

<b>Application Number:</b>	2015/0427	<b>Application Type:</b>	Full
<b>Proposal:</b>	Extension of existing building which involves expansion of existing curtilage, and other works including engineering operations and landscaping.	<b>Location:</b>	Kenross Containers Ltd, Goodshawfold Road, Loveclough, BB4 8QW
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	19 <sup>th</sup> January 2016
<b>Applicant:</b>	Mr Darren Turner, Kenross Containers Ltd.	<b>Determination Expiry Date:</b>	18 <sup>th</sup> January 2016 – extension of time agreed until 26 <sup>th</sup> January 2016 to allow item to go to January Committee.
<b>Agent:</b>	Mr Ben Edmondson		

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<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	
<b>Other (please state):</b>	<b>Significant local concern over vehicle deliveries, petition received.</b>

## 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.

## 1. RECOMMENDATION

That Committee approve Planning Permission subject to the Conditions set out in Section 11.

## 2. SITE

The application site lies immediately to the east of the existing Kenross Containers buildings in Goodshaw, and is located towards the bottom of a valley. Further to the east is a steep sided embankment with agricultural land above. A gabion wall retains the slope. To the west of the factory buildings lies an access road, bound by a small stream running from north to south.

The existing Kenross Containers site, which is accessed via Goodshawfold Road, is occupied by a complex of factory buildings. The site has been historically used for industrial purposes, and was the original site of Kippax Mill. The existing units on site are a mix of profiled steel industrial sheds and more traditional stone buildings. A tall stone chimney lies toward the southern part of the site. There is a large covered delivery bay towards the north of the complex, through which the application site is accessed.

Numerous extensions to the existing factory buildings have taken place in the past, and as a result the buildings now form an elongated footprint extending from north to south. The wider area is characterised by open fields, and the settlement of Goodshawfold (a Conservation Area) lies to the north.

The application site lies within an area designated as countryside.

## 3. RELEVANT PLANNING HISTORY

Given the concern expressed by local residents over the number and frequency of heavy goods vehicle movements to and from the site, the case officer has compiled a full planning history for the site from the Council's available records, including an investigation into whether specific conditions have been previously imposed which restrict vehicular movements or hours of operation:

**1977/437** (Proposed Car Park – Lorries / Cars) – Approved – No conditions relating to hours of operation or vehicle movements.

**1985/501** (Erection of extension to form sectional warehouse) – Approved – No conditions relating to hours of operation or vehicle movements.

**1985/541** (Erection of new storage building) – Approved – No conditions relating to hours of operation or vehicle movements.

**1986/605** (Erection of warehouse to store cardboard) – Approved – No conditions relating to hours of operation or vehicle movements.

**1989/001** (Erection of warehouse) - Approved – No conditions relating to hours of operation or vehicle movements.

**1989/778** (Extension of existing warehouse) – Approved – No conditions relating to hours of operation or vehicle movements.

**1991/324** (Extension to existing works) – Withdrawn

**1991/441** (Factory extensions and alterations to car park with associated landscaping) – Approved – No conditions relating to hours of operation or vehicle movements.

**1995/236** (Provision of extension to form additional floorspace for warehousing and manufacture of corrugated paper products) – Approved – No conditions relating to hours of operation or vehicle movements.

**1997/077** (Construction of warehouse extension comprising an additional 930m<sup>2</sup>) – Withdrawn

**1997/320** (Proposed factory extension and engineering works to create loading area and car park) – Approved – Condition 4 places limitation on vehicular movements as follows:

4. No vehicular movements including forklift truck operation to and from or within the site, other than employee access, shall be permitted before 7.00 am. weekdays and 8.00 am. on Saturdays, nor after 19.00 pm. on weekdays and 17.00 pm. on Saturdays nor at any time on Sundays or Bank Holidays.  
Reason: In the interests of preserving the residential amenity of occupiers of nearby dwellinghouses.

**1999/412** (Construction of detached warehouse) – Withdrawn

**2000/067** (Construction of detached warehouse (854m<sup>2</sup>) and the provision of 32 car parking spaces and a vehicular turning area, and construction of an extension (180m<sup>2</sup>) to the front of the existing warehouse (previously approved under planning permission 1997/320)) – Approved – Condition 8 places limitation on vehicular movements as follows:

8. No vehicular movements including forklift truck operation to and from or within the site, application site and adjoining land edged blue, other than employee access, shall be permitted before 7am weekdays and 8am on Saturdays, nor after 7pm on weekdays and 5pm on Saturdays not at any time on Sundays or bank holidays. Reason: In the interests of safeguarding the residential amenities of occupiers of nearby dwellinghouses.

**2001/061** (Proposed canopy to be created over loading bay / access area to new warehouse) – Approved – No conditions relating to hours of operation or vehicle movements.

**2002/397** (Construction of new office / reception with disabled access) – Approved - No conditions relating to hours of operation or vehicle movements.

**2003/098** (Extension to factory to accommodate corrugation machine) – Approved - No conditions relating to hours of operation or vehicle movements.

#### **4. PROPOSAL**

The applicant seeks planning permission for the construction of a steel portal framed extension to an existing industrial unit located toward the north eastern part of the Kenross Containers Ltd complex. The purpose of the extension would be to accommodate a new piece of equipment, used in the manufacture of corrugated cardboard.

The extension would have a footprint of 25m x 12.5m, and would have a shallow dual pitched roof with a ridge height of 5.6m and an eaves height of 4.1m.

The building would be constructed from materials to match the existing buildings on site – i.e. profiled metal sheeting in a green colour to the side elevations and roof, atop a block work plinth.

The building would feature a steel roller shutter door on its west elevation (facing into the existing industrial complex), and opaque sheeting light panel windows on its west and east elevations to match those on adjacent buildings.

In order to create space to construct the extension, the existing embankment would be excavated eastwards and northwards into the existing open field with a new gabion basket retaining wall constructed. This would effectively extend the site boundary of the works.

The extension would necessitate the removal of three TPO'd trees along the eastern boundary of the site. The applicant proposes to replace the trees with newly planted native tree species, and has provided an indicative plan to demonstrate this.

External access to the unit would be from within the existing complex, via the large covered area immediately to the west of the proposed extension.

## **5. POLICY CONTEXT**

### **National**

#### **National Planning Policy Framework (2012)**

Section 1 Building a Strong Competitive Economy

Section 4 Promoting Sustainable Transport

Section 7 Requiring Good Design

Section 8 Promoting Healthy Communities

Section 11 Conserving and Enhancing the Natural Environment

Section 12 Conserving and Enhancing the Historic Environment

### **Development Plan Policies**

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

AVP 4 Rawtenstall, Crawshawbooth, Goodshaw and Loveclough

Policy 1 General Development Locations and Principles

Policy 8 Transport

Policy 9 Accessibility

Policy 10 Provision for Employment

Policy 16 Preserving and Enhancing the Built Environment

Policy 18 Biodiversity and Landscape Conservation

Policy 21 Supporting the Rural Economy and its Communities

Policy 23 Promoting High Quality Design & Spaces

Policy 24 Planning Application Requirements

### **Other Material Planning Considerations**

National Planning Practice Guidance (2014)

## **6. CONSULTATION RESPONSES**

### **Lancashire County Council (Highways)**

No objection to the proposal, but recommend that a condition for a wheel wash is stated on any approved application, if the intention is to remove the soil off site from the area of land that has to be cut.

## **Lancashire County Council (Lead Local Flood Authority)**

The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of the following conditions, in consultation with the Lead Local Flood Authority:

### **Condition 1 - Appropriate surface water drainage scheme to be submitted**

No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

### **Reasons**

1. To ensure that the proposed development can be adequately drained.
2. To ensure that there is no flood risk on or off the site resulting from the proposed Development
3. To ensure that water quality is not detrimentally impacted by the development proposal

### **Condition 2 - No Occupation of Development until completion of SuDS in accordance with agreed SuDS Scheme and Management & Maintenance Plan.**

No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons

1. To ensure that the drainage for the proposed development can be adequately maintained.
2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

Condition 3 - Surface Water Lifetime Management and Maintenance Plan

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reasons

1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
2. To reduce the flood risk to the development as a result of inadequate Maintenance
3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

Environment Agency

No comments.

RBC Environmental Health

No objection.

## 7. NOTIFICATION RESPONSES

To accord with the General Development Procedure Order a press notice was published on 04/12/2015, 3 site notices were posted on 27/11/2015, and letters were sent to neighbours on 25/11/15.

Four individual written responses and one petition containing 19 signatures have been received, highlighting concerns as follows:

### Goodshawfold Farmhouse

Concerns regarding:

- Increased noise from traffic, equipment and machinery from the site.
- The visual impact of the development on the landscape and Conservation Area.
- The effect on traffic flow and access to other properties.

### 3-5 Goodshawfold Road

Concerns regarding:

- Number of deliveries to and from the site using heavy goods vehicles, which cause traffic problems on the narrow road and cause parking issues.
- Whether a precedent would be set for the continued expansion of the business in future.
- The effect of heavy goods vehicles on the integrity of the road, and on emergency access.

### 11 Goodshawfold Road

Concerns regarding:

- The impact of heavy goods vehicle deliveries which already cause traffic problems on Goodshawfold Road, and whether this would get worse if the extension was approved.
- How the development would reduce traffic / deliveries to Kenross Containers Ltd, as stated on the application.
- Whether the business would be allowed to operate with unrestricted hours of operation.
- Company has already outgrown the site.
- Request condition to ensure that no deliveries take place before 08:00 or after 15:30 on weekdays, and no deliveries or distribution at weekends.
- Request condition to ensure that the average weekly volume of HGVs both delivering to and leaving the factory be quantified / specified and then adhered to.
- Suggest condition that left-hand-drive HGVs not be used for deliveries, due to such vehicles damaging walls and parked cars in the past.

### 23 Goodshawfold Road

Object to any extension of working hours. Would wish to see a condition limiting working hours and delivery times to 08:00-17:00 Mon-Fri and no weekend deliveries or distribution. Would also wish to see a guarantee that HGV traffic is minimised – ideally a complete restriction on HGVs with a weight limit imposed on Goodshawfold Road. Concerns regarding how exactly the proposed extension will reduce the need for deliveries to the factory as stated in the application. Relocation of the factory would be welcomed.

### Petition

The petition called for a limit to working hours, and a restriction on the times and numbers of vehicular deliveries / distribution.

## 8. ASSESSMENT

The main considerations of the application are:

1) Principle; 2) Employment Policy; 3) Visual Amenity / TPOs; 4) Neighbour Amenity; 5) Access / Highway Safety

### Principle

The application site is located on land designated as countryside. Policy 1 of the Core Strategy directs new development to the urban boundary unless it has to be located within the countryside. The policy also seeks development that makes best use of under-used, vacant and derelict land and buildings which would help to reduce pressure to build on 'greenfield' peripheral locations such as the site in question.

The type of industrial development proposed in this case should more appropriately be accommodated within the urban boundary rather than in the countryside, and as such the proposed scheme does not accord with Policy 1 of the Core Strategy DPD.

As such, the development is not appropriate in principle.

### Employment Policy

The development would allow the expansion and consolidation of an established business that has operated and developed on the wider Kippax Mill site historically. The applicant states that three new jobs will be created by the development.

Core Strategy Policy 10 states that the Council will encourage the retention and growth of the borough's indigenous companies, but goes on to state that new proposals for employment use should primarily be located within the urban boundary.

Whilst the development would not be located within the urban boundary, it would contribute towards the retention and growth of an indigenous company, and this is a material consideration weighing in favour of the proposal.

Policy 21 states that the Council will encourage the retention or expansion of appropriately sized businesses in rural areas, but that strict consideration will be given to the impact of development on the countryside and that proposals should demonstrate the social and/or economic benefits for the local rural community. The section below on Access / Highway Safety includes consideration of some potential benefit to the local community resulting from a potential reduction in the number of HGV deliveries to the site, as a result of the proposed development. The impact of the development on the countryside is addressed in the visual amenity assessment below.

### Visual Amenity / TPOs

The development will sit between the existing buildings on site and the slope to the north / east which is to be re-positioned and profiled. Such a situation, combined with the proposed materials (which match those on the existing buildings) will result in the proposed extension being relatively concealed and not unduly prominent in the wider landscape, particularly when viewed from Goodshawfold Road or nearby public rights of way.



It is not considered that the extent, height or massing of the building will appear excessive, nor would it appear incongruous given the proposed materials. The development would not cause undue harm to the character or appearance of the nearby Goodshawfold Conservation Area, given the clear geographic and visual separation from it.

Given the location of the development within the countryside, it is necessary to impose a condition requiring that all external facing materials match those of the attached buildings, to ensure that the appearance of the development is acceptable.

In terms of landscaping and TPOs, I am satisfied that the three identified TPO'd trees (T2/113/T4, T2/113/T5 and T2/113/T6) which are to be removed are not individually of particular amenity value such that their loss would cause significant visual harm to the area, provided that they are replaced by appropriate specimens adjacent to the new boundary of the slope to the north / east of the site. The development will benefit from the screening provided by the replacement trees, further reducing its visual impact when viewed from Goodshawfold Road. Broad details of planting areas and indicative species have been provided, however the applicant's agent has been asked to identify on the landscaping plan the precise location and species of the three proposed trees which will serve as replacements for the three TPO trees to be removed. This amended plan will be circulated to Members with the Update Report. It will then be appropriate to condition the implementation of the landscaping scheme.

Subject to the proposed conditions, the scheme is considered acceptable in terms of visual amenity / TPOs.

### Neighbour Amenity

Several local residents provided comments on the scheme, and these have been taken into account in the consideration of the application. The section below on access / highway safety deals with access-specific concerns.

Separation distances between the site and nearby residential properties (around 100m) are considerable. Taking into account the scale and location of the proposed development, its siting (largely shielded by the hillside to the north / east and the existing units to the south / west), and existing industrial operations on site, I do not consider that there would be a significant increase in noise and disturbance that would be unduly detrimental to existing residents in the area.

The Council's Environmental Health department has been consulted and has no objection to the scheme.

Overall, the scheme is considered acceptable in terms of neighbour amenity.

### Access / Highway Safety

Local residents have raised concern at the number of articulated vehicle deliveries which currently take place to / from the site, and whether the proposed development would cause a further increase in delivery numbers. Residents state that the large vehicles cause traffic problems on Goodshawfold Road, which is a relatively narrow road used for access to the site.

In response to the concerns raised, the case officer has liaised with the applicant and obtained figures from them which state that the development would result in a net decrease in deliveries to the site (based on current workloads), as shown in the table below:

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<b>Current Deliveries (average per week)</b>	<b>Projected Deliveries (average per week)</b>
2-3 articulated vehicles delivering paper	5-6 articulated vehicles delivering paper
10-12 articulated vehicles delivering cardboard sheets	No articulated vehicles delivering cardboard sheets
<b>Total of 12-15 articulated vehicle deliveries</b>	<b>Total of 5-6 articulated vehicle deliveries</b>

The applicant states that currently 10-12 articulated vehicle deliveries are made to site each week delivering cardboard sheets which are used to make boxes. The development would enable the installation of new equipment which would manufacture the cardboard sheets on site, so no further deliveries of cardboard sheet would be required. There would be a small increase in deliveries of paper to site, but overall a net reduction of between 7-9 deliveries per week would be achieved.

Based on this reasoning and the above figures, it can be considered that the development would go some way to reducing the number of HGV vehicle deliveries which use Goodshawfold Road.

Residents have also raised concern over the timing of vehicle deliveries to / from the site, and have suggested that the permitted hours for vehicular movements to / from the site are restricted to 08:00-17:00 Mon-Fri and no movements at weekends.

However, two previous implemented planning approvals (1997/0320 and 2000/0067) were subject to conditions limiting vehicular movements within, to and from the site to 07:00-19:00 Mon-Fri, 08:00-17:00 on Saturdays, and no vehicular movements on Sundays or Bank Holidays.

The applicant has confirmed in writing to the case officer that the above conditions have not been breached, and the Council has received no complaints stating that deliveries have occurred specifically outside of the hours above. As such, the Council considers that the above conditions are still in place and are enforceable in future.

Paragraph 206 of the National Planning Policy Framework states that planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.

The Local Planning Authority must have regard to the NPPF tests above when considering whether to impose planning conditions and they must be satisfied that all six points are met. In this case, given that the proposed extension is unlikely to generate an increase in vehicular movements once constructed (indeed, it is projected to result in a net decrease in deliveries), the LPA has concluded that it is unnecessary to restrict the hours beyond the current restriction of hours of deliveries as there is no evidence to justify it. It is important to note that the Local Highway Authority has no objection to the scheme and has not recommended any further restrictions. They have requested that a condition be imposed on any approval requiring a wheel washing system be put in place for construction traffic which is considered appropriate.

On balance, the scheme is considered acceptable in terms of access / highway safety.

## **9. SUMMARY REASON FOR APPROVAL**

The proposed scheme represents inappropriate development within the countryside, however, in this case it is considered that the impact of the development would be acceptable in terms of

visual and neighbour amenity (due to the specific siting and design of the scheme), and access / highway safety. The development would provide local employment benefits and has potential to contribute to a reduction in HGV deliveries using Goodshawfold Road. On balance, it is considered that the potential benefits and other material considerations in favour of the scheme outweigh the harm caused by the relatively small scale incursion into the countryside in this case. This decision has been reached having regard to sections 1, 4, 7, 8, 11 and 12 of the National Planning Policy Framework and Policies AVP4, 1, 8, 9, 10, 16, 18, 21, 23 and 24 of the adopted Core Strategy DPD.

## 10. **RECOMMENDATION**

That the Committee grant Planning Permission subject to the conditions below.

## 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 shall be carried out in accordance with the following plans unless otherwise required by the conditions below:

- 2015/40-02\_rev.A – General Arrangement (date stamped 23/11/2015 by the Local Planning Authority)
- 2015/40-03\_rev.A – General Arrangement (date stamped 23/11/2015 by the Local Planning Authority)
- 2015/40-01\_rev.A – General Arrangement (date stamped 23/11/2015 by the Local Planning Authority)
- 2015/40-05\_rev.A – Topographical Site Plan Proposed (date stamped 23/11/2015 by the Local Planning Authority)
- OS Plan\_rev.A – 1:1250 Scale OS Plan (Site Location Plan) (date stamped 23/11/2015 by the Local Planning Authority)

Reason: To ensure the development complies with the approved plans and submitted details, in accordance with Policies 1 and 24 of the adopted Core Strategy DPD.

3. All external facing materials to be used in the construction of the extension hereby permitted shall match those on the building to which the extension is attached.

Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policies 1 and 23 of the Council's Core Strategy DPD (November 2011).

4. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor

levels in AOD;

b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing as applicable;

f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

### Reasons

In accordance with Policies 19 and 24 of the Council's Core Strategy DPD and:

1. To ensure that the proposed development can be adequately drained.  
2. To ensure that there is no flood risk on or off the site resulting from the proposed Development

3. To ensure that water quality is not detrimentally impacted by the development Proposal

5. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

### Reasons

In accordance with Policies 19 and 24 of the Council's Core Strategy DPD and:

1. To ensure that the drainage for the proposed development can be adequately maintained.

2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company

b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to completion of the development. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

### Reasons

In accordance with Policies 19 and 24 of the Council's Core Strategy DPD and:

1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
2. To reduce the flood risk to the development as a result of inadequate maintenance
3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

7. No development shall take place until a wheel washing facility has been put in place on the site, to remove mud / debris from the wheels of construction traffic prior to such traffic leaving the site.

Reason: In the interests of pedestrian and highway safety and neighbour amenity in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

8. All planting shown on approved drawing (drawing number to be confirmed in Update Report) shall be carried out in the first planting season following commencement of development, and any trees or shrubs removed, dying or becoming seriously damaged or diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will be of satisfactory appearance, in accordance with Policies 1 and 23 of the Council's Core Strategy DPD (November 2011).

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

Reason: To safeguard the amenities of neighbours, in accordance with Policies 1 and 24 of the Council's Core Strategy DPD.

## **12. INFORMATIVES**

1. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

2. The applicant's attention is drawn to Condition 4 of planning approval 1997/0320 and Condition 8 of planning approval 2000/0067 (as outlined in Section 3 of the Committee Report), which restrict the hours of vehicle movements to, from and within the site (including fork lift truck movements), other than employee access, to 07:00-19:00 Mon-Fri, 08:00-17:00 on Saturdays, and no vehicular movements on Sundays or Bank Holidays.

3. The Local Planning Authority has a Core Strategy (adopted in November 2011) and a series of Supplementary Planning Documents, which can be viewed at [http://www.rossendale.gov.uk/a\\_to\\_z/service/309/core\\_strategy](http://www.rossendale.gov.uk/a_to_z/service/309/core_strategy), and operates a pre-application planning advice service. All applicants are encouraged to engage with the Local Planning Authority at the pre-application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant. In this case the applicant did not engage in pre-application discussions.

The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework and the local planning policy context.