

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

DATE: 7th December 2023

REF: SK

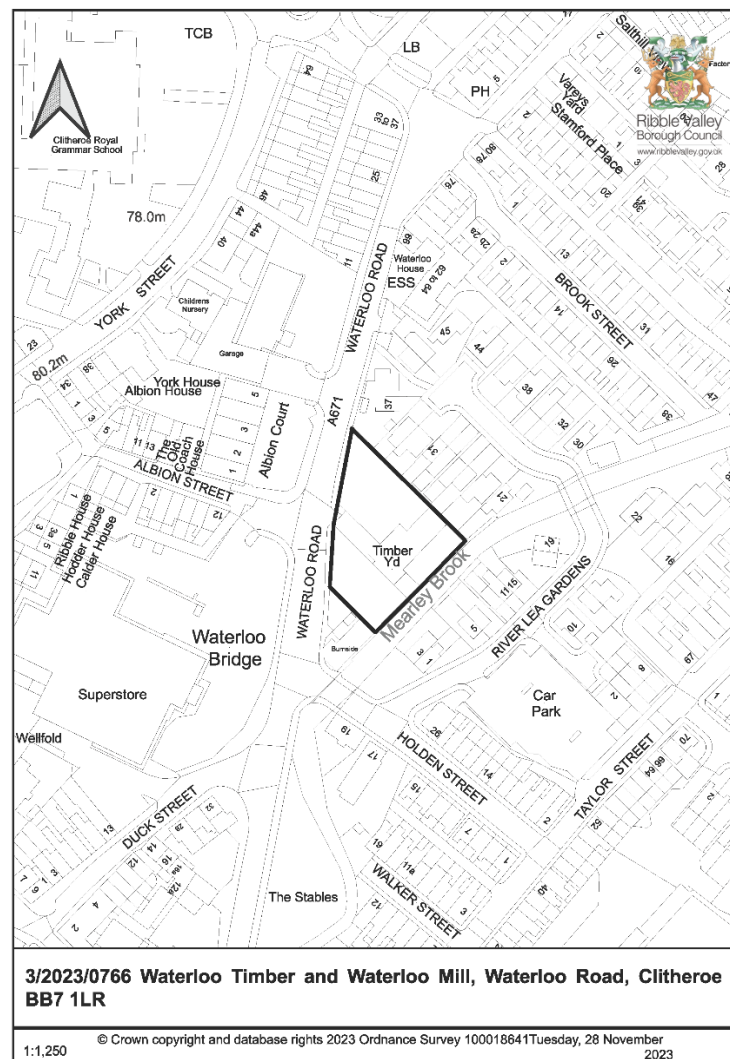
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APPLICATION REF: 3/2023/0766

GRID REF: SD 374649 441949

DEVELOPMENT DESCRIPTION:

PROPOSED PARTIAL DEMOLITION AND ALTERATIONS TO BUILDINGS. CREATION OF LARGER YARD AREA AND PARKING, RE-ORGANISATION OF EXISTING USES WITH THE BUILDINGS. WATERLOO TIMBER AND WATERLOO MILL, WATERLOO ROAD, CLITHEROE BB7 1LR



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Clitheroe Town Council Have raised no objection to the proposal.

LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAYS AUTHORITY):

Lancashire County Council acting as the Local Highway Authority have raised no objection to the proposal subject to the imposition of conditions requiring the submission of a Construction Method Statement, that the site access be implemented prior to first use of the parking/turning area, and that the proposed gates be left in an open position during operational hours to prevent vehicles dwelling/parking on Waterloo Road.

LEAD LOCAL FLOOD AUTHORITY:

The Lead Local Flood Authority have raised no objection to the proposal but have provided the following advice:

The applicant should take note to carefully consider the demolition and construction phase of the re-development in relation to surface water quality given the sites proximity to the river, as well as the impact of pollutants being collected into the drainage system through the use of the new car parked area and the HGV turning area and the impact these could have if discharged into the river without the correct mitigation measures. Given the sites proximity to medium to high surface water flood risk, the applicant could explore options for introducing a betterment through this site re-development by providing surface water attenuation within the car parked area.

ENVIRONMENT AGENCY:

The site lies within Flood Zones 2 and 3 with the applicant having submitted a Flood Risk Assessment and Drainage Strategy in support of the application. In this respect the Environment Agency have raised no objection stating the following:

A basic FRA has been submitted with the application. We have reviewed the FRA prepared by PSA Design, referenced T4099/DW, dated 5 September 2023, and we consider the FRA is appropriate to the nature and scale of the development. We are therefore satisfied that the proposed development would be safe and that it would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. As indicated in the FRA, the applicant as owners of the existing property, will be aware of the potential flood risk and frequency. The applicant should be satisfied that the impact of any flooding will not adversely affect their proposals.

The Environment Agency have further stated that the applicant be informed of the following:

The development site is adjacent to Mearley Brook, which is a designated statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- *on or within 8 metres of a main river (16 metres if tidal)*
- *on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*
- *on or within 16 metres of a sea defence*

- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission*

UNITED UTILITIES:

United Utilities have offered the following observations/comments:

Following our review of the submitted drainage documents; Flood Risk Assessment, prepared by PSA Design, Ref: T4099/DW, the plans are not acceptable to United Utilities.

This is because we have not seen robust evidence that the drainage hierarchy has been thoroughly investigated. If the applicant intends to connect to the public sewer we require a plan showing the proposals for the connection, including a proposed discharge rate, manhole cover and invert levels and the proposed connection point. The applicant advises that the current surface water system may discharge to the watercourse or the sewer and the existing connection could be utilities. The outfall of the current site needs to be investigated before a formal proposal is submitted in order to determine whether the applicant is proposing to discharge to the public sewer.

Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

ADDITIONAL REPRESENTATIONS:

One letter of representation has been received objecting to the proposal on the following grounds:

- Loss of privacy

- Increased noise and disturbance by virtue of intensification of commercial activities
- Building to be demolished is of heritage value
- Detrimental impacts upon the highway

One letter of support has been received citing economic benefits, increased safety for residents/victors and that it will reduce congestion on Waterloo Road currently caused by customer and delivery vehicles.

1. **Site Description and Surrounding Area**

- 1.1 The application relates to the site of Waterloo Timber and Waterloo Mill located off Waterloo Road Clitheroe. The site is located to the east of and outside of the Main centre Boundary of Clitheroe, also being located within close proximity to and to the east of the defined Clitheroe Conservation Area.
- 1.2 The site is a designated Existing Employment Area (Core Strategy DMB1 designation) currently accommodating Waterloo Timber and associated warehouse(s), external storage areas(s), workshop, offices and 'shop'. The southern-most buildings within the site are of a twin gabled appearance being faced in primarily natural stone with the northern most building being of a typical commercial appearance being partially faced in natural stone and profiled cladding.
- 1.3 The Heritage Statement submitted in support of the application provides historical context in relation to the range of buildings within the site stating the following:

The application site has not been well documented and does not appear to have been investigated in detail previously. However, a brief description of the site is provided in 'Industrial Heritage: A Guide to the Industrial Archaeology of the Ribble Valley (1990) by Mike Rothwell and is summarised below;

The application site is comprised of buildings which were once the former Waterloo Brewery believed to have been started by Thomas Hornby, in the latter half of the 1850's. However, the brewery would be taken over by John Tillotson of Colne in 1867, following the failure of Thomas and Richard Hornby. At this time production was limited to 300 barrels per week and the brewery employed less than 10 workers. The business was later run by Tillotson's son, Hargreaves, prior to its sale to E. & J. Crabtree around 1904 who closed down the brewery. During the 1920's the building was purchased by Trutex and was equipped for the manufacture of clothing which continued into the 1970's and has since had a number of uses.

On the brook side of the site is a three storey brewhouse with roof ventilators and adjoining the south west wall of the brewhouse is the former office (now a dwelling) and Burnside House. A two-storey block, possibly the former fermentation house, extends from the tower to Waterloo Road.

Map regression analysis shows the historic development of the site from the mid 19th century up to the early 20th century. With the brewery having been built in the 1850's the site is vacant on mapping dating from the 1840's and is assumed to be open farmland. By 1886, the site is well built up, with the brewhouse to the southeast of the site. The former office and Burnside House are also shown to the southeast of the brewhouse.

The two, two-storey ranges are shown extending north eastwards but only the southeast ranges extended fully towards Waterloo Road. By 1912, the site had changed little with the exception of the northeast range which has been extended towards the northwest and lines up with the gable of the southeast range.

- 1.4 Members will note, notwithstanding the above, the site contains no designated heritage assets and it is considered that the buildings/site are of limited/low archaeological value due to extensive incremental changes that have occurred throughout the lifetime of the buildings.

2. **Proposed Development for which consent is sought**

- 2.1 The application seeks consent for the partial demolition of one of the range of buildings within the site, with a revised and altered vehicular and pedestrian access point being proposed. The submitted details further indicate the installation of 'timber storage racking' within the existing envelope of the 'timber storage' structure to the eastern extents of the site.
- 2.2 The revised vehicular and pedestrian access point will benefit from the installation of a 'double-gated' arrangement that will secure the site outside of operational hours. The partial demolition of one of the buildings within the site will result in the rebuilding of one of the internal facing (north-east) elevations within the site. The proposed site plan indicates that the demolition will allow for an improved internal vehicular manoeuvring area with dedicated car-parking provision also being provided for customers/staff, with the provision of four dedicated bays being proposed.
- 2.3 The submitted details propose that the reconfigured building arrangement will result in the existing warehousing/machinery and workshop areas being accommodated within the larger northern building as per the existing arrangement. With the building where partial demolition is proposed now accommodating reconfigured 'retail' areas and a canteen for staff. The applicant has confirmed that the retail areas will solely be for the sale and display of products/good related to the existing timber yard, a such there would be no direct conflict with the Existing Employment Area designation of the site.

3. **Relevant Planning History**

3/2004/0146: Alterations to the north elevation to form a fire exit door and steps, and 2no. windows. (Approved)

3/2001/0744: Enclosure to house filtration plant above roof level of existing timber storage building. (approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement DMI2 – Transport Considerations

Key Statement EC1 – Business and Employment development

Key Statement EC2 – Development of retail, shops and community facilities and services

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport & Mobility
Policy DME6 - Water Management
Policy DMB1 – Supporting Business Growth and the Local Economy

National Planning Policy Framework (NPPF)
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 Given the proposal seeks consent for the reconfiguration of an existing designated Existing Employment Area, Key Statement EC1 and Policy DMB1 are primarily, but not solely, engaged for the purposes of assessing the compatibility of the proposed development with the aims and objectives of the adopted development plan.
- 5.1.2 In respect of the above, Key Statement EC1 states that *‘employment development will be directed towards the main settlement of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth’* with Policy DMB1 stating that ‘Proposals that are intended to support business growth and the local economy will be supported in principle’.
- 5.1.3 As such and taking account of the above matters, notwithstanding other development management considerations, the principle of the physical reconfiguration of the site, including the reconfiguration of the existing uses are considered to be in broad alignment with the aims and objectives of Key Statement EC1 and Policy DMB1.

5.2 **Impact upon Residential Amenity:**

- 5.2.1 The existing site/buildings are bounded to the north-east by existing residential properties fronting River Lea Gardens with the southern range of buildings benefitting from a direct physical attachment to ‘Burnside’ a residential dwelling that benefits from a corner location on the junction with Waterloo Road and Mearley Brook Bridge.
- 5.2.2 In respect of the residential properties to the north, no operational development is proposed in this area, save that for the installation of timber storage racking within the envelope of the existing timber storage building. As such the perceived visual change and visual impact resultant from the physical presence of the racking is likely to be minimal when viewed from the rear windows of these properties. It is accepted that the presence of the racking may result in additional activities within this area, however it is not considered that such an increase, by virtue of the racking alone, would result in impacts that would warrant mitigation or raise significant concerns in respect of impacts upon residential amenity.
- 5.2.3 The southern elevation of the southern-most range of buildings that have a direct interface with ‘Burnside’ to the south will remain largely unaltered with the retention

of an existing first-floor escape door. It is noted that this elevation has a direct-facing relationship with the garden area of Burnside by virtue of three existing first floor windows and the aforementioned escape-door (and associated external fire stairwell), with the current relationship being poor in terms of direct-intervisibility between both elements. However, given there are no alterations to this elevation it is considered that the development will not result in exacerbating the already poor relationship between the application building and the existing dwelling.

- 5.2.4 Representations have been received raising concerns in respect of potential intensification of commercial activities on site leading to potential additional noise and disturbance. However, members will note that the existing activities undertaken on site could intensify regardless of the proposed works with no current mechanisms in place to limit such intensification. Notwithstanding this matter, any increase in related activities will largely be contained within the reconfigured site arrangement and as such are unlikely to result in measurable impacts upon nearby residential receptors.
- 5.2.5 As such and taking account of the above matters it is not considered that the proposed development will result in any significant measurable detrimental impacts upon nearby residential receptors to a degree that would warrant the need for mitigation nor warrant refusal on these grounds. In this respect the proposal is not considered to result in any significant direct conflict with Policy DMG1 of the Ribble Valley Coire Strategy which seeks to protect and safeguard existing and future residential amenities from adverse impacts.

5.3 Visual Amenity/External Appearance:

- 5.3.1 The majority of the proposed works will result in the partial demolition of one of the southern most buildings within the site, creating an enlarged internal courtyard arrangement. This will necessitate the partial reconstruction of one of the southerly boundary walls that fronts Mearley Brook to the south, with the reconstruction of one of the internal facing elevations (northeast) of the part of the building to be retained. It is further proposed that new 'racking' for the storage of timber will be erected within the existing envelope of the timber storage structure located at the eastern extents of the site adjacent the rear garden areas of residential properties fronting River Lea Gardens.
- 5.3.2 The proposed demolition will result in the range of buildings being read as being of a single gabled appearance in-lieu of that of the current twin gabled appearance when viewed from Waterloo Road. Whilst it is accepted that this will result in notable visual change within the streetscene, it is not considered that such change will result in a detrimental impact upon the immediate nor wider area, particularly insofar that the current character and visual appearance of the site is largely utilitarian both in configuration and appearance.
- 5.3.3 The partial demolition of the building(s) will necessitate the partial reconstruction of one of the southerly boundary walls that fronts Mearley Brook to the south, with the submitted details proposing that the wall will be rebuilt utilising random rubble natural stone with stone coping. This elevation is largely only afforded views from the south, from within the public realm associated with the residential development River Lea Gardens. In this respect the visual impact of the demolition and partial

rebuilding of the wall is unlikely to result in any adverse visual impact(s) upon the immediate or wider area.

- 5.3.4 Taking account of the above matters, it is not considered that the proposed development will result in any measurable nor quantifiable detrimental impact(s) upon the character or visual amenities of the immediate or wider area and as such no direct significant conflict with Policy DMG1 of the Ribble Valley Core Strategy, which seeks to ensure that the visual appearance of development remains compatible with and responds positively to the inherent character of the surrounding context.

5.4 Landscape and Ecology:

- 5.4.1 The application has been accompanied by a Bat Survey Report, the report concludes that the building(s) are located on a very busy road and opposite a constantly used car park, where the traffic noise is significant. The building(s) are part of a thriving business with vehicles frequenting the site constantly, together with plant machinery movements and saw machinery being used throughout the day with high levels of noise being generated. The light pollution in the locality is significant ie. street lighting, car park lighting and intermittent lights directed towards the building from the manoeuvring cars on the car park opposite (Tesco) and security lighting within the yard area of the business. There is also a distinct lack of forage habitat in the immediate locality. Bat activity was not detected in or around the building during the survey. As such the proposed demolition and reconfiguration of the site will not disturb or impact adversely on any local bat population nor is it likely that any bats will be uncovered or disturbed during the roof removal.

- 5.4.2 Taking account of the above it is not considered that the proposed development will result in any adverse impacts upon protected species or species of conservation concern. As such no mitigation is required to offset the impact of the development upon protected species.

5.5 Highway Safety and Accessibility:

- 5.5.1 The proposed partial demolition of one of the buildings within the site will result in a significant widening of the existing primary vehicular and pedestrian entry point fronting Waterloo Road, with a double gated arrangement being proposed to be installed which will be set back from the immediate highway to the north. In this respect the Local Highways Authority have raised no objection to the proposal in that the reconfigured site arrangement will result in an improvement over the current arrangement and will allow 12m Rigid Wagon Vehicles to enter, turn and exit onto Waterloo Road in forward gear.
- 5.5.2 The Local Highways Authority have requested that conditions be imposed in relation to the requirement to submit a Construction Method Statement, that the site access be implemented prior to first use of the parking/turning area, and that the proposed gates be left in an open position during operational hours to prevent vehicles idling/parking on Waterloo Road.

- 5.5.3 In light of the above it is not considered that the proposed development will result in any measurable detrimental impact(s) upon the safe operation of the immediate highway and as such no direct conflict with Key Statement DMI2 or Policy DMG3 of the Ribble Valley Core Strategy.

5.6 Flood Risk and Drainage

- 5.6.1 The site lies within Flood Zones 2 and 3, as such consideration must be given in respect for the potential for the development to exacerbate or increase flood-risk. United Utilities have stated that the submitted Flood Risk Assessment fails to contain robust evidence that the drainage hierarchy has been thoroughly investigated. As such, should consent be granted, United utilities have requested that a condition be imposed that requires the submission of a sustainable surface water drainage and a foul water drainage scheme.

- 5.6.2 Members will additionally note that no objection has been raised by the Lead local Flood Authority nor the Environment Agency in respect of the proposed development.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 For the reasons outlined above and having regard to all material considerations and matters raised, the application is recommended for approval insofar that is not considered that the proposal will result in any significant measurable direct conflict with the adopted development plan for the borough nor any significant adverse harm to the character and visual amenities of the immediate or wider area or residential amenity.

RECOMMENDATION: That the application be GRANTED subject to the following conditions:

1. The development hereby approved must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

6718-L01: Location Plan
6718-S02B: Proposed Site Plan
6718-S03B: Proposed Site Plan
6718-P11C: Proposed Floor Plan Layouts and Streetscene
6718-P12B: Proposed Elevations
6718-P13A: Proposed Visibility Splay
6718-P14A: Proposed Swept Path Plan
6718-P15A: Proposed Demolition Plan
6718-P16: Proposed Non-Residential Floorspace

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent hereby approved.

3. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the area.

4. The Class E(a) floorspace hereby approved shall solely be for the use, sale and display of goods associated with the existing B2 and B8 uses undertaken within the (sui generis) planning unit to which the application relates.

REASON: To ensure the activities undertaken on site remain compatible with the Existing Employment Area (DMB1) designation of the site.

5. No commercial operations shall be undertaken from the site in relation to the development hereby approved outside of the following hours:

Monday to Friday: 07:00hrs – 17:30hrs
Saturdays: 07:00hrs – 13:30hrs

For the avoidance of doubt there shall be no commercial operations undertaken from the site in relation to the development hereby approved on Sundays or Bank Holidays.

REASON: To ensure the activities undertaken from the site remain compatible with the character of the area and do not prove injurious to nearby residential amenities.

6. No development shall take place, including any works of demolition, 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. It shall provide for:

- (i) The parking of vehicles of site operatives and visitors
- (ii) The loading and unloading of plant and materials
- (iii) The storage of plant and materials used in constructing the development
- (iv) The erection and maintenance of security hoarding
- (v) Wheel washing facilities
- (vi) Measures to control the emission of dust and dirt during construction
- (vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- (viii) Details of working hours
- (ix) Routing of delivery vehicles to/from site

REASON: To ensure the safe operation of the highway and to minimise disruption during the construction and demolition phase of the development hereby approved.

7. Prior to the first use of the parking and turning area hereby approved, the site access shall be widened in accordance with the details hereby approved and to Lancashire County Councils specification under the appropriate agreement (see informative note).

REASON: To ensure a safe and suitable access is provided for highway safety reasons.

8. The gates to be installed as part of the development hereby approved (fronting Waterloo Road) shall be left in the open position during operational hours of the commercial business to which the consent relates.

REASON: To prevent vehicles dwelling/idling on the highway known as Waterloo Road and to ensure the safe operation of the immediate highways network.

9. The area shown edged green on the swept path drawing 'SPA 6718-P14A' shall be kept free of all obstruction to allow for the adequate manoeuvring of vehicles.

REASON: To ensure adequate manoeuvrability for vehicles entering/leaving the site.

10. Prior to the commencement of any new construction works (save that for demolition), details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

INFORMATIVE NOTE:

The grant of planning permission will require the applicant to enter into a S278 Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.

The applicant should be advised to contact Lancashire County Council for further information by emailing the Highway Development Control Section at developeras@lancashire.gov.uk .

BACKGROUND PAPERS

https://webportal.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2023%2F0766