

<b>Application Number:</b>	2016/0221	<b>Application Type:</b>	Full
<b>Proposal:</b>	Erection of 3 industrial units (Use Class B2/B8), with ancillary two-storey office accommodation, and with associated service yards and staff car parks	<b>Location:</b>	Land Off New Hall Hey, New Hall Hey Road, Rawtenstall
<b>Report of:</b>	Planning Unit Manager	<b>Status:</b>	For publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	13 December 2016
<b>Applicant:</b>	Barnfield Construction Ltd	<b>Determination Expiry Date:</b>	Extension of time agreed until 16 December 2016
<b>Agent:</b>	Craven Design Partnership		

<b>Contact Officer:</b>	Lauren Ashworth	<b>Telephone:</b>	01706-238638
<b>Email:</b>	planning@rossendalebc.gov.uk		

<b>REASON FOR REPORTING</b>	
<b>Outside Officer Scheme of Delegation</b>	X
<b>Member Call-In</b> Name of Member: Reason for Call-In:	
<b>3 or more objections received</b>	X
<b>Other (please state):</b>	Major Application

## 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 full Planning Permission subject to satisfactory resolution of landscaping and drainage.

## 2. SITE

The site extends to 1.9 hectares and is in a prominent location to the south of the A682. It is accessed off the A682 via New Hall Hey Road. It is located immediately to the west of the New Hall Hey Retail Park (Marks and Spencer, TK Maxx, Pets at Home), and to the north of Hardman's Mill (Grade II listed), Riverside Gym and the offices of Green Vale Homes, the latter being constructed of stone and slate. The buildings within the retail park are constructed from a mix of stone and steel cladding, with stone boundary treatments facing the A682. Land to the north of the site beyond the A682 bypass is open countryside within the Green Belt, beyond which are terraced residential properties, approximately 150m away. Land to the west of the site is also designated Green Belt land. Approximately 30m to the south is the River Irwell.

The site comprises vacant land containing mixture of bare ground, broad-leaved plantation, marshy grassland and trees scattered throughout. The bare ground exists to the north east of the site and along the southern boundary where a compound and road have been created by removing the topsoil and laying hard core. The broad-leaved plantation belts are along the western boundary and adjacent to the southern boundary, both of which are protected by a Tree Preservation Order. Along the northern boundary there is a small area of self-seeded alder and willow. Aerial photographs suggest that the site was once agricultural land although parts of the site have previously been used for the storage of building supplies.

The topography of the site is variable with the eastern portion being relatively flat (with a gentle fall towards the south) but at a lower level than the A682 and adjacent roundabout. The site rises to west by approximately 3 or 4 metres.

There are a number of constraints on the site including easements, varying levels, Tree Preservation Orders, and the fact that the site is within the setting of a Grade II listed building.

The site is shown on the Adopted Proposals Map (1995) as an 'Employment Site' although this policy was not saved by the adopted Core Strategy (2011). However, the Core Strategy (Policy 10 and AVP4) does identify New Hall Hey as a key employment location which the Council will seek to protect and make best use of. The site is also within the Urban Boundary of Rawtenstall. It is within Flood Zone 1.

### **3. PLANNING HISTORY**

The following applications are relevant to the determination of this application:

- 2005/617 - Covering New Hall Hey (including the application site), Heritage Arcade and the Former Soldiers and Sailors and comprising:
  - 3995 sq.m non-food retail (Homebase),
  - 7665 sq.m of leisure (including covered pavilions)
  - 5133 sq.m B1 office floorspace,
  - 1997 sq.m of B1 business (industrial) floorspace and
  - 1935 sq.m of B8 storage and distribution floorspace.
  -

The application was approved subject to conditions and a Section 106 Agreement on 9 May 2007.

### **4. PROPOSAL**

Full planning permission is sought for three separate buildings containing the following:

Version Number:	1	Page:	2 of 17
-----------------	---	-------	---------

<b>Development</b>	<b>Floor area</b>	<b>Unit number</b>	<b>Proposed Occupier</b>
B2 / B8	743 sqm (8,000 sq ft)	Unit A	Unknown
B2 / B8	510 sqm (5,500 sq ft)	Unit B	Unknown
B2 / B8	3,606 sqm (38,814 sq ft)	Unit C	Soloman Commercials

The buildings are proposed to be constructed from a combination of horizontal profiled wall cladding and horizontal micro rib composite cladding, with areas of feature glazing. The proposed colours now consist of Pure Grey to the lower elevations and Anthracite to the upper elevations and roof. All window and door frames will be Anthracite.

The application also seeks consent for car parking, servicing areas and hard and soft landscaping. The following have also been submitted in support of the application:

- Planning Statement
- Heritage Statement
- Transport Assessment
- Ecological Appraisal
- Flood Risk Assessment
- Environmental Noise Survey
- Phase 1 and Phase 2 Site Investigation Report
- Design and Access Statement
- Arboricultural Impact Assessment
- CGI
- Waste Management Policy

## **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 10 Meeting the Challenges of Climate Change, Flooding, etc
- 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
- Policy 1 General Development Locations and Principles
- Policy 6 Training and skills
- Policy 8 Transport
- Policy 9 Accessibility
- Policy 10 Employment
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 17 Rossendale's Green Infrastructure
- Policy 18 Biodiversity and Landscape Conservation
- Policy 19 Climate Change and Low & Zero Carbon Sources of Energy
- Policy 22 Planning Contributions

## 5. **CONSULTATION RESPONSES**

<b>Consultee</b>	<b>Summary of Comments received</b>
RBC (Conservation Officer)	Objection based on harm to the heritage asset's setting (Hardman's Mill) by reason of design and materials.
RBC Operations	No comments received
Lancashire County Council Local Lead Flood Authority	Objection
Environmental Health	No objection
Contaminated Land Officer	No objections are raised subject to a standard contaminated land condition.
LCC (Highways)	No objection subject to minor amendments, in addition to a S278 Agreement for off-site highway works and planning conditions.
Environment Agency	No objection subject to conditions
Ecology Consultant	No objections raised subject to conditions.
Highways England	No comments received.
Bury MBC	No objection.
Lancashire Constabulary	No objection subject to conditions / informatives.
United Utilities	No objections subject to conditions.
Tree Officer	No comments received.
Rossendale Civic Trust	Objection on the following grounds – the design, materials and layout are not appropriate for this gateway location in close proximity to Hardman's Mill. Concerns are also raised in terms of highway safety and traffic impact.

## 6. **NOTIFICATION RESPONSES**

To accord with the General Development Procedure Order a press notice was published on 08/07/16, site notices were posted on 12/07/16 and 45 letters were sent to neighbours. No responses have been received.

## 7. **ASSESSMENT**

The main considerations of the application are:

1) Principle; 2) Visual Amenity and Heritage Impact; 3) Ecology and Landscaping; 4) Neighbour Amenity; 5) Access/Parking/Highway Safety; 7) Neighbour Amenity; 8) Crime; 9) Drainage and Flood Risk, 10) Contamination; and 11) Planning Balance.

### Principle

Full planning permission is sought for the erection of 3 industrial units (Use Class B2/B8), with ancillary two-storey office accommodation, and with associated service yards and staff

car park. The site is within the Urban Boundary of Rawtenstall and the Core Strategy (Policy 10 and AVP4) identifies the site as a key employment location which the Council will seek to protect and make best use of. The site is also within the Urban Boundary of Rawtenstall.

For the reasons above the proposed development is acceptable in principle in accordance with the Rossendale Adopted Core Strategy.

### Visual Amenity and Heritage Impact

The application is accompanied by a Design and Access Statement which explains the general design principles for the development of the site.

As originally submitted the buildings had a limited amount of glazing with no real frontage, and being predominately constructed from Metallic Silver and Merlin Grey cladding. The buildings were designed with a curved roof. The Council's Conservation Officer commented as follows:

*"I believe a simplified design without a curved roof would improve the scheme, with reconsideration of the doorways and glazed sections to a more understated design. It is not possible, based on what is submitted to assess the suitability of the proposal in terms of impact on the Grade II listed Hardman's Mill. It is not clear from the application whether an industrial unit in this location is appropriate in the immediate setting of a Grade II listed Hardman's mill. Any development in close proximity to the mill should be subservient and not dominate the listed building...based on the elevations submitted I have some concerns about the design of the units and their proximity to the asset in assessing against our policies, in particular policies 16, 23 and 24 of the Core Strategy."*

Discussions were held with the applicants and their agents to seek to address the concerns above and it was agreed to provide amendments to the scheme as follows:

- Pitched roof to replace the proposed curved roof;
- Improvement of the elevations to provide a more attractive frontage- including more glazing;
- Use of materials of a more appropriate colour in this location (Pure Grey and Anthracite); and
- Enhancement of landscaping in particular tree and hedgerows around the perimeter of the site.

The Council's Conservation Officer has reviewed the material samples and the CGI facing southeast towards Hardman's Mill encompassing the two smaller units and has noted that the impacts of the proposal are now made evident. The full response is set out below:

*"I understand that landscaping details in the eastern part of the site are yet to be finalised and the suitability of the proposal in part relies on a suitable landscaping scheme particularly in this part of the site, due to the impacts on the listed building the industrial units will undoubtedly have.*

*The larger unit to the west of the site is of less concern being some distance from the listed building and as such less impactful on its setting. However it is anticipated that this unit will have some impact on the wider setting of the mill.*

*The smaller industrial units to the northeast of the site will be in clear view facing south towards the mill from the A682 which is a key route into and out of the borough. The industrial units are distinctly modern and functional, and are proposed as steel clad in grey with a darker grey to the roof. Requested amendments to design have been accepted and taken forward, which has improved the overall design of these units, which goes some way to mitigate the harm cause by the units. In isolation, I would consider the design of the units to be acceptable. However, in this context where the site is on a key approach corridor, and in the setting of a listed building, it would be expected that the design takes cues from its surroundings, including plan form, materials and overall design. I believe the plan form is acceptable being of simple design. However, given the stone construction of the mill and its prominence currently in views along the approach corridor, stone construction would be the expected material, which would help to alleviate the harm caused to the mill by the introduction of the units. Consideration could also be given to alternative materials but its intended end use would restrict design and materials significantly. The principle of development in this location is not unacceptable in heritage terms providing the proposal is of a suitable design (including materials). However, the proposal at present falls short of providing a suitable design (materials) that respects its sensitive gateway and heritage context.*

*According to Policy 23 of the Rossendale Borough Council Core Strategy DPD, the Council will ensure that new developments promote the image of the Borough, through the enhancement of gateway locations and key approach corridors. In order to accord with this policy, the proposal would need to ensure that the design respects its sensitive gateway site. Using stone rather than steel would possibly satisfy this policy aspect subject to detail. Although the use of steel to complement the colour of stone and adjacent development has been agreed the proposal still presents a very stark appearance when viewed from the A682 and in the context of the listed building.*

*Policy 16 pf the Core Strategy DPD sets out that “The Council will protect, conserve, preserve and enhance Rossendale’s historic built environment including Listed Buildings...Their futures, including their settings will be safeguarded and secured by:*

*1. Promoting the positive management of the Borough’s heritage assets, avoiding unnecessary loss and requiring appropriate mitigation of any negative impacts.*

*5. Ensuring that all development is:*

*a. Located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhances the character and context.*

*b. Of a high standard of design, reinforcing the local distinctiveness of Rossendale”.*

*At present the proposal does not accord with this policy due to materials and design which appear stark in contrast to the adjacent listed building and on the key approach corridor.*

*Use of landscaping to “soften” the impact of the units in particular at the northeastern part of the site may go some way to alleviate this harm, but without full details it is difficult to identify the exact level of harm/mitigation. It must also be borne in mind that a landscaping scheme may only go some way to screen views of the buildings but should not be used to screen development that is deemed unacceptable due to materials.*

*The use of a stone boundary wall in this location may not be possible due to road stability issues but this may go some way towards addressing the harm caused but again should not be used to screen development that is deemed unacceptable.*

*Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

*Paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, which would include the use of the site as employment land.*

*The proposal as it currently stands is contrary to policies 16 and 23 of the Core Strategy DPD. Any harm would be required to provide clear and convincing justification, as per paragraph 132 of the Framework.*

*Framework guidance sets out that "A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such studies can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way."*

*If it is not possible to redesign the scheme or re-orientate the buildings in a less impactful way due to site constraints, then the harm to the heritage asset's setting and policy considerations would need to be assessed in the planning balance."*

The concerns in respect of the impact of the development on the setting of a heritage asset will be considered further below.

### Ecology and Landscaping

The applicant has provided an Ecological Appraisal which has been reviewed by the Council's Ecological advisors, Greater Manchester Ecology Unit (GMEU). They have commented that the survey appears to have been undertaken to an appropriate standard. GMEU have made the following observations to officers:

- No mature trees can be felled without a bat survey being provided and the findings and recommendations agreed in writing with the Local Planning Authority.
- Without mitigation the development would result in a negative impact on biodiversity in the local area, contrary to the Framework. Adequate land is being set aside for landscaping to enable mitigation on site and this includes native planting. Some of the species are not native or locally native and need to be amended.
- A number of suggestions have been made, including species, and the applicant has undertaken these have been provided in the revised landscaping plan.
- Submission of a more detailed management plan for Himalayan Balsam via condition.

In terms of landscaping, the Landscape Proposals drawing shows a detailed scheme which has been amended to reflect the comments from the Council's Ecological advisors and comments from officers, particularly in relation to enhancing the amount of tree planting along the northern boundary. Lancashire County Council Highways has confirmed that the embankment supporting the highway along the north eastern boundary of the site is adopted and that the applicant will need to provide a detailed structural - landscape report showing the implications and potential risks to the integrity of the highway embankment that the landscaping and maintenance could present i.e. to establish if it is possible to safely landscape this area. This report will then enable Lancashire County Council Highways to determine if a planting license can be granted under Section 142 of the Highways Act 1980. They have also explained that the ownership and subsequent maintenance of the landscaping must be undertaken by the applicant/owner.

Officers consider that good quality landscaping in the north eastern boundary of the site is key to reflect the character of the area and to act as a screen to the buildings proposed and as such are very keen to explore all potential landscaping opportunities along this embankment. The applicant has confirmed that they are willing to landscape the embankment and are in the process of having a structural landscape survey prepared. On Friday 2 December 2016 the applicant's Landscape Architects met with Lancashire County Council Highway Officers and Asset Team on site to discuss the proposed landscaping within the embankment and it is understood that the proposals are acceptable in principle. Members will be updated on this matter within the Update Report.

#### Access / Parking / Highway Safety

Section 4 (paragraph 32) of the Framework states that all developments generating significant amounts of movement should be supported by a Transport Statement, and in terms of decision making, the following key issues should be considered:

- The opportunities for sustainable transport modes have been taken up;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

The application was accompanied by a Transport Statement prepared by Curtins which has been assessed by the Lancashire County Council Highways. In terms of traffic impact, they have confirmed that the proposal is acceptable in this regard however a number of amendments were requested in relation to providing safe routes to the development site for pedestrians and cyclists and to identify and upgrade links to the surrounding network of routes. The amendments are reflected on the Site Layout Plan (Rev L).

Lancashire County Council Highways has also identified off-site highway works which are necessary to make the development acceptable and include the upgrade of the pedestrian route from the site to New Hall Hey Road and the provision of a Traffic Regulation Order (TRO) to restrict on-street parking on the New Hall Hey Road. These will be secured through planning condition and a Section 278 Agreement with Lancashire County Council Highways.

Accordingly, as no objections are now raised, subject to conditions, Officers are satisfied that the proposal will not result in severe cumulative impacts on the highway network in accordance with the Framework and Core Strategy Policy 8.



## Neighbour Amenity

Core Strategy Policy 24 requires new developments to be designed to protect the amenity of the area, including residential amenity in terms of light, outlook, landscaping, and mitigating noise and light pollution. One of the 12 core planning principles within the Framework states that planning should “*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*” Specific guidance in relation to assessing noise impact is provided in the Planning Practice Guidance (PPG).

In this case the site is some distance away from residential properties, the nearest being 150m away to the north however this is beyond the A682 bypass. On this basis the Council’s Environmental Health Officer found that due to location and distance of nearest residential and noise sensitive premises, it is considered that no objections or operating / construction restrictions are necessary. The proposal is compliant with the Framework and Policy 24 of the Core Strategy with regards to neighbour amenity.

## Crime

The proposals have been reviewed by the Designing Out Crime Officer at the Lancashire Constabulary who has made the following comments:

- In the last 12 month period there have been 29 burglaries and 17 criminal damage offences reported in the area around this site. In order to reduce the risk of offenders targeting the industrial units, a number of crime reduction measures should be incorporated in line with the Rossendale Core Strategy when determining the outcome of this application.

The recommendations will be secured by planning informative and / or condition where appropriate.

## Drainage and Flood Risk

Lancashire County Council as the Lead Local Flood Authority (LLFA) initially objected to the proposal for the reason that a Flood Risk Assessment (FRA) was not submitted with the application, and noted that this is necessary given the site area exceeds 1ha, even though the site is located within Flood Zone 1. Subsequently the applicant submitted an FRA in September, for the LLFA’s review. On 28 November the LLFA responded with a further objection, the reason being that the applicant intends to construct a building over a culverted ordinary watercourse. In the FRA section 4.2 it refers to an eastern culverted watercourse that flows beneath the north east of the site. The size of the culverted watercourse is unknown and whilst the FRA acknowledges this structure, it recommends further investigation using a detailed CCTV survey to determine the structural stability of the culverted watercourse. In the submitted proposed drainage layout (15106/C/53/Rev B) there is no indication of this culverted watercourse that should run beneath Unit A at the north east of the development site.

The LLFA has requested that the applicant identifies the current location of the culverted watercourse that runs beneath the north eastern section of the development site to ensure that it is appropriately accounted for and considered in the sustainable drainage design for the development proposal. The CCTV survey should also establish the culverted watercourse's condition and capacity. The letter states that the objection can be overcome by modifying the proposed drainage layout or diverting the eastern culverted watercourse to

ensure that no structures are constructed over the culvert and that access for ongoing maintenance is clearly identified and provided.

On Monday 5 December 2016 the applicant provided an addendum to the FRA which states: *“As per your email, the FRA does show an indicative route of a culverted watercourse crossing the site from the north-east. Since the FRA was produced, David Goodger from David Goodger & Associates Ltd has traced the route and is shown in the attached sketch. The existing culver was found to stay on the opposite side of New Hall Hey Road to the site and run to the south-east along the road until it discharges into the River Irwell.”* This has been referred to the LLFA and their further comments are awaited. Members will be updated in the Update Report.

United Utilities have reviewed the proposed drainage arrangements and have no objections subject to conditions in relation to foul water and surface water.

### Contamination

The Environment Agency (EA) notes that the site is situated in a sensitive location with respect to controlled waters (surface water and groundwater). The River Irwell, which is designated as a Main River, is located 25 metres to the south of the site and Alluvium, possibly Till superficial geology and Fletcher Bank Grit Sandstone are shown to be present on the site.

The EA notes that land contamination is suspected to be present on the site and the known historical land use provided indicates that the site has been subject to previous potentially contaminating land uses with filter beds located in the west / north-west of the site. The site was also used as a sports ground and for allotments. A historic infilled reservoir, mill buildings and mill land were identified within the report as being present on site; however these appear to be generally located to the south-east and east of the site. A number of potentially contaminative off-site sources have been identified on the surrounding land, including a railway line/sidings south-east of the site. Mills, associated reservoirs, railway land/sidings, iron works/foundry, a quarry, a hospital, bleach works and industrial buildings were also present.

As a result of the above, the EA have confirmed that planning permission should only be granted if planning conditions are included as listed in Section 9 of this report. Without these conditions, the EA considers the proposed development on this site poses an unacceptable risk to the environment.

### Planning Balance

Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

Officers are mindful that the site is vacant, within a gateway location into Rossendale from the south, and of particular importance is the site's identification within the Core Strategy (Policy 10 and AVP4) as a key employment location which the Council will seek to protect and make best use of. Notwithstanding this, the development plan also includes Policies 16 and 23 which seek to conserve, preserve and enhance Rossendale's historic built environment including Listed Buildings.

### *What are the benefits of the proposal?*

The applicant has confirmed that the largest unit (Unit C) will be used by Solomon Commercials as additional facilities for the manufacture of refrigerated vehicles. The facility allows Solomon Commercials to continue their planned growth for the next five years and will lead to additional jobs over this period. It is envisaged that 100 additional jobs will be provided within five years, and that the processes in the proposed unit will mirror those in the existing factories located throughout Rossendale, which will remain.

It is proposed that Units A and B will initially be rented out to other B2 / B8 operators which will help support Solomon Commercials through the rent received. These could remain this way indefinitely but it also provides Solomon the control in the future should they need to expand further. It is envisaged that Units A and B units could employ 10 people per unit meaning 20 additional jobs within the Borough.

### *Harm to the setting of Hardman's Mill*

The Council's Conservation Officer's comments are set out in full earlier within this report. An objection is raised on the grounds that the proposal falls short of providing a suitable design (materials) that respects its sensitive gateway and heritage context. Several meetings and discussions have taken place in order to fully understand the impact of the proposed development on the setting of the Listed Building and to ensure that a high quality scheme is secured on this site. Whilst this is a substantial site the constraints, levels, easements etc., restrict the amount of developable land available which is evidenced by the amount of floor space proposed when compared to the size of the site. This is a good site for employment and whilst stone buildings would be more in keeping with the Listed Building, it is appreciated that such a construction has associated cost and operational constraints when considering an employment scheme. It is not considered that the scheme could be redesigned or re-orientated to a degree which would have less impact on the heritage asset due to site constraints and as such the harm to the heritage asset's setting needs to be assessed within the planning balance.

This is a finely balanced decision in that the scheme would provide employment uses on a suitable site with associated job creation and secure the retention of a business in the Borough however the site constraints result in a scheme which does impact on the setting of a Listed Building. This can be mitigated to a certain degree by the provision of a good quality landscaping scheme and as such, subject to the applicant being able to demonstrate that sufficient and suitable landscaping can be safely planted within the highway embankment to the north eastern part of the site, in this case the proposals are considered to be acceptable.

## **8. RECOMMENDATION**

That Committee approve Planning Permission subject to satisfactory resolution of landscaping and drainage.

## 9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference
Phase 3 Floor Plan & Elevations	1490/10E
Site Sections Scheme B	1490/103
Site Layout Plan Scheme B	1490/B/120L
Phase 4 Floor Plan & Elevations	1490/11H
Landscape Proposals	250516/001/SJT Rev – revision to be confirmed in Update Report
Tree Constraints Plan	16 5837 06 03 AIA Rev 1
Amended Site Location Plan	N/A
Proposed Drainage Layout	15106-C-53

Reason: To define the permission and in the interests of the proper development of the site.

### Contaminated Land

3. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
  - 1) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete

and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

The submitted Phase 1 report (Ref: EB1069/DM/2928, Issue 01) satisfies Part 1 of the above planning condition

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

4. No occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters.

6. No infiltration of surface water drainage into the ground on land affected by contamination must be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect controlled waters from pollution by ensuring that there are no unacceptable discharges to ground or surface waters.

7. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

Reason: to reduce the risk of pollution to the water environment.

### Materials

8. Notwithstanding submitted details, the development shall be carried out in accordance with the following materials in the locations shown on the approved drawings 1490/11H and 1490/10E, and samples provided to the Local Planning Authority for written approval prior to commencement of development where specified:

- Horizontal profiled wall cladding in Pure Grey in accordance with colour sample Colorcoat HPS200 Ultra
- Horizontal micro rib composite cladding in Anthracite in accordance with colour sample Colorcoat HPS200 Ultra
- Vertical micro rib composite cladding in Pure Grey in accordance with colour sample Colorcoat HPS200 Ultra
- 6 degree profiled roof deck in Anthracite in accordance with colour sample Colorcoat HPS200 Ultra
- Window frames and doors in polyester powder coated aluminium in Anthracite (sample to be submitted for approval)
- Insulated mimic panels - sample including colour to be submitted for approval.

Reason: To ensure that the development will be of a satisfactory appearance.

9. Prior to installation, full details of all window and door designs, including glazed canopies, to be submitted to and approved in writing by the Local Planning Authority (colour Anthracite). The development shall then be constructed in accordance with approved details and they shall be retained as approved thereafter.

Reason: To ensure that the development will be of a satisfactory appearance.

10. Prior to installation, full details of all boundary treatment, walls (including retaining walls) and areas of hard standing shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented to occupation of the development hereby approved.

Reason: To ensure that the development will be of a satisfactory appearance.

### Highways

11. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours

ix) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety and to protect residential amenity.

12. No part of the development hereby approved shall commence until a scheme for the construction of the site access points and the off-site highway works (to include the upgrade of the pedestrian route from the site to New Hall Hey Road and the provision of a TRO to restrict on-street parking on the New Hall Hey Road) has been submitted to and approved in writing with the Local Planning Authority. No part of the development shall be occupied until the works have been carried out in accordance with the approved details.

Reason: For reasons of highway safety and pedestrian accessibility.

13. The car park as shown on the approved Site Layout Plan shall be surfaced and the car parking spaces and manoeuvring areas laid out in accordance with the approved plan, before first use of the premises hereby approved.

Reason: To allow for the effective use of the parking areas.

14. Prior to first occupation of the development hereby approved, details of secure covered cycling and motorcycle facilities shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved plan, before first use of the premises hereby approved and shall be retained therefore.

Reason: In the interests of improving accessibility to the site for pedestrians and cyclists.

15. The electric vehicle charging point shall be installed before first use of the premises hereby approved. This charging point shall be retained as approved thereafter.

Reason: To allow for the effective use of the parking areas.

16. The approved Framework Travel Plan shall be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for a minimum of 5 years.

Reason: To ensure that the development provides sustainable transport options.

#### Drainage and flood risk

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

18. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national

standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public combined sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

#### Ecology and landscaping

19. Prior to any earthworks taking place, a detailed management plan detailing eradication and / or control and / or avoidance measures for Himalayan Balsam shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of which areas will be mechanically controlled and which areas sprayed and that mechanical control once commenced should continue throughout the season. The approved plan shall then be adhered to and implemented in full.

Reason: To eradicate / control Himalayan Balsam in the interests of biodiversity.

20. No mature trees shall be removed along the boundary of the site unless a bat assessment is first submitted to and approved in writing by the Local Planning Authority. The findings and recommendations shall be adhered to in full.

Reason: To conserve and enhance biodiversity and to ensure that any bats are protected.

21. No removal of or works to any vegetation or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority for approval.

Reason: To conserve and enhance biodiversity and to protect breeding birds.

22. Prior to the commencement of development, a plan to show all trees to be retained on site, an Arboricultural Method Statement and Tree Protection Plan providing details of the procedures, working methods and protective measures to be used in relation to retained trees, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be adhered to in full throughout the construction process.

Reason: To ensure retained trees are adequately protected during the construction process.

23. During the first planting season following the commencement of development hereby approved Landscaping Plan listed at Condition 2 shall be carried out to the satisfaction of the Local Planning Authority.

Any trees, plants or shrubs so planted which die or are felled, uprooted, wilfully damaged or destroyed within five years of the date of planting shall be replaced by the



applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality.

## 10. **INFORMATIVES**

1. The applicant / developer's attention is drawn to the informatives set out in the Environment Agency's response dated 20 July 2016.