

Application No: 2009/0363	Application Type: Full Application
Proposal: New access road and associated car parking and alterations to Calder Road enabling works prior to the construction of a new post-16 college for 300 learners.	Location: Alder Grange Community & Technology College, Calder Road, Rossendale, Lancashire, BB4 8HW.
Report of: Director of Business	Status: For Publication
Report to: Development Control Committee	Date: 9 th November 2009
Applicant: Mr David Hampson	Determination Expiry Date: 1 st October 2009
Agent: Hartington, Fleming and Worsley	

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 Alder Grange Community and Technology School occupies a terraced sloping site to the north of Rawtenstall town centre. The school is accessed from Calder Road, an access route that is shared with St Paul's Constable Lee Primary School which is situated to the west of Alder Grange School and at a lower elevation. Between the two school sites is a gravelled area that is presently used as a car park for Alder Grange School.
- 1.2 The main school building at Alder Grange is a two- to three-storey modern building with a steeply sloping pitched roof. A modern three-storey sports hall is located to the east of the main school building and beyond this, occupying an elevated position, is a redgra surface all weather pitch. Open countryside is to the north, east and south of the all weather pitch.
- 1.3 St Paul's Constable Lee Primary School is a modern two-storey building with grass playing fields to the west and south. A tarmac playground and a 26-space staff car park accessed from Calder Road are situated to the north east of the school building.
- 1.4 A band of mature trees forms the western boundary of the school site, beyond which the land slopes steeply down to residential properties on Lee Brook Close. Rawtenstall Cemetery is situated to the south, separated from the school grounds by a row of mature trees and a footpath that provides access to Lee Brook Close and Burnley Road.
- 1.5 Semi-detached residential properties on Wiswell Close are located immediately to the north of the Constable Lee Primary School's grounds.

2. RELEVANT PLANNING HISTORY

- 2.1 In May 2003 Lancashire County Council approved the erection of a sports hall at Alder Grange School incorporating a single storey link corridor to an existing teaching block together with the provision of an additional eight car parking spaces (application reference 2003/015).
- 2.2 In February 2005 Lancashire County Council approved an extension to the sports hall to provide toilets special educational needs group rooms, a classroom and office accommodation (application reference 2005/015).

3. THE PROPOSAL

- 3.1 The application seeks permission to construct a new access road to the perimeter of St Paul's Constable Lee Primary School with alterations to the staff car park and Calder Road. The proposal is effectively an enabling development to support an application for the construction of a new post 16 college adjacent to the Alder Grange school (2009/0384) insomuch as the new road is proposed

in order to minimise the impact of the construction of the new college on the surrounding area and to provide access to the nursery and PCT/Training suite located within the proposed Post 16 college building.

- 3.2 The access road would be single-track width and operate on a one-way basis. It would be accessed from the existing entrance to the staff car park at St Paul's Constable Lee Primary School and would loop around the perimeter of the primary school's grounds back to Calder Road via the existing car park between the two schools. The present access to St Paul's Constable Lee Primary School would be widened to enable larger vehicles to make the right turn onto the access road.
- 3.3 Calder Road would remain two way but the existing bus lay-by would be reduced in size and relocated to the opposite side of the carriageway. Kerb realignments would also be made to Calder Road and a reduced size mini-roundabout would be provided at the entry points to the Alder Grange Community and Technology School and the proposed Post 16 College.
- 3.4 A 24 space staff car park and 5 pick up/drop off parking spaces for parents would be provided to the north of the Constable Lee Primary School building. 17 additional pick-up/drop-off spaces would be provided in a 102m long lay-by strip along the access road. At the south of the Constable Lee Primary School grounds, adjacent to the footpath that runs alongside the cemetery, 7 car parking spaces would be provided for nursery staff and a further 7 pick up/drop off spaces would be made available. The existing gravelled area between the two schools that is presently used for car parking would be remodelled to contain 11 parking spaces for staff and nine spaces for visitors, including two spaces reserved for disabled motorists.
- 3.5 1.1m high bollard lamps would be installed along the route of the access road from the staff car park to the south-western corner of the school grounds. 6m high lamp columns would be installed along the section of the access road from the south-western corner of the school grounds to the existing car parking area between the two schools.
- 3.6 Three zebra crossings would be provided along the access road to provide safe crossing points for pedestrians walking to the school buildings from Rawtenstall.

4. POLICY CONTEXT

4.1 National Planning Guidance

PPS1 – Delivering Sustainable Development
PPS7 – Sustainable Development in Rural Areas
PPS9 – Biodiversity and Geological Conservation
PPG13 – Transport
PPG17 – Planning for Open Space, Sport and Recreation

4.2 Regional Spatial Strategy Policies

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP3 – Promote Sustainable Economic Development
DP4 – Make the Best use of Existing Resources and Infrastructure
DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
DP6 – Marry Opportunity and Need
DP7 – Promote Environmental Quality
DP8 – Mainstreaming Rural Issues
DP9 – Reduce Emissions and Adapt to Climate Change
RDF1 – Spatial Priorities
RT2 – Managing Travel Demand
RT4 – Management of the Highway Network
RT9 – Walking and Cycling
EM1 – Integrated Enhancement and Protection of the Region’s Environmental Assets
CLCR1 – Central Lancashire City Region Priorities

4.3 Saved Policies of the Rossendale District Local Plan

DS1 – Urban Boundary
E1 – Greenlands
E4 – Tree Preservation
DC1 – Development Criteria

5. EXTERNAL CONSULTATIONS

- 5.1 **LCC Highways** have verbally stated that they are largely satisfied with the proposed development but have minor reservations about the exit lane from the staff car park at Constable Lee Primary School and the design of the roundabout at the head of Calder Road. These comments were however made in advance of the receipt of amended plans. LCC Highways updated comments will be detailed to the Development Control Committee through the amendment report.
- 5.2 **LCC Ecology** have reviewed the applicants Habitat Phase 1 Extended Survey Report and additional great crested newt surveys. They concur with the findings of these studies and have no objections to the proposed development.
- 5.3 The Council’s **Arboricultural Consultant** largely agrees with the proposals and findings contained within the applicant’s report on trees. However, the Council’s arboriculturalist contends that a number of the trees proposed for retention to the northwest of the Constable Lee primary school building potentially have a limited chance of survival due to their proximity to the proposed access road and/or remodelled car park. Nevertheless, the Council’s arboriculturalist considers that these particular trees are of little visual amenity interest and he would therefore support proposals for their removal and re-landscaping.

5.4 **Natural England** initially advised that insufficient information had been submitted with the planning application to ascertain the extent to which the proposed development would impact upon great crested newts. These comments however reflect the fact that the great crested newt surveys undertaken by the applicant were not initially forwarded to Natural England. These surveys have subsequently been sent to them and Natural England have confirmed that they have no objections to the proposed development.

6. REPRESENTATIONS

6.1 Two site notices were posted on 18th August 2009 as shown on the site plan. To accord with the General Development Procedure Order, seventy-nine neighbouring properties were notified by letter on 14th August 2009.

6.2 Five letters of representation have been received from the residents of nearby properties. The key issues raised are:

- The proposal will exacerbate existing traffic problems;
- The increased number of pupils and staff will result in a greater requirement for parking. This will inevitably lead to more on-street parking, which restricts access for people with prams/buggies and the disabled, results in cars being blocked-in on their driveways, has a negative impact on highway safety and impedes access for emergency services;
- Parking on adjacent residential streets should be reserved for residents only during term times;
- Single or double yellow lines should be provided on the Wiswell Close side of Calder Road;
- Mini roundabouts should be provided at the junctions of Calder Road/Hollins Lane and also at the junction of Hollins Lane/Burnley Road;
- Motorists will need to make a right turn to enter the new access road, which could cause delays with out-going traffic from the roundabout and increase the risk of accidents;
- A drop-off point for pupils should be provided on Burnley Road and children should walk to school from there;
- The meeting area on Calder Road will become a covered meeting place for gangs;
- Could a separate road for vehicles accessing the school not be built over the farm land towards Marls Pit with Hollins Lane reserved only for those accessing the school on foot? Alternatively a road could be built from Constable Lee Primary School through the woodland to exit to the LHS of the cemetery gates;
- There are a number of errors in the traffic survey that accompanies the application, in particular, it was undertaken on an atypical day, the parking survey does not include vehicles parked on Hollins Lane, Pendleton Avenue and Wiswell Close, and it underestimates the queues of traffic at the Hollins Lane/Burnley Road junction;
- The parking survey carried out does not include vehicles parked on Hollins Lane, Pendleton Avenue and Wiswell Close and the survey was

not carried out with sufficient frequency to identify the extent of short-term parking that contributes to congestion around the school. The survey is therefore incomplete and seriously understates the number of vehicles parked in the vicinity of the school;

- No provision has been made for the additional parking requirements of 17 and 18 year old pupils driving themselves to school; and
- The targets in the travel plan for reducing the number of trips are wholly unachievable without some positive measures that are not evident with the current proposals.

7. REPORT

7.1 The main considerations of the application are the principle of the development and its impact on the local highway network, trees, biodiversity and visual and residential amenity.

Principle

7.2 The application site is situated within the Urban Boundary, as defined by Local Plan policy DS.1 and the proposals map. It is therefore within the area where most new development should be located.

7.3 The site is however also designated as Greenlands. Policy E1 stipulates that the Council will seek to protect and enhance Greenlands by only permitting development in these areas that is appropriate to the functions of the Greenlands. The policy goes on to state that a limited amount of development will be allowed where the retention of the open character of the land will still predominate and where the development is ancillary to the use of the land: for example extensions to school buildings; the provision of new changing facilities on a sports field; and the creation of recreational routes or car parks.

7.4 The construction of a road to enable certain facilities in the proposed post 16 college to be accessed and provide pick up/drop off parking spaces for parents taking children to school would be ancillary to the main use of the site for educational purposes.

7.5 The road itself would have a negligible impact on the openness of the Greenlands. A number of lighting columns would however be installed along the route of the access road. Nevertheless, these would predominantly be low-level bollards that are only 1.1m high. Where 6m high lamp columns are proposed they would be sited either in close proximity to the existing Alder Grange School building or adjacent to the mature trees that run alongside the cemetery. As a result, it is considered that the proposed lighting would not have an unacceptable impact on the openness of the Greenlands. It is however recommended that a condition be attached to ensure that the lighting columns would be powder coated in an appropriate colour to minimise their visual impact. The proposal is therefore wholly consistent with the objectives of policy E1 and deemed to be acceptable in principle.

Local Highway Network

- 7.6 PPG13 aims to promote more sustainable transport choices for both people and freight; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and reduce the need to travel, especially by car.
- 7.7 PPG13 recognises that schools and higher education establishments are major generators of travel. However, it acknowledges that well designed traffic management measures can help to avoid or manage congestion pressures, improve the quality of local neighbourhoods, enhance the street environment and improve road safety, which is particularly important in sensitive locations such as residential areas, and near shops and schools.
- 7.8 RSS Policy DP7 states that environmental quality should be protected and enhanced by, amongst other things, assessing the potential impacts of traffic growth and mitigating the impacts of road traffic on air quality, noise and health. Policy RT2 stresses the needs for a coordinated approach to managing travel demand and, in particular, emphasises the need to reduce the proportion of car-borne commuting and education trips made during peak periods.
- 7.9 Policy DC.1 of the Rossendale Local Plan states that all applications for planning permission will be considered against a range of criteria, including its relationship to the road and public transport network, the likely scale and type of traffic generation, car parking provision and the arrangements for servicing and access to the proposed development, including access for pedestrians.
- 7.10 The construction of the new single-track access road would not only provide a means of accessing certain facilities in the proposed post 16 college but it is also intended to help ease existing problems of congestion and on-street parking in and around the two schools and to minimise the proposed post 16 college on the local highway network.
- 7.11 It would incorporate a number of parking spaces to enable parents to pick up and drop off their children away from Calder Road. A total of 29 pick-up/drop-off spaces would be provided – five to the north of the Constable Lee Primary School, seventeen in a 102m long lay-by along the access road and another seven outside the nursery. Furthermore, the existing gravelled area between the two schools that is presently used for staff car parking would be remodelled to provide an additional nine spaces for visitors.
- 7.12 Traffic surveys and a detailed Parking Assessment and Development-Related Car Park Management Strategy have been prepared to support the applications for the access road and the proposed post 16 college (2009/0384). These studies established that the congestion presently experienced in the nearby residential streets is principally the result of cars/pupils associated with St Paul's Constable Lee Primary School. It is also ascertained that the maximum number of vehicles waiting on-street in any one 5-minute period was twelve.
- 7.13 The applicant's transport studies calculate that if the provision of convenient off-street parking facilities will result in an increased average length of stay, it will

only result in a maximum demand of 24 vehicles if a 10-minute stay is assumed or 30 vehicles if a 15-minute stay is assumed.

- 7.14 The applicant therefore contends that the pick up/drop off parking spaces that would be provided as part of the access road proposal would be sufficient to accommodate the anticipated total demand. LCC Highways have indicated that they are satisfied with this provision. As a result, it is concluded that the proposed access road constitutes a well designed traffic management measures which could help manage congestion pressure, reduce the number of vehicles that park on Calder Road or other nearby residential streets to pick up/drop off children and improve road safety.
- 7.15 The access road would run between Constable Lee Primary School and the footpath that runs alongside the cemetery. Nevertheless, three zebra crossings would be provided along the access road to provide safe crossing points for pedestrians walking from Rawtenstall along this route to the school buildings. Furthermore, traffic-calming measures are proposed for along the access road to ensure that vehicle speeds are lower than 10mph. As a result, it is considered that there would acceptable arrangements for pedestrians accessing the existing schools and proposed post 16 college.
- 7.16 Although the proposed development essentially constitutes an enabling development for the planned post 16 college, it forms a separate planning application that must be determined on its own individual merits. As a consequence, concerns raised that the development would result in an increased number of pupils and staff, with associated problems of on-street parking and congestion, are more pertinent to the application for the post 16 college (2009/0384). Furthermore, it is noted that a range of potential measures are proposed as part of the college application to minimise its impact on the local highway network, including waiting restrictions at the Hollin Lane/Calder Road junction and at the entrances to Wiswell Close and Pendleton Avenue.
- 7.17 Letters of representation from local residents have also raised concerns that the proposal would potentially create delays and increase the risk of accidents by requiring motorists to make a right turn to enter the access road. Nevertheless, LCC Highways are satisfied with this arrangement and consider that the proposed development would not have an unacceptable impact on safe and efficient operation of the local highway network. Concerns have also been raised that the original transport surveys were undertaken on an atypical day and that they fail to consider the full extent of short-term parking on nearby residential streets. The applicant has subsequently undertaken additional surveys and LCC Highways have indicated that they are satisfied with the robustness of the supplementary traffic and parking surveys.
- 7.18 It is therefore concluded that the access road would provide a well-designed traffic measure that helps reduce the number of parents picking up/dropping off children on Calder Road and other nearby residential streets. Accordingly, it is considered that the proposed development would not have an unacceptable impact on the local highway network and, on the contrary, would help to mitigate the impacts of the existing schools and the proposed post 16 college on the local highway network.

Trees

- 7.19 Policy DC.1 of the Rossendale Borough Council Local Plan states that when assessing applications for planning permission consideration will be given to the likely effect of the proposed development on existing trees and other natural features of the development site. Policy E4 of the Local Plan stipulates that the Council will encourage the conservation of existing woodland, individual trees and hedgerows and control development so that significant examples of each are protected from unnecessary damage or destruction.
- 7.20 The proposal would necessitate the removal of a number of trees to the north west of the school building and the relocating of a recently planted hedgerow on the southern boundary of the Constable Lee Primary School site. A tree survey undertaken to accompany the planning application identified no significant high quality and value trees on the application site and concludes that all trees present are either of moderate or low quality/value or need to be removed for reasons of sound arboricultural management.
- 7.21 The Council's arboricultural consultant largely concurs with the proposals and findings contained within the applicant's tree surveys. Nevertheless, he contends that a number of the trees proposed for retention to the northwest of the Constable Lee primary school building potentially stand limited chance of survival due to their proximity to the proposed access road and/or remodelled car park. This conclusion is refuted by the applicant's own arboricultural consultant.
- 7.22 The Council's arboriculturalist does however concede that these particular trees are of little visual amenity interest and he would therefore support proposals for their removal and re-landscaping. As a consequence, it is recommended that a condition be attached to ensure that if any of these trees die within 5 years of completion of the development they shall be replaced within 12 months of death in accordance with details which shall have been submitted to, and approved in writing beforehand by, the Local Planning Authority. This should ensure that the proposed development does not have an unacceptable impact on existing trees in the development site.

Biodiversity

- 7.23 PPS9 states that planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. It goes on to emphasise that the aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, it is advised that local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities are required to ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented, adequately mitigated against, or compensated for, PPS9 stipulates that the planning permission should be refused.

- 7.24 Many individual wildlife species receive statutory protection under a range of legislative provisions and the development control process plays a critical role in ensuring that the statutory protection of these species is applied. Circular 06/05 states unequivocally that the presence of a protected species is a material consideration when a planning authority is considering development proposals and it is therefore essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.
- 7.25 RSS Policy DP7 states that environmental quality should be protected and enhanced by, amongst other things, maintaining and enhancing the quantity and quality of biodiversity and habitat. Policy EM1 encourages local planning authorities to conserve and expand the ecological fabric of the Region and asserts that proposals should seek to avoid loss of or damage to assets, mitigate any unavoidable damage and compensate for loss or damage through offsetting actions.
- 7.26 A Habitat Phase 1 Extended Survey Report has been produced to accompany the application. This study provides an overview of the vegetation and habitats within the proposed development site that may be affected by the development. It also considers whether there may be an impact on any legally protected species.
- 7.27 This report concludes that the site does not contain any Biodiversity Action Plan (BAP) habitats and is not of sufficient value to warrant detailed National Vegetation Classification (NVC) surveys. The Habitat Phase 1 Extended Survey did however identify areas within the proposed development zone that could potentially be of value for great crested newts. Nevertheless, further detailed surveys of these areas have since shown that there is no evidence of great crested newts being present on the site. The Habitat Phase 1 Extended Survey Report stresses the importance of ensuring that work does not take place during bird nesting season to ensure that the development does not have an adverse impact on breeding birds. It is recommended that a condition be attached to ensure this.
- 7.28 LCC Ecologists and Natural England have reviewed the applicant's Habitat Phase 1 Extended Survey Report and concur with its findings. They are satisfied with the results of the great crested newt surveys and agree with its conclusion that the proposal would not have any impact on great crested newts or any other protected species.
- 7.29 It is therefore concluded that the proposed development would not have an unacceptable impact the ecological value of the site or any protected species.

Other Issues

- 7.30 Policy DC.1 states that when assessing applications for planning permission consideration will be given to the location and nature of the proposed development, including its relationship to existing and other uses.

- 7.31 The proposed road would be accessed from the existing entrance to the staff car park at St Paul's Constable Lee Primary School. At its nearest point it would be approximately 25m from the properties on Wiswell Close and in excess of 50m from the properties on Lee Brook Close. No street lighting is proposed along the sections of the access road closest to Wiswell Close and the lighting proposed for the sections of the road closest to Lee Brook Close would be 1.1m high bollard lamps. Furthermore, existing and proposed trees would provide effective screening for these properties. Consequently, it is considered that the proposed development would not have an unacceptable impact on residential amenity by virtue of light pollution.
- 7.32 Traffic calming measures are proposed along the access road to ensure that vehicle speeds are lower than 10mph. It is therefore considered that the vehicles using the access road would not generate an unacceptable level of noise to the detriment of the amenity of nearby residential properties.
- 7.33 The access road would largely follow the perimeter of Constable Lee Primary School's grounds. As a result, the maximum possible amount of play area would be retained and no sports pitches would be lost. Consequently, the proposed development would not have an unacceptable impact on the provision of recreation space in connection with the school.

8. CONCLUSION

- 8.1 The proposed development consists of the construction of a new access road to the perimeter of St Paul's Constable Lee Primary School with alterations to the staff car park and Calder Road. The road would help to minimise the impact of the schools on the local highway network. It would not have a detrimental impact on the site's designation as Greenlands, its ecological value, existing trees or the amenity of nearby residential properties.

9. RECOMMENDATION

- 9.1 That the Development Control Committee approves the application subject to conditions and the satisfactory completion of the Section 106 agreement to provide commuted sum payments towards highway improvement works.

10. REASONS FOR APPROVAL

- 10.1 The proposal is in accordance with the provisions of the development plan and would help minimise the impact of the schools on the local highway network. There are no material considerations that would justify a refusal of permission. The proposal therefore accords with national planning policy as set out in PPS1, PPS7, PPS9, PPG13 and PPG17; RSS policies DP1, DP2, DP3, DP4, DP5, DP6, DP7, DP8, DP9, RDF1, RT2, RT4, RT9, EM1 and CLCR1; and Local Plan policies DS1, E1, E4 and DC1. Consequently, it is recommended that the application be approved subject to the following conditions.

11. 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 hereby permitted shall be carried out in accordance with the approved plans numbered SCP/09007/SK02 Revision L received on 16th October 2009.

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

3. No trees (other than those clearly shown to be so affected on the submitted plan) shall be topped, lopped or cut down without the prior written approval of the Local Planning Authority and any trees dying or being removed before or within 5 years of completion of the development hereby permitted shall be replaced within 12 months of removal or death in accordance with details which shall have been submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policy E4 Tree Preservation of the Rossendale District Local Plan (Saved Policies).

4. No construction traffic or deliveries should access or leave the site between 8.00am and 9.15am, 12.00 noon and 1.30pm, and 2.45pm and 4.00pm on weekdays during term time.

Reason: *To ensure the construction of the development does not have an unacceptable impact on the local highway network and to ensure that the development complies with Policy DC1 (d) Development Criteria of the Rossendale District Local Plan (Saved Policies).*

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

Reason: *To minimise noise disturbance to neighbouring residents and to ensure that the development complies with Policy DC1 (f) Development Criteria of the Rossendale District Local Plan (Saved Policies).*

6. No clearance shall take place during the bird-nesting season (March to August inclusive) unless nesting birds have been shown to be absent to the satisfaction of the local planning authority.

Reason: *To protect birds during their nesting season and to ensure that the development complies with Policy DC1 Development Criteria of the Rossendale District Local Plan (Saved Policies).*

7. Prior to the commencement of development full details of the colour of the lighting columns hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The lighting columns shall be powder coated in the approved colour prior to installation and shall be maintained as such thereafter.

Reason: *In the interests of visual amenity and to comply with Policy DC1 (I) Development Criteria of the Rossendale District Local Plan (Saved Policies).*

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Document Details	Appendix Number
Location Plan	Appendix A