



## **APPLICATION DETAILS**

### **1. SITE**

- 1.1 The application site lies to the west of Chatterton Road, Chatterton and is occupied by a two storey red brick mill. The building occupies the majority of the site with a service yard to the south. The building is set back from Chatterton Road with a car park and row of terrace houses between. The car park is currently used for staff car parking and informal residents parking but has no parking bays marked out on the surface.
- 1.2 In recent times the mill has ceased manufacturing and has been used as a furniture distribution warehouse. This constitutes a change of use from B2 General Industrial to B8 Storage and Warehousing, requiring planning permission. To date, the unauthorised warehouse use has been continuing in excess of 18 months.
- 1.3 The site lies within the Green Belt as designated in the Rossendale District Local Plan and within the Chatterton and Strongstry Conservation Area.

### **2. RELEVANT PLANNING HISTORY**

- 2.1 The matter arises from an enforcement complaint regarding the operation of the mill, in particular vehicle movements. During the investigation it became clear that the building had undergone a change of use without the benefit of planning permission. Owing to the nature of the breach, officers considered the best course of action was to invite an application to regularise the use, which would enable negotiations to improve the traffic situation. In June 2008 an application was submitted.
- 2.2 2008/0464 – Change of Use from Class B1 to Class B8 - Withdrawn following discussions with officers to enable applicant to overcome visual amenity and highways objections on the scheme and to consult with local residents to agree an acceptable scheme. The description of the site as having a lawful Class B1 (Light Industrial) use is considered to be an error and should in fact have been Class B2 (General Industrial).
- 2.3 Since June 2008 the applicant has entered into pre-application discussions with Officers and the Highway Authority to overcome the outstanding issues which has resulted in the current application.

### **3. THE PROPOSAL**

- 3.1 The applicant seeks retrospective consent for the change of use of the mill building totalling 3,650 sq. m, from Class B2 (General Industrial) to Class B8 (Storage and Warehousing). Fundamentally the application is for a straight change use of the building with no building works.
- 3.2 However, owing to the complaints from local residents, Officers have sought to negotiate improvements to the operation of the site. The scope of the negotiations has been limited by the nature of the existing and proposed uses,

the physical constraints of the site and the possibility of purchasing land from adjoining land owners. Nevertheless, the application proposes the formalisation of the existing car park using white-lining in amore sensitive form to demarcate parking bays, to be sensitive to its location within a Conservation Area. The formalisation proposes relocating 7 staff parking spaces within the compound of the mill, an area previously used for storage and increases residents parking to 10 spaces. This should assist in allowing delivery vehicles to reverse into the site and leave in a forward gear, unhampered by haphazard parking by vehicles outside of the control of the mill operator. In addition, the applicant proposes a delivery vehicle management plan, whereby all such vehicles are directed to Cuba Industrial Estate and instructed to wait there and phone the warehouse manager. As soon as space is available the vehicle driver is instructed to proceed and is met at the site by the warehouse manager. The applicant states that deliveries are restricted to 10:00 to 15:30 Monday to Friday.

#### **4. POLICY CONTEXT**

##### **4.1 National Planning Guidance**

PPS1 – Delivering Sustainable Development  
PPG2 – Green Belts  
PPG4 – Industrial, Commercial Development and Small Firms  
PPS7 – Sustainable Development in Rural Areas  
PPG13 – Transport  
PPG15 – Planning and the Historic Environment  
PPS 25 – Flood Risk

##### **4.2 Regional Spatial Strategy Policies**

##### **4.3 North-West of England Plan – Regional Spatial Strategy to 2021 (delete as appropriate)**

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 RDF 4 Green Belts

Policy W 1 Strengthening the Regional Economy  
Policy W 3 Supply of Employment Land

Policy RT 2 Managing Travel Demand

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

#### 4.3 Saved Policies of the Rossendale District Local Plan

DS1 – Urban Boundary  
DS3 – Green Belts  
DC1 – Development Criteria  
DC4 – Materials  
HP1 – Conservation Areas

### 5. INTERNAL CONSULTATIONS

#### 5.1 RBC – Conservation Officer – no objections and comments as follows:

“The application involves an industrial site where parking is to be delineated within an existing large hardstanding. As the site is not on the highway the markings can be narrow, and these will not have a significant impact on the area's wider character and appearance. Any junction markings at the highway will be more significant, and will have some impact on the appearance of what could be described as a semi-rural road.”

### 6. EXTERNAL CONSULTATIONS

6.1 **LCC – Highways** – would have preferred to see sufficient room to allow vehicles to enter and leave in forward gear – no objections.

6.2 **Environment Agency** – no objections.

### 7. REPRESENTATIONS

7.1 A press notice was published on 10/04/2009. Two site notices posted on 16/04/2009 as shown on the site plan. 26 neighbours were notified by letter on 02/04/2009 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 4 letters received objecting to the proposal on the following grounds:

- The use of the mill has resulted in HGV's visiting the site
- Chatterton Road is unsuitable for such vehicles
- Damage caused by the vehicles to highways, walls and road surfaces
- Long-distance drivers park there overnight if arrive outside of working hours
- The vehicles have got stuck and blocked the road

- 7.3 1 letter received with a 33-signature petition from 26 properties, not all within the Chatterton area, attached objecting to the proposal on the following grounds:
- That the use of the mill has changed the character of the Conservation Area
  - The number of HGV's causes damage to the road and individual residents' walls and hedgerows
  - The HGV's have blocked the road
  - The change of use significantly alters the nature of works carried out at the mill
  - There are other suitable units available at CUBA industrial estate

## 8. REPORT

- 8.1 The application site lies within the designated Green Belt and the boundary of the Chatterton and Strongstry Conservation Area. The building already exists and has an authorised B2 General Industrial use, namely unrestricted manufacturing and/or heavy industry. The change of use of the building from general industrial use to a storage and warehouse use would not conflict with Green Belt policy as the proposal does not involve works which would affect the openness of the Green Belt nor impact on the character and appearance of the Conservation Area. Indeed, the re-use of a building in the Countryside for employment use accords with PPS7. The proposed use would not result in an increase in on-site noise and disturbance in relation to PPG24 as the proposed use is considered to generate less noise than an unrestricted general industrial use and the scheme does not raise any issues related to flood risk. As such the scheme is considered acceptable in principle.
- 8.2 The amount of traffic generated by the unrestricted lawful Class B2 General Industrial use, could be at the same level or higher than that currently generated by the storage and warehousing use. The argument that the building was vacant beforehand perhaps highlights that it is unlikely that the mill would be used for its previous manufacturing use, nevertheless, other types of operations could still be carried out at the site within Class B2, such as car restoration or tyre fitting. Indeed, the site could be sub-divided and up to 235 square metres of floorspace could be created for a storage and warehousing use without the need for planning permission. Whilst it is appreciated that vehicles movements can have a detrimental effect on the area, it is considered that the current use would be less harmful than other uses over which neither the planning authority nor the highway authority would have direct control.
- 8.3 Notwithstanding, the applicant has offered a number of mitigation measures which are considered to reduce problems associated with vehicles attracted to the site. The increase in the number of parking spaces for staff and residents together with the formalisation of the car park should assist in allowing vehicles to reverse into the site and exit in a forward gear. Whilst the management plan would help to avoid over-crowding at the site during the 10:00 – 15:30 delivery slot proposed. It is recommended that conditions be attached to require the formalisation of the car park to be carried out within 3 months of the date of the permission and that the delivery management plan be implemented with

immediate effect. As such the scheme is considered acceptable in terms of highway safety and is recommended for approval.

- 8.4 The proposed use would not have any impact on visual or residential amenity. The proposed car park formalisation would involve painting white lines on the car park to delineate parking bays. It is recommended that these be narrower lines to respect the Conservation Area. As such, the scheme is considered to be acceptable in terms of its impact on the character and appearance of the Conservation Area, visual amenity of the street-scene and on residential amenity.
- 8.5 The objections raised by letter are considered to have been addressed by the foregoing report and not sufficient to outweigh the recommendation for approval.

## **9. CONCLUSION**

- 9.1 The application is acceptable in principle and would be acceptable in terms of highway safety as well as its impact on the character and appearance of the Conservation Area, visual and residential amenity.

## **10. RECOMMENDATION**

- 10.1 That the Committee approve the application subject to the conditions attached below.

## **11. REASONS FOR APPROVAL**

1. The application is acceptable in principle and would be acceptable in terms of highway safety as well as its impact on the character and appearance of the Conservation Area, openness of the Green Belt, visual and residential amenity. As such the scheme accords with PPS1, PPG2, PPG4, PPS7, PPG13, PPG15, PPG24 and PPS 25, Policies DP 1-9, RDF 4, W1, W3 and EM1 of the Regional Spatial Strategy for the North West and Saved Policies DS1, DS3, DC1, DC4 and HP1 of the Rossendale District Local Plan.

## **12. CONDITIONS**

1. The development shall be carried out in accordance with plan numbered 08/559 – 001, 002, 003 and 004 and date stamped 16 MAR 2009 or as 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.

2. Within 28 days of the date of this approval, a scheme shall be submitted to the Local Planning Authority for their approval, detailing the colour, width and location of the lining for the parking bays proposed. The approved scheme shall implemented within 56 days of the date of this approval and shall thereafter be maintained in perpetuity.

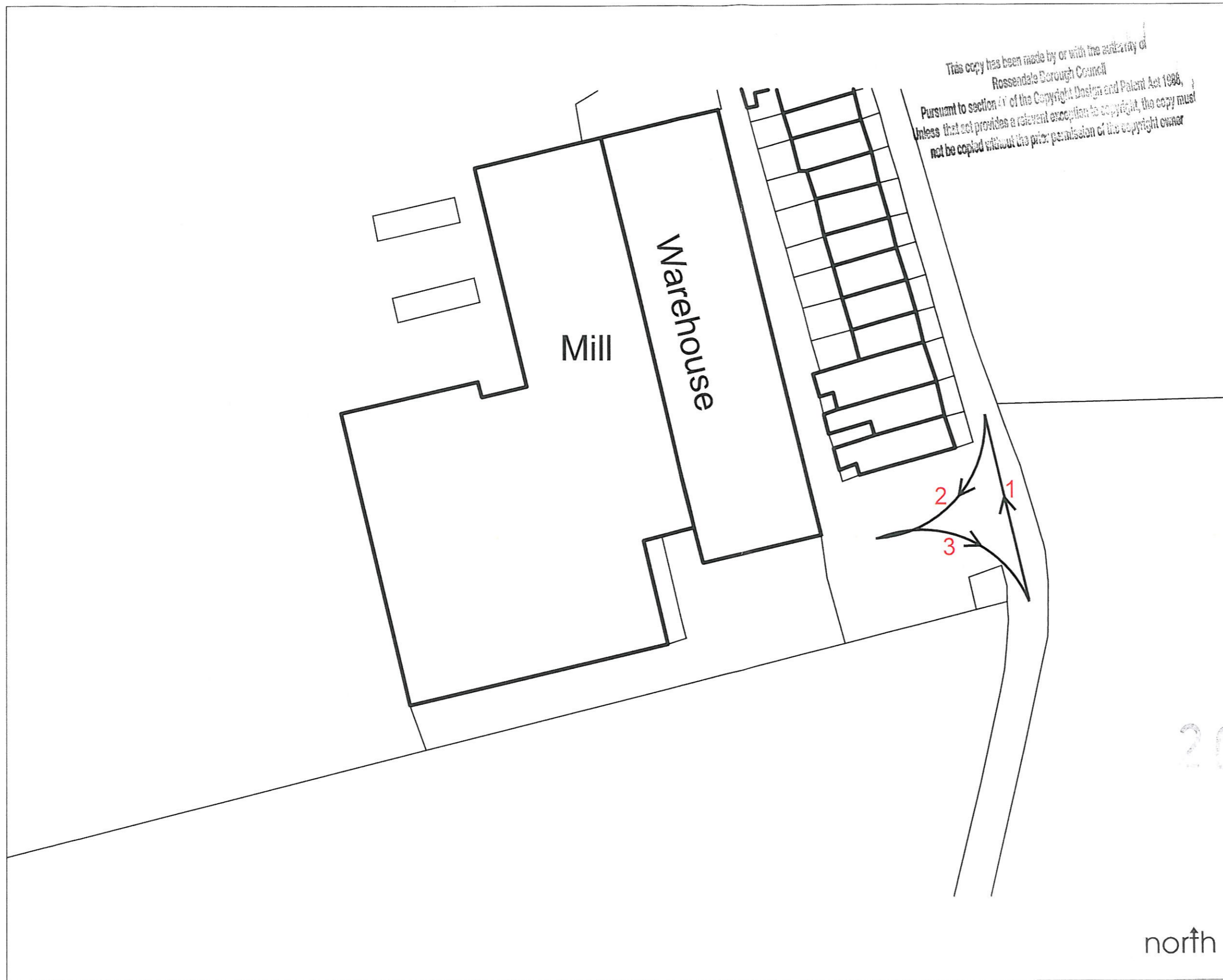
Reason: To provide off-street parking to prevent vehicles parking on-street close to the junction of Rising Bridge Road with Hud Hey Road in the interests of highway safety pursuant to Saved Policy DC1 of the Rossendale District Local Plan.

3. Deliveries to and from the site made between the hours of 10:00 and 15:30 Monday to Friday and at no other time.

Reason: To avoid congestion and vehicles reversing along a narrow road, in the interests of highway safety.

<b>Contact Officer</b>	
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Plan showing how HGV's manoeuvre within the site



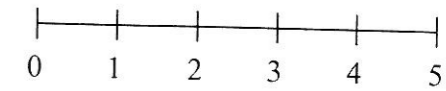
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Stage 1: HGV drives past the entrance to the mill.

Stage 2: HGV reverses into the servicing yard to the entrance to the mill.

Stage 3: Having reversed into the site, HGV's are able to safely exit the site in forward gear.

\* In relation to cars, the extent of the servicing yard enables cars to manoeuvre within the site.



**Rossendalealix** CM  
 BOROUGH COUNCIL

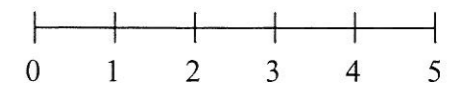
16 MAR 2009  
 2009/099

client: Andrew Martin International  
 job no: 08/559  
 dwg no: 002  
 scale: 1:500@A3  
 date issued: June 2008

north ↑



- Key**
1. Shows car parking provision for residents according to standardised dimensions (2.4m x 4.8m).
  2. Shows car parking provision for staff and visitors to Chatterton Mill according to standardised dimensions (2.4m x 4.8m).
  3. Shows a 12 cubic yard skip in place in the servicing yard.



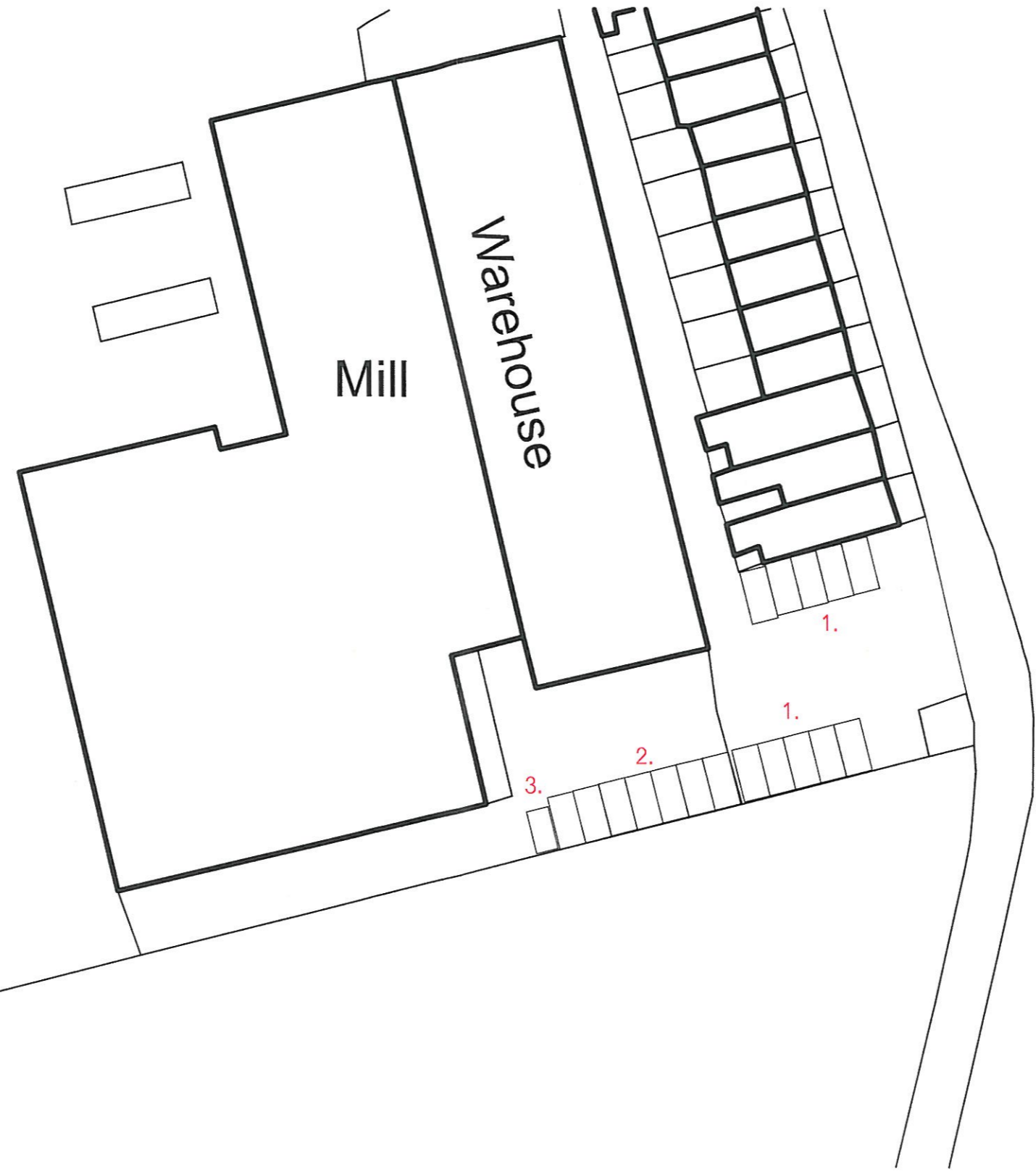
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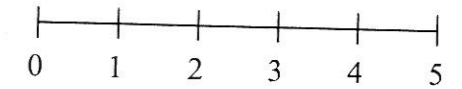
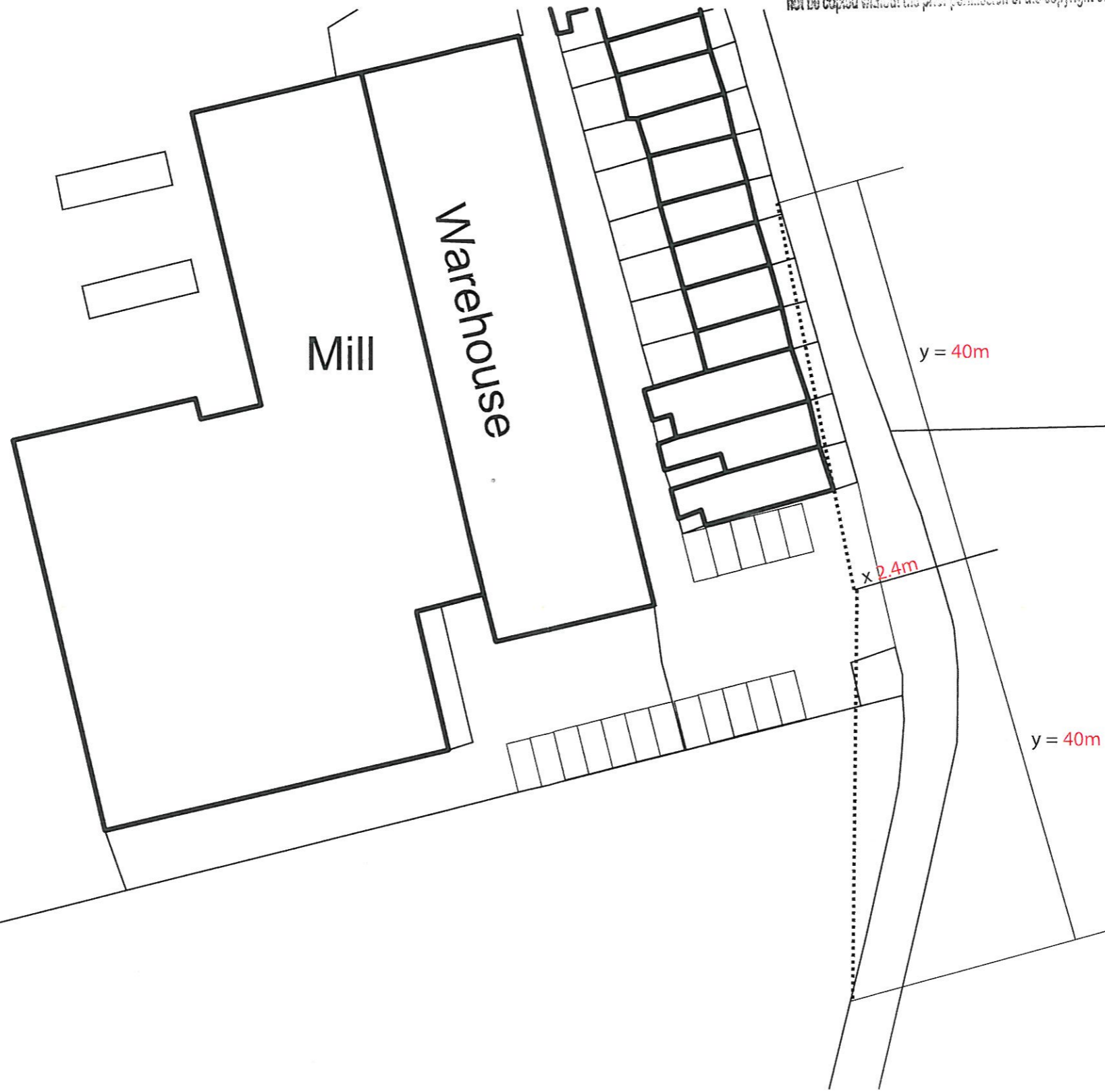


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**Visibility Splay**

1. The visibility splay has been calculated using the guidance set out in the Department for Transport's Manual for Streets.
2. The x distance is that from which visibility is measured. The y distance is based on the 30mph speed limit along Chatterton Road and relates to the distance within which drivers need to be able to see ahead and stop (stopping sight distance).
3. The visibility splay at the site junction ensures there is adequate inter-visibility between vehicles exiting the site and vehicles travelling along Chatterton Road.



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16 MAR 2009

2009/099

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client: Andrew Martin International Ltd  
job no: 08/559  
dwg no: 004  
scale: 1:500  
date issued: January 2009