

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: CS

Application No:

3/2012/0669/P

Development Proposed:

Full application for the proposed erection of an industrial unit and alterations to parking provision on land at Lincoln Way, Clitheroe

CONSULTATIONS: Parish/Town Council

Town Council - No objections to this proposal.

CONSULTATIONS: Highway/Water Authority/Other Bodies

Environment Directorate (County Surveyor) – Comments that, whilst the proposal for the additional industrial unit does not include any additional car parking provision, he is satisfied that the existing level of communal parking is sufficient for the type of building and anticipated future uses. There is therefore no objection in principle to this application on highway safety grounds.

Environment Agency – Originally objected to the application for the reason that the proposed building would be within 8m of the top of the bank of Mearley Brook which is designated a main river. The proposal would therefore be contrary to Land Drainage By-laws. The Agency commented that it would be unlikely to give consent for the development because it would unduly restrict essential maintenance and emergency access to the main river watercourse; and that the permanent retention of a continuous unobstructed area is an essential requirement for the future maintenance and improvement works to this river. The Agency did advise that their objection could be overcome by a revised scheme but that the building should still not significantly encroach within 8m of the top of the riverbank. They recommended that the applicant should contact the Environment Agency to discuss their access requirements and provide revised plans and drawings showing the top of the riverbank and detail how any revised scheme would incorporate their requirements.

In order to seek to overcome their objection, the applicant's agent did engage in correspondence with the Environment Agency in accordance with the Agency's suggestion. This culminated in a meeting at the site on 7 August 2013 between the applicant's agent and the Environment Agency's Flood and Coastal Risk Management Officer. At that meeting an agreement was reached whereby the siting of the proposed building was amended to provide 4m clearance to the top of the embankment. An amended plan showing that amended siting was received by the Local Planning Authority on 18 September 2013.

By letter dated 10 October 2013, the Environment Agency confirmed their agreement to a 4m wide access strip as shown on the amended plan received 18 September 2013 and confirm that they therefore withdraw their objection to the proposed development. The Environment Agency, however, further explains that, under the terms of the Water Resources Act 1991 and the Land Drainage By-laws, the prior written consent of the Agency is required for any proposed works or structures in, under, or within 8m of the top of the bank of the main river Mearley Brook. Such an application for Flood Defence Consent has been submitted and has been approved.

United Utilities: Has no objections to the application subject to conditions relating to the submission for approval and subsequent implementation of details of a satisfactory drainage strategy; and the submission for approval and subsequent implementation of a scheme for the diversion of an existing public sewer that crosses the site.

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CONSULTATIONS: Additional Representations.

No representations have been received.

RELEVANT POLICIES:

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Core Strategy 2008 – 2028 Regulation 22 Submission Draft

Policy DMG1 – General Considerations.

Policy DMB1 – Supporting Business Growth and the Local Economy.

National Planning Policy Framework.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

Outline planning permission was originally granted for a development of industrial units at this site in 2002 (3/2002/0970/P). The footprint of the building was fixed under that outline permission. A reserved matters application for some of the industrial units, on the originally approved footprint, was subsequently granted (3/2003/1068/P). Those units have been constructed. No reserved matters application, however, was submitted for the final industrial unit before the original outline permission lapsed on 19 December 2007. This current application therefore appropriately seeks full planning permission for this final industrial unit.

The proposed layout replicates that previously approved, and is informed by the existing site layout. The proposed industrial unit will be attached to the southern end of the longer row of units and orientated at right-angles to it, thereby creating an 'L' shaped row. Parking provision will be laid out adjacent to the east side elevation of the proposed unit.

As originally submitted, the footprint of the building measured 26.6m x 11.5m with a link to the existing building having a footprint of 16.5m x 0.9m, all in accordance with the previously approved scheme. The footprint of the building has been slightly reduced on an amended plan in order to satisfy the requirements of the Environment Agency. The building in the originally approved scheme had a mono-pitched roof but, in this current application, the building has a traditional ridged roof with an overall height of 6.8m and an eaves height of 5.5m. This is considered to represent an improvement in visual terms on the originally approved roof design.

The design, profile and materials are all intended to blend with the existing building. Accordingly, the building now has a ridged roof, the lower elevations are to be faced with yellow buff facing brickwork, and the upper walls and roof would be composite sheet cladding in a colour that is still to be agreed.

Notwithstanding that the size and location of the building was the same as previously granted by the outline permission, the Environment Agency originally expressed an objection to the application. As stated above, however, through negotiations with the Environment Agency, the shape of the building has been amended in order to provide a clearance to the bank top of Mearley Brook that is now to the satisfaction of the Environment Agency. That initial objection to the proposed development is therefore now overcome.

United Utilities have not objected to the application but suggested the imposition of two conditions, one of which requires the diversion of an existing public sewer that crosses the site. As previously stated, the position of the building now proposed, is essentially the same Continued....

as the position for which outline permission was granted in 2002. At that time, I understand that United Utilities were prepared to accept the development subject to a "building over agreement" in relation to the existing public sewer. I consider that the position of United Utilities can be satisfactorily protected by the imposition of a condition that requires, prior to the commencement of development, either the completion of a "building over agreement" or the approval of a detailed scheme for the diversion of the sewer.

There are no planning objections in principle to this development for an industrial unit within an existing industrial locality. The proposal is in accordance with the aim of supporting business growth and the local economy as contained in Policy DMB1 of the emerging Core Strategy and the general intentions of the National Planning Policy Framework.

The County Surveyor has not expressed any objections on highway safety grounds and, in this location, there are no nearby residential properties to be in any way affected by the proposed development. Subject to agreement on the precise colour of external materials (through a condition) the proposed building would not have any detrimental effects upon the appearance of the locality. I can therefore see no objections to this application, subject to the imposition of appropriate conditions.

CONCLUSION:

The proposed development relates to the provision of an industrial unit within an industrial location. It will therefore support business and the local economy and would not have any detrimental effects upon visual amenity, highway safety, or the amenities of any nearby residents.

RECOMMENDATION: That conditional planning permission be granted.