

| Report to be read in conjunction with the Decision Notice. |          |    |       |        |          |    |       |          |
|------------------------------------------------------------|----------|----|-------|--------|----------|----|-------|----------|
| Signed:                                                    | Officer: | LH | Date: | 9.6.26 | Manager: | NH | Date: | 11.06.26 |

|                             |           |              |     |                                                                                                                                                                                                                       |
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| Application Ref:            | 2025/0688 |              |     |  <div>Ribble Valley<br/>Borough Council</div> <hr/> <div><a href="http://www.ribblevalley.gov.uk">www.ribblevalley.gov.uk</a></div> |
| Date Inspected:             | 10/9/25   | Site Notice: | N/A |                                                                                                                                                                                                                       |
| Officer:                    | LH        |              |     |                                                                                                                                                                                                                       |
| DELEGATED ITEM FILE REPORT: |           |              |     | APPROVAL                                                                                                                                                                                                              |

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|--------------------------|-------------------------------------------------------------------------------------------------------------------------|
| Development Description: | Proposed reinstatement of previously approved phase 1 entrance, including a timber fence between phase 1 and phases 2/3 |
| Site Address/Location:   | Former Genus Site (Units 1-21 Mitton Road Business Park) Mitton Road Whalley BB7 9JY                                    |

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|----------------------|---------------------|
| CONSULTATIONS:       | Parish/Town Council |
| No response received |                     |

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|-------------------------------------------------------------------|---------------------------------------|
| CONSULTATIONS:                                                    | Highways/Water Authority/Other Bodies |
| LCC Highways:                                                     |                                       |
| No objection to the revised plans received subject to conditions. |                                       |

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| CONSULTATIONS:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Additional Representations. |
| Representations have been received from two households objecting to the proposal on the following grounds: <ul style="list-style-type: none"> <li>• Increase in traffic and noise</li> <li>• Concerns regarding flooding and drainage</li> <li>• Access restrictions for residential properties</li> <li>• Landscaping inadequate between phase 1 and residential properties</li> <li>• Query need for rumble strip</li> <li>• Concern about manoeuvring in phase 1 given congestion and incorrect parking</li> <li>• Plans submitted do not reflect the current situation on the ground (extension to one of the units, single access road to the rear of building D, suggestion of a fence / barrier between neighbouring properties and the site)</li> </ul> |                             |

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| RELEVANT POLICIES AND SITE PLANNING HISTORY:                                                                                                                                                                                                                                                                |
| <b>Ribble Valley Core Strategy:</b><br><br>Policy DMG1: General Considerations<br>Policy DMG2: Strategic Considerations<br>Policy DMG3: Transport & Mobility<br>Policy DME3: Site and Species Protection and Conservation<br>Policy DME6: Water Management<br><br>National Planning Policy Framework (NPPF) |
| Relevant Planning History:                                                                                                                                                                                                                                                                                  |

### **Phase 1**

#### **3/2024/0607:**

Approval of details reserved by conditions 8 (Foul water drainage scheme) and 9 (Surface water drainage scheme) of planning permission 3/2015/0235. (Approved)

#### **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)

#### **3/2015/0975:**

Discharge of condition(s) 6 (details of external lighting), 7 (contaminated land), 8 (drainage), 9 (surface water), 11 (bat and bird boxes), 12 (highways), 13 (materials), 14 (trees and woodland), 16 (Landscaping) on Planning Permission 3/2015/0235.

#### **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)

#### **3/2014/0978:**

Outline application for residential development of 14 Residential units and 4 no. affordable dwellings with access to the site via the existing drive from Mitton Road, Whalley with all matters reserved. (Refused)

### **Phase 2/3**

#### **3/2017/0714:**

Extension to existing industrial estate (Class B1, B2 and B8 use) to include car parking, landscaping and service infrastructure. (Approved)

### **ASSESSMENT OF PROPOSED DEVELOPMENT:**

#### **Site Description and Surrounding Area:**

The application relates to the northern extents of Mitton Road Business Park, with the site also benefitting from a DMB1 designation, being an existing 'Employment Site'. The site is located outside of any defined settlement limits, being within an area that benefits from an open countryside designation.

#### **Proposed Development for which consent is sought:**

The application seeks consent for alterations to the existing access serving 'Phase 1' of the Mitton Road Business Park also known as the former 'Genus Site'. With consent further being sought for the erection of a 1.2m high estate railing fence to the western extents of 'Building A' and eastern extents of 'Building C'. It is proposed that the fence will act to delineate the northern part of the site from the remainder of the business park, also closing off part of an existing road that connects the northern extents of the site with the southern area of the business park.

The proposed access matches that which was granted permission pursuant to discharge of condition application 3/2015/0975 which sought to discharge conditions from planning permission 3/2015/0235.

#### **Impact Upon Residential Amenity:**

The access to be altered also serves two existing residential dwellings located at the northern extents of the site, namely numbers 1 and 2 'The Cottages'. With the proposed fencing being located approximately 40m to the south of the dwellings.

In respect of the proposed fencing, given its low profile design and the distance of the fencing from the above referenced affected dwellings, it is not considered that there will be any measurable adverse impacts upon the residential amenities of existing or future occupiers as a result.

Approval of phase 2/3 resulted in amendments to the approved access and internal layout of phase 1 so that the northern access closest to residential properties '1 and 2 The Cottages' was to become an access for use by residential and emergency access vehicles only. The inclusion of gates was designed to facilitate this. Unfortunately these gates have never been installed meaning that there has been no restriction on vehicles using this northern access into the wider estate which has increased noise and disturbance levels for existing residents. This has been the subject of an enforcement case.

The proposed access arrangement will mean that all traffic for phase 1 will use the northern access which is adjacent to the residential properties. It will also mean that the access road to the south-eastern edge of No. 1 The Cottages will be used by vehicles / deliveries requiring access to the rear of Building D. Concerns from residential properties are acknowledged, including the noise and disturbance impacts from parking and manoeuvring of HGV vehicles on this access road as well as potential for restricted access to their property. So too is the fact that the neighbouring properties would like clearer separation and boundaries between them and the site. However, given this access / layout arrangement matches the configuration of that which was consented pursuant to phase 1 application 3/2015/0235, it is not considered that the proposal will result in any additional adverse impacts upon existing residential amenities over and above that which was previously consented.

As such, and taking account of the above matters, the proposal does not raise any significant direct conflicts with Policy DMG1 which seeks to ensure of adequate standards of residential amenity and protect against development(s) that would result in measurable detrimental impact(s) upon nearby existing residential amenities.

#### **Visual Amenity/External Appearance:**

In respect of the visual impact of the proposed access alterations and fencing, consideration must be given in respect of the potential for the proposals to result in undue impacts upon the character or visual amenities of the area.

In this respect, Policy DMG1 is primarily engaged, particularly insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state the following:

*In determining planning applications, all development must:*

#### **DESIGN**

- 1. Be of a high standard of building design which considers the 8 building in context principles (from the CABI/English Heritage building in context toolkit.*
- 2. Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

## **AMENITY**

1. *Not adversely affect the amenities of the surrounding area.*
2. *Provide adequate day lighting and privacy distances.*

## **ENVIRONMENT**

3. *All development must protect and enhance heritage assets and their settings.*

### **Assessment of Visual Impacts:**

In respect of the proposed access alterations, given the submitted details solely propose the reconfiguration of the existing access, the visual impacts upon the character of the area as a result of these works would be considered negligible.

In respect of the proposed fencing, amendments have been sought to revise the design to show estate railings rather than a solid fence, and to amend the siting so that the fencing relates better to existing built form and can maximise opportunities for soft landscaping. The fencing will be located within the main body of the business park, largely being obscured from view upon approach along Mitton Road by an existing hedgerow at the western extents of the site, as such it is not considered that the proposed fencing will be read as being anomalous or discordant and or result in any adverse impacts upon the character or visual amenities of the area.

As such and taking account of the above, it is not considered that the proposal will result in any direct conflict with the aims and objectives of Policy DMG1 which seeks to protect against development which would be of detriment to the character or visual amenities of the area.

### **Highways and Parking:**

The Local Highways Authority have raised no objection to the proposal stating the following:

The application seeks to widen an access on Mitton Road which is currently restricted by condition to serve the cottages, pedestrian/cycles and as an emergency access for the commercial units. It is noted that the internal measures to restrict access are not implemented.

The access is proposed to serve Phase 1, 16 commercial units and the cottages. These units are currently served from the new access serving the wider site, phases 1 and 2. Internally a fence will be erected to separate Phases 1 and 2/3 for all vehicles, pedestrian access will be maintained and a new bike store provided.

Mitton Road is subject to a 30mph speed limit, increasing to the national speed limit approximately 150m north of the site access. The visibility at the site access is considered acceptable. Splays of 2.4m by 90m to both sides are required and can be achieved over the highway or applicants land. The access has been increased in width from 5.5m to 7.5m as previously requested. The radius to both sides has been increased from 6m to 12m to accommodate the longest articulated vehicles. The access widening will need to be completed under a S278 agreement with Lancashire County Council.

The proposed internal separation of Phases 1 and 2 will allow pedestrian access to be maintained, although gated, between Phases 1 and 2 for overspill car parking which is considered necessary. The gates should be unlocked or suitably managed to allow pedestrians to move between the two phases.

As such, taking account that no objection has been raised by the Local Highways Authority, , it is not considered that the proposal will result in any measurable conflict(s) with Key Statement DM12 or Policy

DMG3 which seek to ensure the continued safe operation of the highways network and to ensure adequate pedestrian infrastructure and vehicular parking provision is brought forward to accommodate development.

#### **Landscape/Ecology:**

A small area of hedgerow will be removed to facilitate the widening of the existing access at its southern extents, with the submitted Biodiversity Net Gain Statement stating that the extents of hedgerow to be removed will equate to approximately 2.8m. In this respect and taking account of the small extents of hedgerow to be removed it is not considered that the proposal will result in any significant measurable conflict(s) with Policies DME1, DME2 nor DME3 of the Ribble Valley Core Strategy which seek to protect against adverse impacts upon habitat, biodiversity, ecology or protected species and species of conservation concern.

Should consent be granted, conditions will be imposed to ensure any hedgerow removal is undertaken outside of the bird nesting season, unless a pre-clearance check by an ecologist for the presence of nesting birds is undertaken.

It should be further noted that the development is exempt from the mandatory Biodiversity Requirements imposed pursuant to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) given that the proposal falls with the 'de-minimis' category.

The proposed layout indicates new tree planting at the site access which can be secured by condition.

#### **Other Matters:**

Third party concerns not previously addressed are considered below:-

- Drainage / Flooding - Both phase 1 and phases 2 / 3 had conditions imposed relating to drainage on the original permissions and these conditions have been discharged (September 2024 and April 2026 respectively). As such there are no outstanding planning breaches in respect of drainage and the proposed scheme would not materially impact the approved drainage schemes.
- The approved Phase 1 Landscape scheme indicated 3 new trees to be planted alongside Building D (closest to the residential properties) and what is on site is not materially different to this. In any event, this area of the site is outside of the red edge and it would not be possible or reasonable to require additional planting as a result of the proposed scheme.
- The plans submitted do not reflect the current situation on the ground i.e. an extension to Building D is not shown, and a single access road to the side / rear of Building D together with physical barrier at the end next to the residential properties is shown but not in situ. It is important to note that these all relate to land outside of the red edge that does not directly impact on the proposal. It is also important to note that in assessing the scheme regard has been had to both the plans and the situation on site, assuming this will remain. In respect of the single access road shown to the side / rear of Building D with physical barrier next to the neighbouring properties, neither of which are in situ, it is acknowledged this was included on the approved layout plan for phase 2/3 however it was not shown or relied on for the approved Phase 1 layout. The access arrangement as proposed would mimic the approved Phase 1 layout and is deemed acceptable regardless of whether this access road detail (and in turn barrier) is installed. In respect of the single storey rear extension to the rear of Building D which is not shown on the plans, this appears on Google imagery dating back to 2018 as such would be exempt from any enforcement action, and its existence has no bearing on the assessment of the application.

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| <b>Observations/Consideration of Matters Raised/Conclusion:</b>                                                                                      |
| As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval. |
| <b>RECOMMENDATION:</b>                                                                                                                               |
| That planning consent be granted subject to the imposition of conditions.                                                                            |