



Professional Planning and Development
Member of the Royal Town Planning Institute



Supporting Planning Statement

Full Application

Change of Use

Units 16- 21 Mitton Road Industrial Estate,
BB7 9JY

On behalf of: TMG Sports Vehicles Ltd

May 2021

Contents	Page
1. Introduction	3
2. The Application Site and Surrounding Area	3-4
3. Planning History	5 -6
4. The Proposed Scheme	6
5. National and Local Planning Policy Context	6 - 8
6. Planning Appraisal	8 - 10
7. Conclusion	10

1. Introduction

- 1.1 This Planning Statement has been prepared by Fitzgerald Planning and Design on behalf of TMG Sports Vehicles Ltd. The statement has been provided in support of a planning application for the change of use of the existing business from class E (former B1 c) use to B2 (General Industrial).
- 1.2 A previous planning approval 3/2017/1224 was granted for a temporary change of use until the end of 2020. This application seeks a full and permanent change of use for the business.

The business operations

- 1.3 The business modifies vans and trucks to create horseboxes, producing approximately 250 boxes a year. TMG have been at the current site on Mitton Road for over 5 years. Previously the business was located at Barrow Business Estate, and operated there for over 20 years as a B1 c use. The business moved to Mitton Road to a new, more energy efficient building with the potential for expansion. The business submitted an application in 2017¹ for an extension to the existing unit which is now complete and in use.
- 1.4 The noisier elements of the process include the use of an angle grinder, a guillotine to cut glass and industrial cutters to remove window frames. These elements take an average of 2 hours out of the whole process of producing a single horse box.
- 1.5 The business has invested in quieter machinery to help mitigate any excess noise and the new extension houses the noisier elements of the production which is located further away from the two residential properties 1 and 2 Milk Marketing board cottages. A plan showing the internal layout of the premises is attached as a separate supporting document.

2. The Application Site and Surrounding Uses

The Application Site

- 2.1 The site is located off Mitton Road on an existing employment site. Mitton Road Business Park currently comprises 21 light industrial units located on the site of a former agricultural/horticultural site and is located in the open countryside approximately 1 mile from the settlement of Whalley. The site has a varied history with approvals for B8 use in 1991 followed by B1 in 1991 and a refusal for a housing development in 2014.

¹ 3/2017/0530

- 2.2 There are 2 residential properties located at the entrance to the site, the nearest being No. 1 ' Milk marketing board cottage'. The property has a large side and rear garden which face onto the east elevation of TMG. An established hedge surrounds the cottage with an approximate separation of 16 metres from the hedge line to the side elevation of TMG.
- 2.3 The site is within a sustainable location, within 0.7 miles of Whalley train station and 1 mile to Whalley. Mitton Road has street lighting and footways on both sides of the road from the town centre to just beyond the entrance to Calderstones Park and a single footway to the site thereafter. Mitton Road carried bus service No. 5 and is a road suitable for cyclists.

2.4 Images of the site and surrounding area



Photograph 1: view looking west to the side elevation of no 1 The Cottages



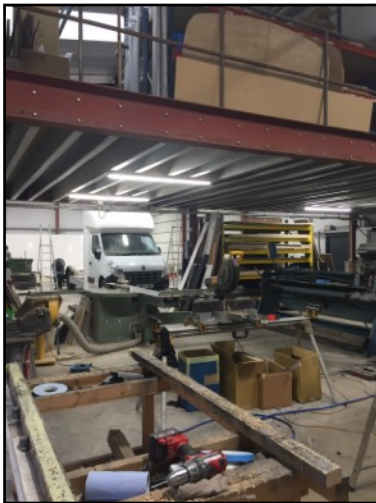
Photograph 2: Front elevation of units 16-21



Photograph 3: View looking from within the service yard area to the west



Photograph 4: View looking east towards the service yard area and the front of the new extension



Photograph 5: Internal shot of the unit



Photograph 6: Internal shot of the new unit

3. Planning History

Planning History

3/2018/0213 - discharge of condition 5 (internal workspace) of 3/2017/1224
Approved 1/5/2018

3/2017/1224 - Change of use from Class B1(Busines) to Class B2(General industrial). Approved with conditions 21/2/18

Note condition 2:

The use hereby permitted shall cease and any associated plants, materials, and equipment shall be removed on or before 31/12/20 and the site restored to its former use to the full satisfaction of the Local Planning Authority unless a renewal of this planning permission has been granted by the Authority.

Reason: This temporary consent has been granted to enable the Local Planning Authority to assess and review the impact of the development against the requirements of Policy DMG1 of the Ribble Valley Core Strategy Adopted Version.

3/2017/0530 - Proposed extension to rear, including two new vehicular access doors and one new pedestrian access door Approved with conditions

3/2015/0235 - Proposed demolition of existing commercial premises and construction of 4 no. small industrial buildings to house 21 starter units of

approx. 70sq m per unit, site access improvements and extensive new tree planting. **Approved with conditions.**

3/2015/0966 - Proposed additional floor space and changes to the layout of building D. **Approved with conditions.**

3/2015/1034 - Variation of conditions 2 (Approved Plans) 4 (Acoustics Report) and 5 (Soundproofing) of planning permission 3/2015/0235. Conditions to be varied so that they are discharged prior to occupation rather than prior to commencement. **Approved with conditions.**

3/2017/0530 - Proposed extension to rear, including two new vehicular access doors and one new pedestrian access door
Approved with conditions

4. The Proposed Scheme

- 4.1 The proposed scheme is for the full and permanent change of use of the existing industrial unit which had temporary consent up until 31/12/20 for B2 use.

There have been changes in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, which has reclassified the current use of the premises from B1C to Class E. Use class B2 General Industrial has remained the same and there has been no change in the permitted development rights between the two classes.

This change of use application from Class E (B1c) to B2 will not involve any change in the business operation or any physical alterations, extensions to the building or any changes to the access.

The application is supported with the following documents:

- location plan
- existing floor plans and elevations
- noise assessment dated 20th December 2017
- parking plan
- internal layout showing machinery

5. National and Local Planning Policy Context

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for the purposes of this application comprises the following:

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance
- Ribble Valley Core Strategy 2014
- Housing and Economic Development DPD October 2019

5.2 Ribble Valley Council Core Strategy 2014

The Core Strategy was adopted by the Council December 2014 and now forms part of the statutory Development Plan for the Borough. It sets out the strategic planning policy framework to guide development in the borough up to 2028.

Most relevant to this site are the following:

EC1 - Business and Employment Development

Employment development will be directed towards the main settlement of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth.

DMB1 Supporting Business Growth

Proposals that are intended to support business growth and the local economy will be supported in principle.

DMG1 - General Considerations

In determining planning applications, all development must conciser the following key considerations; design, amenity, environment, access and infrastructure.

DMG2 - Strategic considerations

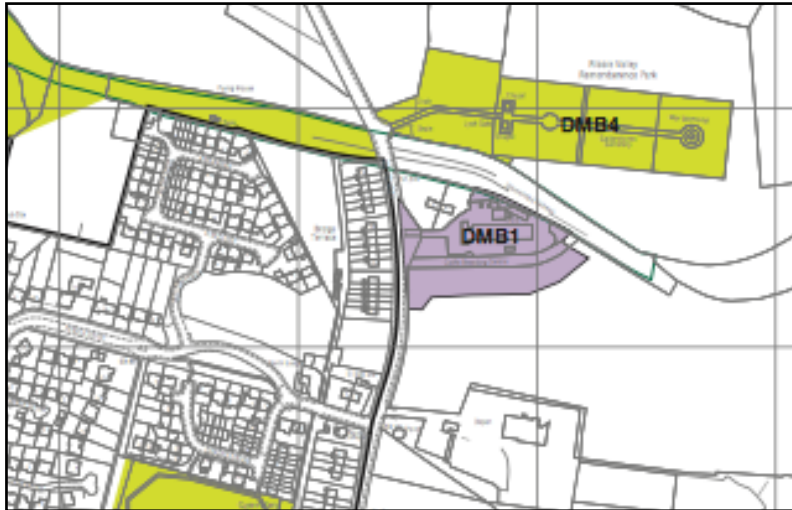
Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.

DMG3 - Transport and Mobility

The availability of public transport, the relationship of the site to the primary road network, the provision for access by pedestrian and cyclists, and the location of the development in relation to its ability to strengthen existing town and village centres which offer a range of employment opportunities will be taken into account in decision making.

5.3 Housing and Economic Development DPD October 2019

The site is identified as a Existing Employment Site in the Proposals map, in accordance with policy DMB1:



Map extract from the adopted HED DPD

6. Planning Appraisal

6.1 The main issues to be considered in the determination of this application are the principle of the proposed change of use, residential amenity and highway safety.

6.2 The principle

The change of use has been accepted in principle, albeit on a temporary basis, by application 3/2017/1224.

The site is located outside the settlement boundary but within an existing employment site which has continued to grow since 2017. Previous to the site being developed for B1 c uses, the site had a historical use for agricultural/horticultural use. Since the previous approval in 2017, land to the west of the site has continued to development with phases 2 and 3 and Mitton Road Business Centre (3/2017/0714).

The extension of the Mitton Road site as a business location is in line with Key Statement EC1 and policy DMB1 supports proposal that are intended to support business growth. TMG is an established business operating in an allocated employment site, the principle of continued employment use is therefore acceptable.

6.3 Residential Amenity

The issue of amenity in particular the impact on the two cottages has been covered in detail by the original application in 2015². The previous agricultural units where TMG is now located, had no hours of use restriction and therefore should they still be in use today, could have caused '*significant disturbance to the two closet residents.*³'

² 3/2015/0234

³ extract from the officers report to application 3/2015/0234

The case officers report states that;

'It is considered that this amendment improves the relationship between existing dwellings and the proposed development by increasing the distance between the curtilage of No. 1 The Cottage and the proposed development to 13m. The side elevation of the dwelling overlooks the site and it is thus considered that the amendments would result in the development not being significantly overbearing or directly oppressive on these residents to a level which is considered to be acceptable. Moreover, the issue of odour is far less likely to result in unacceptable conditions and the Council's Environmental Health section support this relocation.'

In the previous application to extend the unit, there were no major concerns over the amenity of surrounding uses. One letter of objection was received relating to proposed hours of work. The case officers report stated:

'Having regard to the amenity of the area, it is recommended that the hours of working and any other planning conditions attached to the wider industrial site to reduce amenity impacts remain the same as those approved for the main unit.'

No further comments were made as to the use and general operations of the business at the time of this application when TMG were operating as a B1 c use. Appropriate conditions were placed on the new extension limiting hours of operation as well as keeping doors closed during operating hours.

6.4 Application 3/2017/1224

Concerns were raised in the 2017 application with regards to noise, and a full noise assessment was carried out and formed part of the application process. The Council's Environmental Health team were satisfied with the assessment and subject to appropriate conditions relating to the hours of operation, were satisfied that there would not be any significant impact on adjacent residential properties. It is considered with the same conditions placed on any new planning permission, that impact on the nearby residential properties will not have a significant impact.

6.5 Noise Assessment

This change of use application is supported with a comprehensive noise assessment which is a subjective survey of the sources of noise in the area and background noise levels were measured.

The assessment identified that the main sources of noise in the area are road vehicles and industry. TMG contribute to the noise in the area but they are not the only source and there is little difference in the background noise level when the noisier activities, such as angle grinding, are carried out during normal hours of operation. The steps that the business has taken to mitigate noise (the building of the new extension to house these noisier activities, investment in quieter machinery and use of external yard for

jobs which have now moved into the extension) have had a significant effect on reducing the noise levels from the site.

As part of application 3/2017/1224 a machinery plan was submitted showing the fixed location of the various equipment. This same plan is submitted as part of the application and the applicant can confirm that there is no intention to move the equipment.

6.6 Effectiveness of the 2017 consent and conditions placed

The temporary consent in 2017 gave the Council time to monitor the effectiveness of the conditions. To the best of knowledge from the applicant, there have been no formal complaints to the business operation over a 3 year period. In April 2021 complaints were raised with the Council and the applicant has since spoken to the people involved and has shared contact numbers with the foreman on site and has reminded all staff to close doors especially in the warmer weather.

It is considered that the proposal is compliant with policy DMG1 specifically to amenity part 1.⁴

6.7 **Highways**

Highways and parking will not alter as part of this change of use application. Since the 2017 application, a new access into the site has been created which is used for all businesses to access the site. The access which TMG had previously used remains in place but is only for the two cottages and for emergency use.

7. **Conclusion**

This Planning Statement has set out the merits and acceptability of this proposed change of use application.

The noise assessment demonstrates that the proposed change of use will not have a detrimental impact on the nearby properties. It recognises that there are a range of noises which don't solely come from TMG.

The change of use application will satisfy concerns from the Council and allow the business to carry on its operations. Appropriate conditions to control residential amenity, similar to those which were imposed on application 3/2017/1224 would be anticipated on any subsequent permission.

⁴ ' not adversely affect the amenities of the surrounding area