

## **Application Recommended for Approval**

**APP/2018/0148**

Coalclough with Deerplay Ward

Full Planning Application

Proposed industrial extension (B8 use) to current food storage facility

UNIT 6 AND 7 AND 8 BELSHAW COURT BILLINGTON ROAD, BURNLEY

### **Background:**

The proposal is to erect an extension to an existing industrial unit Cherry Tree Bakery (approx.760sqm) with a link to the existing unit. The site is situated at the end of a cul-de-sac Belshaw Court which is situated on Rossendale Road Industrial Estate.

An objection has been received.

### **Relevant Policies:**

Burnley Local Plan Second Review (Adopted 2006; currently saved)

E3 - Wildlife links and corridors

E5 - Species protection

TM15 - Car parking standards

EW1- Land for Business (B1) and Industrial (B2) and Warehousing (B8) Development

EW4 - Expansion and Improvement of existing businesses

EW5 - Development and Improvement of Major Industrial Estates

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP7 - New Development and the Control of Pollution

Burnley's Local Plan – Proposed Submission Document, July 2017

EMP2 - Protected Employment Sites

EMP3 - Supporting Employment Development

IC3 – Car Parking standards

SP1 – Achieving Sustainable Development

SP4 – Development Strategy

SP5 - Development Quality and Sustainability

NE5 – Environmental Protection

[The document has been submitted to the Secretary of State. No objections were received in respect of Policies EMP2, EMP3, which are now considered to carry significant weight]

National Planning Policy framework

### **Site History:**

None.

### **Consultation Responses:**

**LCC Highway Authority – Initial comments** - The proposal is to erect a B2 storage area for food. The footprint of the proposed building will encroach into the yard area of the adjacent buildings and I would therefore need to know if the area is currently used for material storage, parking and deliveries. I would need to be satisfied that the

proposed development does not impede the operating requirements of the existing uses and that any displaced parking can be safely accommodated within the remainder of the site

Further highway comments were received following the submission of further information as follows: The confirmation that it will be B8 storage will remove the requirement for additional parking over and above that already provided. I am assuming that the planning permission, if granted, will reflect the confirmation of the B8 use. The original application form stated a B2 use (*the application form was amended to a B8 use*).

**Neighbouring Business –**

I wish to object to the proposed development on 2 accounts:-

- The area is already severely congested, particularly since the building of the unit opposite E1-E3 (not yet occupied). This is evidenced by the parked cars to both sides of the road shown in the attached pictures. You will note that cars are parked on the pavement to allow access for the many lorries delivering and collecting in this place. I believe this is a matter of safety for workers and visitors to all businesses on Belshaw Court , in postcodes BB11 5UB and BB11 5ED
- The building is on an area of land in which building is prohibited by the head lease – the designated use of the land for the parking and turning of vehicles

Reference the turning of vehicles the area has had unrestricted use for the turning of articulated vehicles for a period in excess of 30 years. The continuation of this facility is essential to the commercial operation of Peter Scott Printers Ltd and other businesses at this end of the Billington Road Estate

I note that previous searches on immediately adjacent land indicated severe problems for development due to the presence of several mine shafts and associated mine workings

**BBC Environmental Health** – I would ask that a condition be put on for the desk top survey to be carried out now. Once the initial survey is then conducted depending on the findings we could then remove the condition if the findings indicate no contamination is present or if contamination is found the condition would require remediation and the production of a verification report stating the type of work carried out and that the site will be compliant with its end use type..

**Planning and Environmental Considerations:**

The site falls within the urban boundary where development and investment is expected to be focussed. The site forms part of an established industrial estate where policy EW5 of the current Local Plan permits the expansion and improvement of the Rossendale Road Industrial Estate. Policy EMP2 of the emerging Local Plan seeks to protect the site for employment uses falling within Classes B1 (b&c), B2 and B8. The proposed development falls within Class B8 (storage and distribution) and is required to expand the current operations of the site. The development would therefore, in principle, comply with policies GP1 and EW5 of the Local Plan and policy EMP2 of the emerging Local Plan.



*the location of the proposed extension*

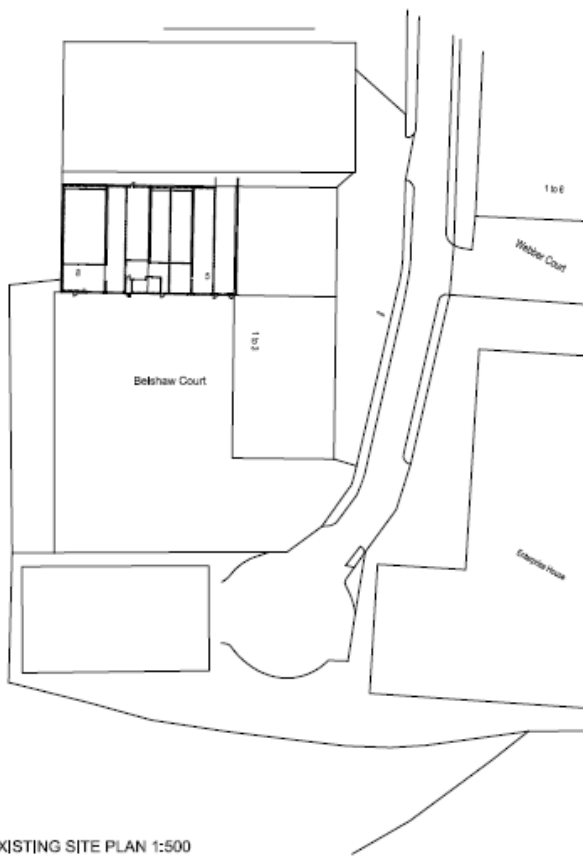
The site is located on the edge of the industrial estate and is currently hardstanding/grassed area. The proposal is to extend onto this area to create additional storage facilities for the business. The 760sqm extension to the south facing elevation of the existing building would extend out by 46m and be used for cold food storage. Two roller shutter doors will be provided, both on the east facing elevation, these will be used to facilitate forklift truck movements. Personnel doors will be added to 3 elevations for fire escape purposes.

The new unit will be linked to the existing unit via a cladding link, the height of the link will match the eaves of the current unit; this will provide sheltered forklift and pedestrian movements.

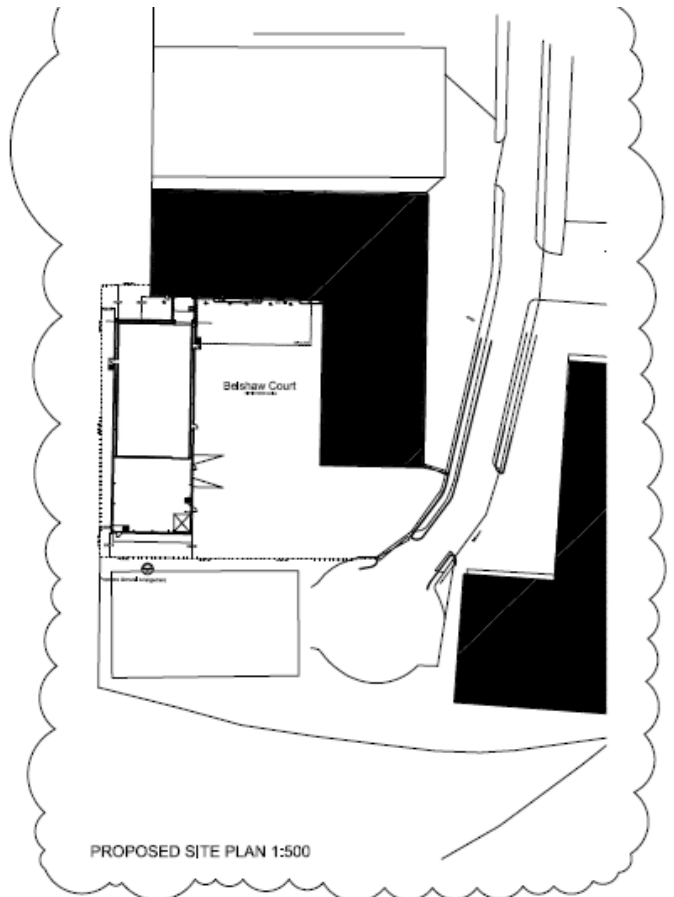
The elevations of both the new extension and cladding link will be insulated cladding sheets, colours to match the existing unit. On plan a pitched roof shape is proposed. The roof will have a 5 degree pitch and be clad in profiled sheet cladding to match the existing unit; the supporting roof and wall structure will be formed in steelwork.

The extension will match the existing materials, i.e. profiled sheeting in silver/grey to the roof and walls with red cills, flashing and gutters. Roller shutter doors and pedestrian doors will be finished in a colour to match.

The proposed extension will be taller (9.727m) than the existing unit (approx.6m) in order to facilitate full height storage; however this will not be overbearing, considering the height of some of the surrounding buildings on the industrial estate.

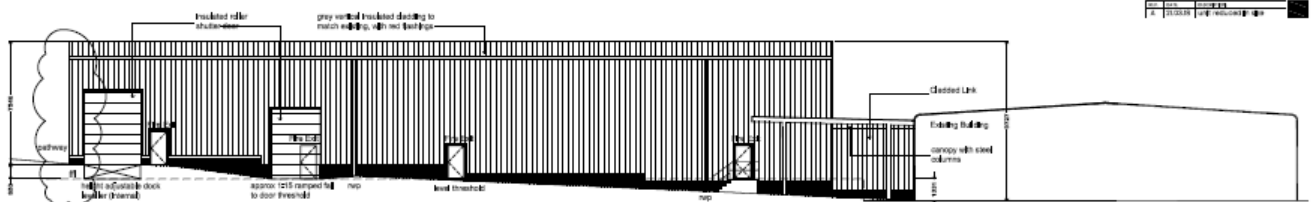


EXISTING SITE PLAN 1:500

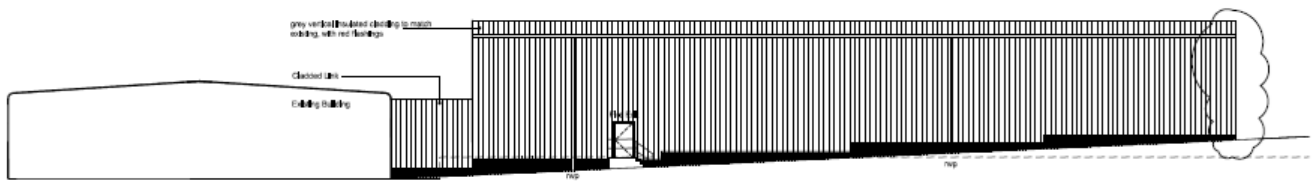


PROPOSED SITE PLAN 1:500

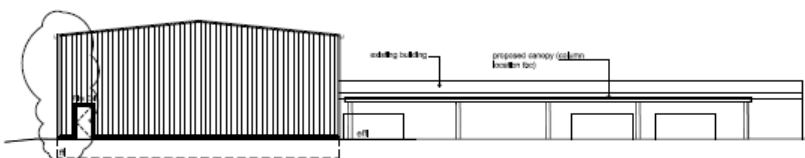
**existing and proposed site layout**



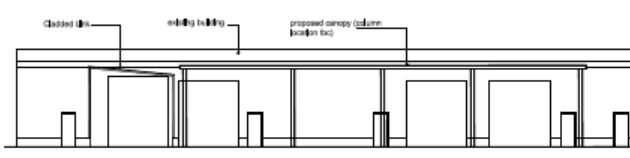
Proposed Extension Side Elevation A



Proposed Extension Side Elevation B



Proposed Extension Gable Elevation C



Proposed Extension Elevation D (glazed link, canopy & existing building)

**Culeth**

**aldrock**  
architects - planning - interior

CIAT RICS

Project No: CHRYSTIE LIBRARY

Project Title: Proposed Development

Sheet No: A AH13\_02

Scale: 1:100

Drawn: [initials]

Check: [initials]

Date: 17 Feb 2016

**proposed elevations**

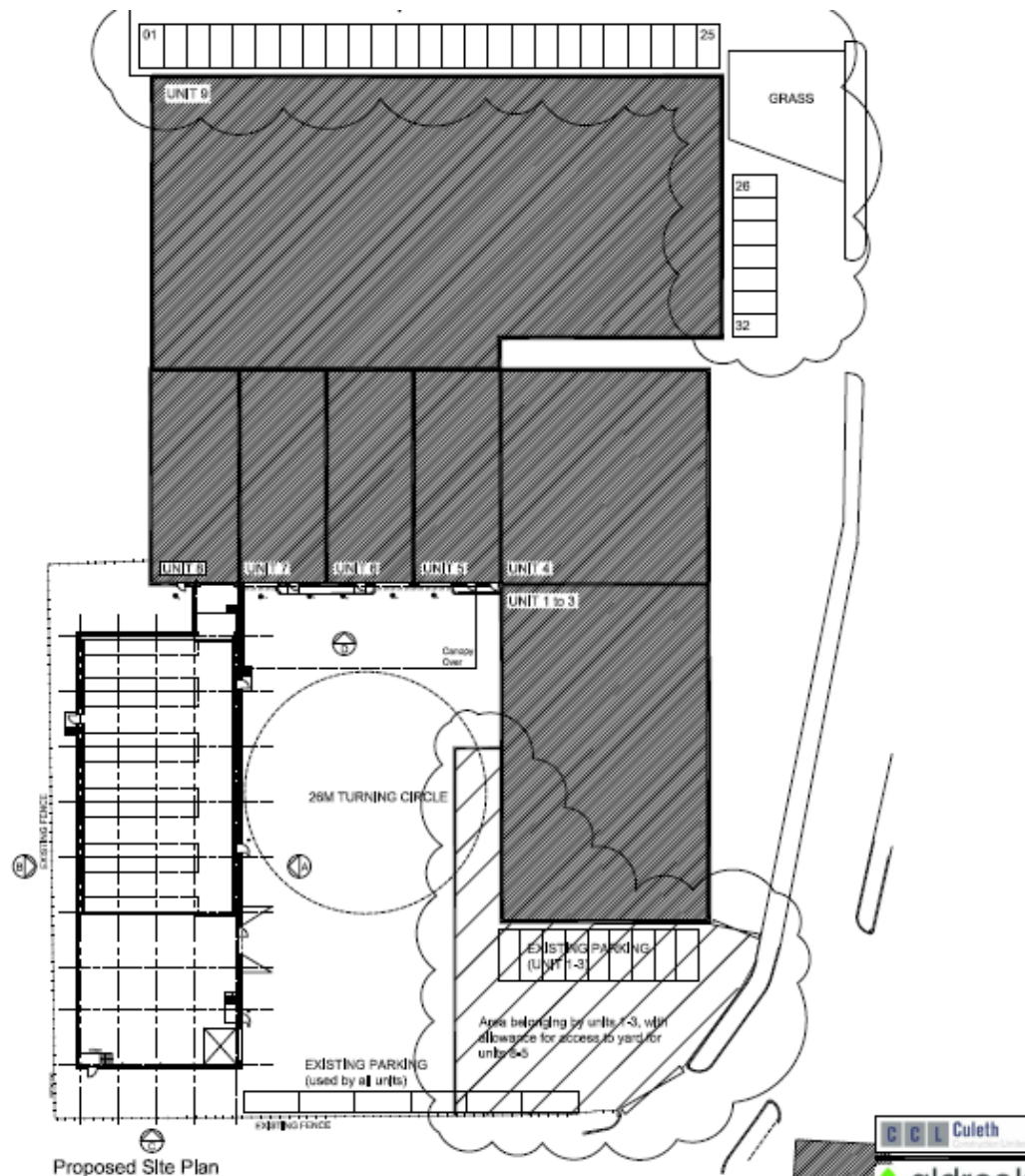
### Highway issues

The applicant has stated that there will be no increase in employee numbers. The existing vehicular access and parking will remain unaffected. Access to the site will be from Billington Road (as existing). The applicant has submitted a plan showing that a 26m turning circle for waggons can still be achieved (see plan below). The Highway Authority has confirmed that no additional parking is required over and above that already provided.

The applicant has confirmed that the use of the extension will be for Class B8 use only (storage and distribution). The Highway Authority have confirmed that no additional parking spaces will be required for the development.

Given that a change or partial change to other Class B uses would generate the need for higher levels of car parking, a condition is recommended to ensure that the development is used and retained in use for Class B8 purposes.

The proposal would therefore satisfy policies EW5 and TM15.



**plan showing proposed vehicular turning circle and existing parking areas**

### **Contaminated Land**

A Preliminary Risk Assessment report has been submitted which states that a number of potential risks associated with contamination have been identified with respect to the proposed development. The report recommends that a site investigation comprising of the drilling of boreholes across the site should be undertaken etc. A condition is therefore required in respect of contamination.

### **Conclusion**

The proposal represents an acceptable form of expansion and improvement to an existing warehouse use within an established employment area and would not lead to any significant impacts on amenity or highway safety. Conditions are recommended to deal with any potential impacts that have been identified.

### **Recommendation:**

Grant subject to the following conditions:

### **Conditions**

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans; Drawing nos. ESD0112\_2DT, AH113\_02 rev A, AH113\_03 rev A all received 21<sup>st</sup> March 2018; additional plan AH113\_04 rev A received 19<sup>th</sup> April 2018 and amended plan AH113\_01 rev B received 18<sup>th</sup> June 2018.
3. Notwithstanding any indication on the submitted application form, the approved extension and approved new industrial building shall be used for Class B8 (storage and distribution use) of the Town and Country Planning (Use Classes) Order 1987 only and notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any provisions equivalent to that Class or any statutory instrument revoking and re-enacting that Order with or without modification) shall not be used for any other Class B use.
4. Prior to any development being commenced there shall be submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development, as well as details of new planting along the southern edge of the site, providing details of species, planting numbers, heights on planting, cultivation, staking and maintenance.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of any part of the approved development or its completion, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
6. No development shall take place 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. The Statement shall provide for:

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

7. There shall be no external lighting on any part of the development unless details of a scheme of lighting have been first submitted to and approved in writing by the Local Planning Authority. Only external lighting approved by the scheme shall thereafter be installed at the site.

8. The external materials of construction to be used on the walls and roof of the approved extension and new warehouse building shall be as described on the approved plans unless any variation to this is otherwise first approved in writing by the Local Planning Authority.

9. The development shall not begin until:

a. A strategy for investigating contamination present on the site has been submitted to and approved in writing by the local planning authority;

b. An investigation has been carried out in accordance with the approved strategy;

c. A written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified on the initial investigation but found during construction work shall be carried out in accordance with details approved in writing by the local planning authority subsequent to its discovery. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

## **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. In the interests of clarity as the application form incorrectly refers to the existing building at Enterprise House as Class B2 (general industrial) use and the proposal provides insufficient car parking for other Class B uses and to safeguard highway safety, in accordance with Policies GP1 and TM15 of the Burnley Local Plan, Second Review (2006).

4. To provide some degree of softening to the edge of the site, in accordance with Policy EW5 of the Burnley Local Plan, Second Review (2006). The details are required prior to the commencement of development to ensure that provision can be made for their implementation at the appropriate stage of the development process.

5. To ensure the satisfactory implementation of the approved landscaping scheme and the achievement of its objective, in accordance with Policy EW5 of the Burnley Local Plan, Second Review (2006).

6. To ensure that the safety and amenities of other businesses and employees in the vicinity of the construction works as well as residents in the wider area are satisfactorily protected, in accordance with Policy GP1 of the Burnley Local Plan, Second Review (2006).

7. To avoid excessive lighting adjoining a rural area, in accordance with Policies GP1 and GP2 of the Burnley Local Plan, Second Review (2006).

8. To ensure a satisfactory appearance to the development, in accordance with Policy GP3 of the Burnley Local Plan, Second Review (2006).

9. To ensure that risks from contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecology systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policy GP7 of the Burnley Local Plan Second Review.