

<b>Application Number:</b>	2011/571	<b>Application Type:</b>	Full
<b>Proposal:</b>	Refurbishment of mill, including replacement of northern-lights building and revision of parking provision	<b>Location:</b>	Grove Mill, Todmorden Road, Bacup
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	24 January 2012
<b>Applicant:</b>	Orthoplastics Ltd	<b>Determination Expiry Date:</b>	16 February 2012
<b>Agent:</b>	Beverley Wood Design		

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**REASON FOR REPORTING**

Tick Box

Outside Officer Scheme of Delegation

**Member Call-In**

Name of Member:

Reason for Call-In:

3 or more objections received

Other (please state):

**MAJOR**

**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.

<b>RECOMMENDATION</b>
Approval, subject to the conditions detailed in Section 9 of the report.

## 1. SITE

The applicant's manufacturing business operates out of long established industrial premises they own of approximately 1ha in area that front to Todmorden Road (A681), although they take vehicular access from Grove Street and Cross Street. The firm is also at present occupying rented accommodation to the other side of Cross Street.

The traditional stone/slate mill building on the corner of Todmorden Road and Grove Street has the appearance from the main road of being 2-storey but, such is the fall of the land, as viewed from the rear can be seen to be of 4-storeys in height. At present little use is being made of this building, although the yard immediately to its south, which is accessed from Grove Street and extends up to the rear boundary of terraced houses fronting Vale Street, continues to be used for parking/servicing. Greater use is being made of the northern-lights building attached to the west side of the principal building, and of the more modern 1-storey building extending up to Vale Street, which take access from Cross Street. The buildings and yards overlie various watercourses, unculverted sections of Greaves Clough Brook to be seen towards the southern boundary of the site.

The application site lies within the Urban Boundary of Bacup, as designated in the Council's Core Strategy. The Employment Land Study conducted as part of the Evidence Base for the Core Strategy identified Grove Mill as part of an Existing Employment Site and recommended its retention as such.

## 2. RELEVANT PLANNING HISTORY

None.

## 3. THE PROPOSAL

Permission is sought for a scheme which entails :

- Refurbishment of the 4-storey Victorian mill building in order that it may be brought back into use for production purposes, with associated offices, document storage, testing- laboratories and staff toilets/changing rooms/cycle store. Externally, the principal changes will be replacement of an external flight of stairs on the southern elevation rising to a first-floor doorway with a new block tucked round onto the western elevation rising the full height of the building and to incorporate the new lobby, lift/flights of stairs. Existing window openings would be fitted with UPVC frames.
- Demolition of the existing brick-faced northern-light building with one having the same footprint and broadly the same height, but with just 2 roof ridges and light-green cladding matching the more modern 1-storey building extending up to Vale Street. This will do away with the existing covered delivery bay doors in the elevation facing the backs of houses that front Vale Street.
- Re-arrangement of the existing hard-surfaced area accessed from Grove Street to maximise the number of car parking spaces available here in light of this entrance ceasing to be in regular use by lorries. Re-arrangement of the existing hard-surfaced area accessed from Cross Street, with extension of hardstanding over an area measuring approximately 12m x 24m until recently occupied by an outbuilding.

The applicant advises that :

1. They presently employ approximately 90 people and have available off-street parking for 24 cars.
2. As a result of this proposal there will be no material alteration to the floorspace at the site from the 4,960sq m that presently exists or to the manufacturing processes that are presently taking place.
3. Following implementation of this scheme the accommodation on the west side of Cross Street will be vacated. Nevertheless, they hope to increase the number of people they employ to 140, making available off-street parking for 49 cars and 10 cycles for use by staff and visitors.

Besides the Design & Access Statement, the application is accompanied by a Green Travel Plan and documentation setting out the communications they have had with the Environment Agency regarding flood/pollution risks and the Highway Authority regarding parking/servicing issues and the need to ensure that replacement of the northern-light building in the manner proposed will not adversely affect the structural stability of Todmorden Road.

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

##### **National**

PPS1	Sustainable Development
PPS4	Economic Growth
PPS9	Biodiversity & Geological Conservation
PPG13	Transport
PPG14	Unstable Land
PPS23	Pollution Control
PPG24	Noise
PPS25	Flood Risk

##### **Development Plan**

###### **Regional Spatial Strategy (2008)**

DP1-9	Spatial Principles
RDF1	Spatial Priorities
RT2	Managing Travel Demand
RT4	Management of the Highway Network
EM1	Environmental Assets
EM5	Integrated Water Management

###### **RBC Core Strategy DPD (2011)**

AVP2	Bacup, Stacksteads, Britannia & Weir Area Vision
Policy 1	General Development Locations & Principles
Policy 8	Transport
Policy 9	Accessibility
Policy 10	Employment Provision
Policy 18	Biodiversity, Geodiversity & Landscape Conservation
Policy 23	Promoting High Quality Designed Spaces
Policy 24	Planning Application Requirements

##### **Other Material Planning Considerations**

Draft National Planning Policy Framework (2011)

## **5. CONSULTATION RESPONSES**

### **LCC (Highways)**

No objection to the above planning application on highway grounds, and have made the following comments.

The Green Travel Plan that has been provided is a good starting point but requires further development.

The applicants Engineering Consultant has been in touch with LCC Structures Department about aspects to satisfy the Highway Authority with respect to this planning permission. It is confidence that they will be able to successfully liaise with them and thereby maintain the structural integrity of the retaining wall supporting the public highway Todmorden Road.

Both the north elevation of the Victorian mill building and of the northern-light building form the retaining structure to Todmorden Road. LCC as Highway Authority have a right of support from this private structure. Given that there are some 5m of retained fill, the consequences of any failure on the highway and surrounding buildings would be severe. The structural report supporting the planning submission proposes to add buttresses into the wall if necessary. Ground bearing conditions should be checked and designed for.

### **RBC (En Health)**

No objection. Recommend the standard condition restricting demolition hours in order to protect the amenities of neighbours, particularly from noise disturbance.

### **Environment Agency**

We have no objection in principle to the proposed development but recommend that any planning approval is conditioned in respect of Biodiversity.

### **Flood Risk**

The site lies within Flood Zone 3 on our published flood map and we would normally require a supporting flood risk assessment. However, as the application does not result in a more vulnerable use, any additional buildings or change the footprint of the existing building arrangement we would not raise objection to the proposal.

We recommend that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

### **Biodiversity**

There is no ecological survey submitted with the application for the area adjacent to Greave Clough Brook to demonstrate current habitat and potential enhancement.

To ensure that the landscape within the site is managed in such as way as to protect the ecological value of the site, including the remaining sections of open Greave Clough Brook corridor and adjoining greenspace along Todmorden Road, we recommend that any planning approval is conditioned as follows:

**Condition** Prior to the commencement of development a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

**Reason** To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site

## 6. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a press notice was published on 16/12/11, site notices were posted on 9/12/11 and the relevant neighbours were notified by letter on 2/12/11.

## 7. ASSESSMENT

The main considerations of the application are :

- 1) Principle; 2) Flood Risk; 3) Visual Amenity; 4) Neighbour Amenity; & 5) Access/Parking.

### Principle

The site is located within the Urban Boundary of Bacup, a Main Development Location, wherein the Council seeks to locate most new development. Furthermore, the proposal will help maintain the site in employment use, in accordance with the recommendations of the Council's Employment Land Study.

Accordingly, the proposal is considered appropriate in principle.

### Flood Risk

The Environment Agency has advised that the site lies within a Flood Zone. However, it does not raise objection to the proposal as the scheme does not result in a more vulnerable use of the site, additional floorspace or change the footprint of the existing building arrangement.

The applicant has been made aware of its wish for the incorporation into the design and construction of the development of flood proofing measures.

In accordance with its wishes, a condition is recommended to ensure landscaping and management of the site in a manner that protects and enhances the watercourses and open land.

### Visual Amenity

The refurbishment of the 4-storey Victorian mill building will entail fitting within existing window openings of UPVC frames, to replace frames of varying materials/designs and old in-filling with red brick in some instances. Likewise, removal of the dilapidated external flight of stairs presently to be seen on the southern elevation from Grove Street will improve the appearance of this essentially stone building.

The new lobby, lift/flights of stairs to be accommodated in new block tucked round onto the western elevation, and of 4-storeys in height, will not form an unduly prominent or

intrusive feature in the street-scene, standing well back from both Grove Street and Todmorden Road. That face of it which will be seen from the rear windows of the terraced houses facing Vale Street will incorporate a significant amount of glazing, but for the most part this structure is to have a sand-coloured rendered finish that matches the existing lift-block on the western elevation and which will be more prominently viewed from Todmorden Road by virtue of standing very much nearer to the main road and exceeding the height of mill building.

The brick-faced northern-light building to be demolished is little seen from the surrounding public roads. The building to replace it will have its sides clad with profiled metal-sheeting that is light-green in colour to match the adjacent modern building extending up to Vale Street, its dark-grey metal-sheeted roofs having 2 ridges of a height that do not exceed the existing stone wall fronting Todmorden Road.

The extension of hardstanding proposed near the Cross Street access is to measure approximately 12m x 24m and will not unduly detract from visual amenity. However, following demolition recently of the outbuilding that stood here a gabion wall was constructed to retain the adjacent land that rises up towards Todmorden Road. Such structures are never pretty. In this instance it does not exceed 2m in height and, having regard to nearby retaining walls of greater height, is not unduly intrusive. Nevertheless, I consider it appropriate to recommend a landscaping condition to secure additional planting on the bank rising up to Todmorden Road which will help mitigate public views into the site of the replacement building, additional parking area and its associated gabion wall. The landscaping condition proposed also takes on-board the wishes of the Environment Agency that the landscaping scheme to be implemented seek to enhance the ecological interest of the river corridor the site forms part of.

On this basis I am satisfied that the proposed development will not detract to a significant extent from visual amenity.

#### Neighbour Amenity

The works proposed to the Victorian mill building will serve to improve its appearance as viewed from neighbouring residential properties. Whilst the lift/flights of stairs to be accommodated in new 4-storey block on the western elevation will incorporate a significant amount of glazing that faces terraced houses on Vale Street, at a distance of more than 30m from their rear windows no significant loss of privacy will result.

The building which replaces the northern-light building has the same footprint, is not of materially greater bulk/height and is to be clad with profiled-metal sheeting of colours already used elsewhere on the site. Accordingly, it will not detract to an unacceptable extent from neighbour amenity.

The implementation of the proposed scheme will reduce the likelihood of lorry movements through the vehicular access to Grove Street.

Accordingly, I am satisfied that the proposed development will not detract to an unacceptable extent from neighbour amenity.

#### Access/Parking

The Highway Authority is satisfied with the access arrangements and off-street parking/service provision intended.

I concur with LCC Highways view that the submitted Green Travel Plan is a good starting

point but requires further development if it is to minimise private car movements to the site. A condition is recommended to address this point.

The main concern of LCC Highways is to ensure the proposed works do not adversely affect the structural integrity of the retaining wall supporting the public highway Todmorden Road. It is satisfied that this matter can be addressed by way of a condition.

Accordingly, I am satisfied that the proposed development will not detract to an unacceptable extent from highway safety subject to the conditions below.

## **8. SUMMARY REASON FOR APPROVAL**

The proposed development is appropriate in principle in the Urban Boundary of Bacup and, subject to the Conditions, it will not detract to an unacceptable extent from visual and neighbour amenity, flood risk or highway safety. The decision has been taken having regard to the policies and proposals of the Regional Spatial Strategy for the NW of England and Council's Core Strategy DPD.

## **9. 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 submitted drawings, unless otherwise required by the conditions below or first agreed in writing by the Local Planning Authority :  
Reason: For the avoidance of doubt and to ensure the development proceeds in accordance with the permission sought.
3. Prior to demolition of the northern-lights building full details of the works to be undertaken to maintain the structural integrity of the retaining walls supporting Todmorden Road, and of any new works attached to them, shall have been submitted to and approved in writing by the Local Planning Authority; the submission shall be accompanied by the documentation to demonstrate that ground bearing conditions have been adequately checked and designed for. The development shall be undertaken in accordance with the agreed scheme.  
Reason : To ensure that the structural integrity of the retaining walls supporting Todmorden Road is maintained, in the interests of ground stability and highway safety, in accordance with Policies 1 / 24 of the RBC Core Strategy DPD (2011).
4. Notwithstanding what is shown on the submitted drawings :
  - a. The window frames to be installed in the 4-storey mill building shall be recessed into the openings by not less than 50mm; &
  - b. The new 4-storey lift/stair block shall be rendered to match in colour and surface-finish the existing rendered lift block on the west elevation; &
  - c. The exposed sides of the building to replace the northern-lights building shall be clad in profiled metal sheeting light-green in colour, to match the building on the south side;  
unless a variation is first agreed in writing by the Local Planning Authority.  
Reason: In the interests of visual amenity and to accord with Policies 1 / 24 of the

RBC Core Strategy DPD (2011).

5. Prior to first occupation of the refurbished 4-storey mill building the vehicle parking & manoeuvring areas accessed from Grove Street shall be hard-surfaced, drained and laid out in accordance with the approved drawings, and thereafter kept freely available for use as such. Prior to first occupation of the building to replace the northern-lights building the vehicle parking & manoeuvring areas accessed from Cross Street shall be hard-surfaced, drained and laid out in accordance with the approved drawings, and thereafter kept freely available for use as such.  
Reason : In the interests of highway safety, in accordance with PPG13, Policies 1 / 24 of the RBC Core Strategy DPD (2011).
6. Prior to first occupation of the refurbished 4-storey mill building the covered cycle parking facility indicated on the approved drawings shall be provided and a Business Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.  
Reason: A Business Travel Plan is a document setting out a package of measures for reducing the number of car trips made to the development and the promotion of alternative methods of travel. The cycle provision and Travel Plan are required to promote sustainable transport, in accordance with the provisions of PPS1 and PPG13, and Policies 1 / 24 of the Council's Core Strategy DPD.
7. Prior to the commencement of development a scheme of landscaping/boundary treatment, including long- term design objectives, management responsibilities and maintenance schedules for all soft-landscaped areas, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the timetable agreed and the management /maintenance of the soft-landscaped areas shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. Any trees or shrubs removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced in the next available planting season with others of the same siting/size/species, unless otherwise first agreed in writing by the Local Planning Authority.  
Reason : In the interests of visual / neighbour amenity, and to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with .... Policies 16 / 23 / 24 of the RBC Core Strategy DPD (2011).
8. Any works of demolition/construction hereby permitted shall not take place except between the hours of 8:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No works shall take place outside of these hours or on Sundays, Good Friday, Christmas Day or Bank Holidays, unless first agreed in writing by the Local Planning Authority.  
Reason : To safeguard the amenities of neighbours, in accordance with Policy 24 of the RBC Core Strategy DPD (2011).