



May 24, 2021

Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

Dear Adam Birkett,

RE: Planning Application 3/2021/0397 (Land at Barrow Brook Enterprise Park, Barrow, BB7 9QZ)

We wish to make you aware of a number of strong objections that we have with regards to the proposed development on the open space opposite 7 Hey Road (Land at Barrow Brook Enterprise Park, Barrow, BB7 9QZ), please see reference number above. As an immediate neighbour to the site of the proposed development we are of the view that the proposed development could have a serious impact on our quality of life, and believe the proposals raise several health and safety concerns. Our particular focus is upon removing the license for potential use as light industrial units in order to reduce the noise and thus impact upon local residents. We feel that the existing planning permission for offices on the site is more suitable – units with a license for retail and trade would be a compromise far less detrimental to the residents.

Our specific objections are as follows:

- 1) Noncompliance with the National Planning Policy Framework and Ribble Valley Strategic Objectives and Policies pertaining to the adverse impacts on health and quality of life of local residents.**

National Planning Policy Framework, 15. Conserving and enhancing the natural environment, Policy 128: “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.”

Sustainable Community Strategy (SCS) outlined in the Ribble Valley Core Strategy vision 3.3: “An area with an exceptional environment and quality of life for all, sustained by vital and vibrant market towns and villages acting as thriving service centres, meeting the needs of residents.”

Ribble Valley Core Strategy, strategic objective 3.1: “In essence by 2028, Ribble Valley would be an area that can still demonstrate an exceptional environment and quality of life for all.”

Ribble Valley Core Strategy, Strategic objective 3.15: “Ensure neighbourhoods are sought after locations by building cohesive communities and promoting community safety. This will be delivered through development management policies ensuring high standards of design having

regard to initiatives such as designing out crime, appropriate tenure mix, landscaping and location.”

Ribble Valley Core Strategy, Policy 4.1; third bullet point: “Ensure the Ribble Valley is an area where people want to, and can live, work and relax,”

Ribble Valley Core Strategy, POLICY DMR3: “retail outside the main settlements, the proposed use will not cause unacceptable disturbance to neighbours in any way.”

National Planning Policy Framework, 12. Achieving well designed spaces, Policy 127: “Planning policies and decisions should ensure that developments: d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.”

We believe the proposed development is in direct contravention of these policies, if certain aspects are left unchecked. The proposed site backs onto a boundary between residential and commercial land and there is little direct litigation to protect residents in such situations. We ask you to place careful, and if necessary, unique obligations and limitations in order to protect the health and quality of life of residents and comply with the above National Planning Policy Framework.

Although the proposed site may be the same distance from the nearest house as the existing units, both of these properties are side on, whereas the proposed units would be directly opposite the front aspect of three houses on Hey Road (Number 7, 5 and 3). We strongly feel that the current planning application will be more detrimental as result of this. Therefore, we feel that if planning for warehouses to be passed, greater stringency ought to be placed on the use of the property in the application to ensure the health and quality of life for local residents.

We recognise that the proposed site is the last stage of the development on the site opposite our houses on Hey Road, and something will be built for commercial purposes, however, we feel that licensees for use as industrial units could disproportionately affect the health of local residents. Noise from the premises were they to be used for industrial purposes is one such concern.

- A) As per section 5 of the planning application we request that due to the proximity and aspect of the planned units, they be limited to ‘retail and trade counter’ only and that ‘light industrial’ be removed from the application due to higher levels of noise associated with ‘light industrial’. We ask that planning obligations be placed upon the unit removing the license for use as what previously was known as Class B1c – Industrial processes (now class E) but that all other previously class B1 businesses uses remain. The planning application does not take into consideration the impact upon the health of residents and the unneighbourly contribution they would have on the street. Specifically, with regards to Policy 128 from the National Planning Policy Framework - in terms of the cumulative effects on health and living conditions. The application may meet some fluffy ‘legal requirements’ however we ask that you go further to ensure the health of residents in accordance with the National Planning Policy Framework 15 (listed above). We already have issues with the two industrially used units (the Wheel Specialist and Total Foods) and their pertaining activity. These businesses frequently cause distress to residents by operating outside their permitted hours and constant noise into the early hours of the morning, having drastic effects on our sleep and therefore our health. In order to avoid further culmination of these issues, we request in the strongest possible manner that the opening hours on the site be reduced to more sociable hours - and that these carry through to any businesses that obtain permission for use of the premises.
- B) Most importantly we request that refrigerated vans not be permitted for storage/keeping overnight under any circumstances. One such van - owned by Total Foods over 100m away - results in noise levels into the early hours of the morning at over 50dB when measured from

Hey Road properties. Without exaggeration, this sounds like a generator or car engine running right outside your house throughout nighttime hours – in contradiction to the business operation hours set by RVBC. During summer months, when sleeping with windows open is a necessity, the van creates noise into the early hours, and as late as 4am. We are already in conversation with Total Foods and Environmental health. Understandably, we wish to avoid a similar stressful situation in much closer proximity to Hey Road.

- C) Similarly, we request that no motorised extraction/ventilation (as there is behind Ribble Valley Animal Foods) be permitted on the rear of the building directly opposite in such close proximity to residential housing. The rear of the units would be less than 25m from residents on Hey Road, and the noise from such infrastructure pointing directly at our houses on Hey Road would be detrimental to the health and quality of life of residents.

Ei) If our request for a ban on motorised extractor fans on the building is overlooked, we request that requirements be put in place for any ventilation during the initial construction - or added later - be required to be orientated away from the residential buildings on Hey Road. We further request that they are orientated towards the units currently occupied by Ribble Valley Bathrooms, Grafx and ScrewFix. We request they not be orientated towards the nursery and or the units occupied by Ribble Valley Cycles. This would greatly reduce any reverberations and noise pollution experienced by residents.

- Eii) Perhaps most importantly, as they are the most likely to be installed, we request requirements for any air conditioning units installed to be orientated directly away from the residents of Hey Road towards the units containing Grafx, Ribble Valley Bathrooms and ScrewFix. We acknowledge that this may affect the appearance of the units from the front, but kindly ask that the health and street scene of residents of Hey Road be prioritised.
- Eiii) We request requirements for the use of any such ventilation, if installed, be limited between 9am-6pm in order to allow residents to sleep peacefully. If such limitations cannot be placed in addition to the working hours, then we request the working hours be shortened to start later than the 7am applied for (section 19 of the application) and maintaining of the 7pm currently proposed, even an adjustment to 8am would make a huge difference to residents.

- D) We request that if the units are to be used for 'light industrial' then requirements are put in place for the units be sound proofed to prevent disruption to the residents of Hey Road for internal noise i.e. if power tools are to be of regular use.

2) Detrimental impact upon Landscape Character and Design of the local residents (Feel of the street)

National Planning Policy Framework, 12. Achieving well designed spaces, 127.

"Planning policies and decisions should ensure that developments: d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit."

Ribble Valley Core Strategy, Strategic Spatial Policy, 8.7 Matters appropriate for Planning obligation contributions include, bullet point 19: Landscape Character and Design

Ribble Valley Core Strategy, Development Management Policies, POLICY DMG1: GENERAL CONSIDERATIONS, 10.4 bullet points 1 and 13:

“BE OF A HIGH STANDARD OF BUILDING DESIGN WHICH CONSIDERS THE 8 BUILDING IN CONTEXT PRINCIPLES.

“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.”

National Planning Policy Framework released by the Ministry and Housing, Communities and Local Government, Policy 128: “Design quality should be considered throughout the evolution and assessment of individual proposals. ... Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.”

We believe that the proposed development is a direct contravention of these policies.

2a) According to the ‘Design and Access Statement’ submitted by Lee Hough Chartered surveyors, there is a ***“separation distance of over 24m along the southern boundary means that there will be no associated impacts on the residential amenity of the nearest neighboring occupants”***.

The proposed unit, which is ***“roughly”*** 16.5 meters deep plus a 24m distance to the nearest residents totals 40.5m. There is also a mottled grey area I have marked as B, which I presume is curbed landscaping giving a total of over 41m. However, from point A - which I have marked on the image below - measures 40.361m to the nearest house (measured using an industrial laser along the dotted red line). Therefore, the developers cannot build the project 24m from the nearest property to their specifications of 16.5m in depth and meet the required 24m. Taking this all into account, we suggest that an accurate assessment of the proximity to the nearest neighboring occupants would be closer to 23m if measured to the houses and therefore will not meet the required building regulations for fire and safety.



2b) The proposed units do not respect the street pattern. In particular, the scale and proportions of building along Hey Road - a residential street with a wide and open feel. Along the road there are breaks between each of the houses, the largest building front along the road opposite the residents is the unit containing Ribble Valley Cycles with a front of around 100m². The proposal only mentions

reduced ridge height, however, it fails to mention the total frontage of the proposed development facing Hey Road will be 201.665m², double the current maximum (26.5m x 7.610m). Furthermore, this is an added increase 35.665m² (21.48%) from 166m² (20m x 8.3m) to the previous proposal (Planning Application No: 3/2019/0304). This frontage will be more oppressive, with no breaks in the uniform exterior compared to the previous planning application and has no breaks in it. Section 3 of this letter highlights other aspects of the proposal entirely out of character with the existing units on the commercial site.

3) Detrimental to the feel of the street and not in keeping with existing units on the site.

National Planning Policy Framework, 12. Achieving well designed spaces, 127. "Planning policies and decisions should ensure that developments: d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit."

Ribble Valley Core Strategy, Strategic Spatial Policy, 8.7 Matters appropriate for Planning obligation contributions include, bullet point 19: "Landscape Character and Design"

Ribble Valley Core Strategy, Development Management Policies, POLICY DMG1: GENERAL CONSIDERATIONS, 10.4 bullet points 1 and 13:

Be of a high standard of building design which considers the 8 building context principles.

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.

We believe that the proposed development is a direct contravention of these policies. Section 4.0 of the Design Access Statement submitted alongside the proposed Planning Application states:

"The proposed new units are designed to reflect those constructed as part of Phase 1, and constructed of material to replicate those of the previously approved to the Phase 1 Unit/Nursery building thereby maintaining continuity of the site development."

We strongly disagree that the proposed units are designed to replicate the previously approved units in Phase 1:

- Phase 1: contains brickwork up to the ground floor, ceiling height (approx. 2m) this breaks up the building's facade and adds texture and a sense of quality. However, the proposed units by their own admission are designed with a (Quote directly from page 4, section 5.0, Appearance, External materials to comprise, External walls) **"Low level external brick plinth, extending up to ground floor cill level"** which is half the height of phase 1. Furthermore, the rear of the building facing towards the residents on Hey Road is entirely **"external wall cladding"** with no brickwork, for the residents of Hey Road this will not be in keeping with the feel of the street or match the existing units on the site. We strongly request that if the construction of the proposed units is allowed, that conditions be placed on having matching brickwork up to the ceiling height of ground level and that this be on all aspects of the building - most importantly to the rear of the units facing Hey Road, in order to avoid a solid metal cladding wall with a frontage of 200m². This small change would break up the 200m² front into two sections.

The proposed height of the building in such close proximity to our house, at over 6m+ will block over 90% of the view out of our downstairs lounge window and therefore a large proportion of

the natural light we get. We therefore request, in the strongest possible manner, that the building height be limited to much less than the proposed 6m+ to match the height of the residential buildings. This would also be much more in keeping with the feel of the street.

We also request that the working hours be limited to a more sociable 5 and half days per week 9am-5pm not 7am-7pm. Opening hours starting at 7am (7 days a week) would, especially in an industrial unit, create high levels of noise at unsociable hours for residents. The units on the site with longer hours are much further away from the residential houses and are retail units. We ask that the opening hours of Ribble Valley Cycles, 9am (the closest proximity unit to the residents be used as a guide. The previous opening hours of 7am be discounted as they were for office use.

4) Lack of parking for unit 11

Ribble Valley Core Strategy, 8.13: “LDF evidence base summary papers and consultation so far point to transport issues being important local concerns. This includes the need to protect the high quality environment of Ribble Valley by supporting the use of sustainable modes of transport.”

Ribble Valley Core Strategy, Development Management Policies, POLICY DMG1: “GENERAL CONSIDERATIONS, 10.4 bullet point 3: CONSIDER THE POTENTIAL TRAFFIC AND CAR PARKING IMPLICATIONS.”

Ribble Valley Core Strategy, KEY STATEMENT DMI1: “PLANNING OBLIGATIONS: Obligations will be negotiated on a site-by-site basis.”

We believe that the proposed development would be in direct contravention of these policies. Despite the planned project meeting the requirements (quote of numbers in here) for parking overall, when unit 11 is considered alone it consists of just 5 parking spots. As noted in section 2A of this letter we believe access through from the parking at unit 10 will not be possible and therefore parking is more likely to overflow on to Hey Road.

However, there is already significant overflow onto this road from cumulative poor parking planning at the existing premises surrounding the residential area. We therefore request that the square footage of the planned unit be reduced to enable greater parking facilities, and that fencing be erected along the pavement edge to prevent easy access and discourage further parking along the residential street of Hey Road. This would also encourage customers to meet with the Core Strategy priority for use of sustainable transport using the existing bus stops outside KFC.

Further requests:

- The Oak trees on the site have a ‘Tree Protection Order’ and during the building of phase one on the site opposite Hey Road little regard was shown for these ‘Orders’. We asked that more scrutiny be placed on this aspect of the planning. When phase one was constructed, a number of Oak Trees, despite having a Tree Protection Order on them, were removed. As we understand it these Trees were then ordered to be replaced. They haven’t been. Furthermore, there is currently a fence surrounding just two of the protected trees, not all, and the fence is damaging the tree not protecting it. The oak trees currently under the Tree Protection Order are only young trees and any protection order should protect the life of the tree, we believe the proposed proximity of the building to the trees will limit their growth and therefore should be further from the trees.
- The application also outlines how several of sapling bushes under the oak trees are to be planted, these are intended to continue the set that already line the edge of the nursery car park and onto the proposed site. However, the current saplings on the site and surrounding grass are not maintained and thus the saplings on the site are overgrown by grass and

invasive species. This detracts from the street scene (Hey Road) and we ask that these be maintained more stringently than they currently are.

- We request that the orientation of unit 11 be altered for the big roller shutter door to face towards Grafix and Screwfix.
- We request that the commercial waste bins be contained within a fence to avoid changing the scene of the street more than necessary, should they are to be visible from Hey Road.

In summary, our key points pertain to noise issues and respecting the Tree Protection Orders. We ask that due to the extreme proximity to the properties on Hey Road, that the health of residents with regards sound disruption be taken into account.

We ask that if the law does not need such requirements to be met, you, as our Council, go beyond to ensure the health of residents is enforced. ***We are not asking that the development is prevented*** just that reasonable steps be taken to account for resident's health, for example, air conditioning units to be facing away from Hey Road.

Essentially, ***we wish to prevent the units from being used in a way where the noise from the businesses could be detrimental to the health and sanctity of residents.*** There are already a number of businesses on the site the contribute to the current noise issues, and we believe that cumulatively any further additions with industrial license to this would be seriously detrimental to the quality of life, and the health of residents.

We would be happy for the units to be used like the Wheel specialist, Grafix and Total foods due to their associated noise levels.

Thank you for taking the time to register our concerns, and do not hesitate to contact us for any further information.

Yours sincerely,

