authority. Any lighting and signage displayed within the site shall be in accordance with the approved scheme and thereafter maintained. In any event, any external light source shall be effectively screened from view of a driver on the public highway.

Reason: In the interest of visual amenity and highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

12. Prior to the commencement of development on site, details of the proposed boundary treatment to the eastern boundary together with details of all other fences and gates proposed within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

13. Prior to the first occupation of any unit forming part of the development hereby approved, a scheme shall be submitted to the Local Planning Authority for their approval, of how the ventilation, extraction and air conditioning for the office units would be accommodated. The approved scheme shall be implemented prior to the units first being occupied and shall thereafter be maintained and any further air ventilation, extraction or air conditioning units shall be constructed in such a way as to accord with the approved scheme, or in any event to minimise their visual impact and shall not be fixed to the elevations of any unit fronting Blackburn Road or Rising Bridge Road.

Reason: In the interests of visual and residential amenity pursuant to Saved Policy DC1 - Development Criteria of the Rossendale District Local Plan.

14. Prior to the commencement of demolition on site, a scheme detailing the re-use of materials and aggregates from the site in the construction of the development hereby approved shall be submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved scheme which shall be implemented prior to and during the demolition and construction phases.

Reason: To conserve non-renewable resources in the interests of sustainability pursuant to PPS1 – Delivering Sustainable Development and PPS 22 – Renewable Energy.

15. Prior to the commencement of development on site, the applicant shall submit a scheme/timetable detailing the facilities to be provided within the development to provide for 10% of total energy usage from renewable sources or a 10% reduction in energy usage through efficiency measures; or a combination of the two. The renewable energy facilities shall be implemented in accordance with approved scheme/timetable prior to the

first occupation of the development hereby approved and shall thereafter be maintained.

Reason: In order to encourage the use of renewable energy sources, in accordance with the aims and objectives of PPS1 – Delivering Sustainable Development and PPS22 – Renewable Energy.

16. Prior to the first occupation of the development hereby approved, a Car Park Management (and usage) Strategy shall be submitted to and approved by Lancashire County Council and Rossendale Borough Council. The strategy shall include allocation and location of spaces for all users (including disabled, cycle, and motorbike), security and links to both Travel Plan and Service, Delivery, Waste Collection and Internal Maneuvering of Vehicles Strategy.

Reason: In the interests of providing adequate parking in the interest of highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

17. Prior to the first occupation of the development hereby approved, a Service, Delivery, Waste Collection Strategy must be produced and approved by Lancashire County Council and Rossendale Borough Council. The scheme shall be implemented by occupiers of the scheme and shall be maintained for as long as the each individual unit is occupied.

Reason: To ensure that deliveries, servicing and waste collection can be made from safe and suitable locations (including manoeuvring), and for larger vehicles are outside peak periods in the interest of highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

18. No part of the development hereby approved shall commence until a scheme detailing the off site highways works and construction of the site access (as identified on drawing XXXX) have been provided and agreed in writing by the Local Planning Authority. These shall be maintained at all times to the satisfaction of the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

19. Prior to the commencement of clearance and/or remediation works on site a Site Clearance and Demolition Plan shall be submitted to, and approved in writing by, the Local Planning Authority, which shall include the method and details of clearance, demolition, vehicle routing to/from the site, vehicle wheel cleaning and the proposed temporary closing of any streets or roads. Site clearance and remediation works shall be carried out in accordance with the approved plan.

Reason: To maintain the safe operation of local streets and the through routes in the area during the site preparation in the interests of highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

20. Prior to the commencement of construction on site a Construction Plan shall be submitted to, and approved by, the Local Planning Authority, which shall include the phasing of works, method, and details of construction, including vehicle routing to/from the site, construction traffic parking and the proposed temporary closure of any roads and streets.

Reason: To maintain the operation of local streets and the through routes in the area during construction, in the interests of highway safety pursuant to Saved Policy DC1 - Development Criteria of the adopted Rossendale District Local Plan.

21. Deliveries, collections and servicing of the development that cannot be made from a dedicated area of the car park (parking bay or service area) shall not take place during the during peak hours of the development.

Reason: In order to maintain safety within the car park and to maintain flow of traffic on local roads when the development is operational.

Informative

1. The applicant is advised that the granting of planning permission will require the applicant to enter into an appropriate agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of highway work includes design, procurement of the work by contract and supervision of the works. The applicant would be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.
2. The applicant is advised to contact LCC – Ecology Section to obtain advice on construction work during the nesting season for birds.

Contact Officer	
Name	Adrian Harding
Position	Principal Planning Officer
Service / Team	Development Control
Telephone	01706 238646
Email address	adrianharding@rossendalebc.gov.uk

Document Details	Appendix Number
Committee Report dated 1 st January 2007	Appendix A