

Application Number 07/2023/00693/FUL

Address Moss Side Industrial Estate
Bison Place
Moss Side Industrial Estate
Leyland
Lancashire
PR26 7QR

Applicant Norlec Sheet Metal Ltd

Agent Mr JYM Partnership

28 Sceptre Way
Bamber Bridge
Preston
PR5 6AW
United Kingdom

Development New industrial units comprising use classes E (formerly B1a offices, B1b research & development, and B1c light industrial), B2 (General Industrial) and B8 (Storage & Distribution) with associated works.

Officer Recommendation **Refusal**
Officer Name **Mr Chris Sowerby**

Date application valid 22.08.2023
Target Determination Date 02.02.2024
Extension of Time 02.02.2024



1. REPORT SUMMARY

1.1 The application relates to a 0.46 hectare parcel of land to the west of Unit 87 Bison Place, located at the junction between Bison Place and Titan Way within the Moss Side Industrial Estate. The site, which is bound by mature trees and hedging along the western side is predominately hardstanding and used for the external storage of commercial vehicles.

1.2 Planning permission is sought for erection of 22no. new commercial units (Use Classes E (Commercial), B2 (General Industrial) and B8 (Storage & Distribution) together with the formation of new vehicular access points, substation, bin stores and associated areas of hardstanding.

1.3 The site is within an area of land designated as E2: Protection of Employment Areas and Sites in the South Ribble Local Plan. Policy E2 protects land *“for employment uses including business, general industrial or storage and distribution”*. As the proposed development relates to the creation of employment uses the principle of the proposal accords with the general requirements of Policy E2.

1.4 LCC Highways have however expressed a number of concerns in regards to highway and pedestrian safety, specifically relating to the provision of a safe means of access, the provision of adequate off-street parking and the provision of adequate footways for pedestrians. The applicant has been afforded the opportunity to address the issues raised by LCC Highways and/or provide evidence in rebuttal but has failed to respond. Consequently the application is to be considered against the submitted plans which have deemed to be contrary to the requirements of the NPPF (para. 114), Policy 17 c) of the Core Strategy and Policies G17 c) and F1 of the South Ribble Local Plan.

1.5 In respect of flooding the NPPF advises major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate and take account of advice from the lead local flood authority (para. 175). Furthermore Policy 29 of the Core Strategy seeks to improve water quality, water management and reduce the risk of flooding. As no drainage statement or drainage strategy have been provided as part of the submission the LLFA have objected to the proposal as no assessment of the impact the development would have on surface water drainage can be made. The applicant has been afforded the opportunity to address the issues raised by the LLFA and/or provide evidence in rebuttal but has failed to respond. Consequently, the application is to be considered as submitted and there are outstanding concerns in respect to surface water drainage. The application is therefore contrary to the requirements of the NPPF (para. 175) and Policy 29 of the Core Strategy.

1.6 A policy requirement for tree survey information to be submitted, including tree protection, mitigation and management measures, with all planning applications where trees are present on site exists. Despite trees and bushes along the north-western and north-eastern boundaries with Titan Way and Bison Place proposed to be removed, no Tree Impact Assessment has been provided. The quantity and quality of the trees to be removed therefore remains to be established. The absence of such information with this submission is contrary to the requirements of Policy G13 of the South Ribble Local Plan.

1.7 The NPPF places a requirement on local planning authorities to work *“proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”* (para. 38). The applicant has been given an opportunity to supply additional information and/or amend plans to try and address outstanding concerns, with the agent initially being made aware of the issues in respect of highway, drainage and tree matters in mid-late September 2023. Despite subsequent emails to the agent, in addition to a phone call, no additional/amended details have been forthcoming and no timeframe for the

submission of the requested information has been provided. With an extension of time for the determination of the application expiring on the 2nd February 2024 Officers are bringing the item to Planning Committee for determination prior to the expiry of the agreed extension of time.

1.8 Due to the absence, or inadequacy, of information relating to highway, surface water drainage and tree matters and the harm that may subsequently be caused, the proposal is contrary to the requirements of the NPPF, Policies 17 and 29 of the Core Strategy and Policies G13, G17 and F1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to a 0.46 hectare parcel of land to the west of Unit 87 Bison Place, located at the junction between Bison Place and Titan Way, within the Moss Side Industrial Estate.

2.2 The site, which is bound by mature trees and hedging along the western side is predominately hardstanding and used for the external storage of commercial vehicles.

2.3 To the north, south and east of the site are existing units and associated areas of parking/servicing in a variety of commercial and industrial uses.

2.4 To the west of the site is an area of strategic landscaping associated with the wider mixed use Test Track development beyond, with residential units consented on the parcel closest to the site subject to this application.

2.5 The site is designated under Policy E2 of the South Ribble Local Plan as 'Protection of Employment Areas and Sites'.

3. SITE HISTORY

3.1 A number of applications have been received historically relating to the associated building at Unit 87 Bison Place.

3.2 Those applications that are most relevant and relate to the site subject to this application are as follows:

07/1989/0965 - Extensions to Factory Building, Extensions to Car Park and Service Yard and New Car Park. Approved

07/1991/0210 - Retention of Four Portakabins. Approved

07/1991/0211 - Retention of Two Containers to be used for Storage. Approved

07/1993/0301 - Retention of Three Portacabins and Relocation of a Fourth to an Alternative Site in the Factory Yard. Approved

07/1993/0299 - Retention of Two Metal Containers to be Used for Storage. Approved

07/2016/0487/FUL - Formation of car park over existing hard standing and formation of new access. Approved

4. PROPOSAL

4.1 Planning permission is sought for erection of 22no. new commercial units (Use Classes E (Commercial), B2 (General Industrial) and B8 (Storage & Distribution) together with the formation of new vehicular access points, substation, bin stores and associated areas of hardstanding.

4.2 The proposed commercial units would be formed in 4no. blocks, ranging from 4-7 units of similar size.

4.3 Block A measures 37.5m (width) x 11.8m (depth) 12.4-14m (height) and comprises of 6no. units.

4.4 Block B measures 30.5m (width) x 14m (depth) x 12.4-14m (height) and comprises of 5no. units.

4.5 Block C measures 40.5m (width) x 12.8m (depth) x 12.4-14m (height) and comprises of 7no. units.

4.6 Block D measures 24.5m (width) x 14m (depth) x 12.4-14m (height) and comprises of 4no. units.

4.7 The units are proposed to be finished in profiled composite panels with access doors and a mixture of horizontal profile cladding with windows and roller shutter doors on the front elevation. Emergency exit doors are proposed on the rear elevations for each unit.

4.8 A total of 57 car parking spaces, including 3 mobility impaired spaces, are proposed across the site to the front of the units with the units to be served by an upgraded access onto Bison Place and a newly formed access onto Titan Way.

4.9 Trees and bushes along the north-western and north-eastern boundaries with Titan Way and Bison Place are proposed to be removed with pockets of replacement landscaping detailed on the site layout plan.

4.10 The installation of 2m high galvanised steel palisade fencing is proposed along the north-western, south-western and south-eastern boundaries.

5. REPRESENTATIONS

5.1 No letters of representation have been received in relation to the proposal.

6. CONSULTATION REPLIES

County Highways have raised concern at the lack of information provided in relation to the proposed access and internal manoeuvring space, commenting:

“While the principle of the proposed use at this established industrial estate may be acceptable, I have concerns over the proposed plan which fails to comply with NPPF in demonstrating safe and suitable access for all.

The proposed new junction onto Titan Way does not meet junction spacing standards as per Creating Civilised Streets. The proposed junction is too close to the existing access for Osprey Place. In addition, no visibility splays have been provided for this new junction. [...]

There has been a lack of information provided regarding the use of the units or the number of potential employees. As such this makes it hard to determine if enough parking space has been provided in line with South Ribble Borough’s parking standards. There is a lack of parking for vans and other distribution vehicles.

Given the substandard access junctions/estate roads and limited internal manoeuvring space, and the practicalities of the car parking operational space the site does appear to be over intensive”

Further concerns are raised in regards to the lack of secure and covered storage facilities for cyclists and location of refuse collection areas. It is also noted that the detailed internal footways are not of sufficient width to be classed as being compliant with inclusive mobility.

The **Lead Local Flood Authority (LCC)** have objected to the proposal as an acceptable surface water drainage strategy has not been provided to access the principle of surface water drainage associated with the proposed development.

Environmental Health have raised no objections to the proposal subject to the imposition of conditions relating to hours of construction and hours of operation of the units.

United Utilities have raised no objections to the proposal subject to the imposition of standard drainage conditions.

The Crime Prevention Officer (**Lancashire Constabulary**) has raised no objections to the proposal, making a number of construction recommendations in order to reduce the potential for crime.

7. MATERIAL CONSIDERATIONS

Policy Considerations

7.1 i) NPPF

7.1.1 The NPPF places a requirement on local planning authorities to work *“proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area”* (para. 38).

7.1.2 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business need and wider opportunities for development.”* (para. 85)

7.1.3 In regards to highway matters the NPPF advises *“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”* (para. 114)

7.1.4 In respect of trees the NPPF states *“Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments [...], and that existing trees are retained where possible.”* (para. 136)

7.1.5 In respect of flooding the NPPF advises *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) *take account of advice from the lead local flood authority;*
- b) *have appropriate proposed minimum operational standards;*
- c) *have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) *where possible, provide multifunctional benefits.”* (para. 175)

7.2 ii) Core Strategy Policy Considerations

7.2.1 Policy 1 of the Core Strategy is entitled ‘Locating Growth’ and encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

7.2.2 Policy 10 of the Core Strategy is entitled ‘Employment Premises and Sites’ and highlights the need to protect sites last used and allocated for employment for future employment use.

7.2.3 Policy 17 of the Core Strategy is entitled ‘Design of New Buildings’ and requires new buildings to take account of the character and appearance of the local area.

7.2.4 Policy 29 is entitled ‘Water Management’ and seeks to improve water quality, water management and reduce the risk of flooding.

7.3 iii) South Ribble Local Plan

7.3.1 The site is within an area of land designated as E2: Protection of Employment Areas and Sites in the South Ribble Local Plan.

7.3.2 Policy E2 protects land “*for employment uses including business, general industrial or storage and distribution*”. As the proposed development relates to the creation of employment uses, the principle of the proposal accords with the general requirements of Policy E2.

7.4 Character / Appearance

7.4.1 Policy G17 of the Local Plan, amongst other things, requires development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity (plot coverage) and Policy 17 of the Core Strategy expects new buildings to “*take account of the character and appearance of the local area*”.

7.4.2 A mixture of building scales are present within the Moss Side Industrial Estate. With this variety present, the scale and siting of the proposed buildings would not be unduly prominent.

7.4.3 The proposed buildings are to be finished in profiled composite panels. The proposed development, would be of a lesser height than most surrounding development and would be in keeping with the character of the local area. The design and appearance of the proposed development therefore complies with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

7.5 Relationship To Neighbours

7.5.1 There are no nearby residential properties.

7.6 Highway Issues

7.6.1 The proposal provides for a total of 57 car parking spaces, including 3 mobility impaired spaces, to serve the 22no. new commercial units. However as noted by LCC Highways, there is a lack of information provided regarding the use/mix of the units within the broad Use Classes proposed or the number of potential employees. As such this makes it difficult to determine if enough parking space has been provided in line with adopted parking standards,

with the parking requirements varying across Use Classes. It is also noted by LCC Highways that there is a lack of parking for vans and other distribution vehicles.

7.6.2 In order to serve the development an upgraded access onto Bison Place and a newly formed access onto Titan Way are proposed. LCC Highways have assessed the submitted plans for the new access arrangements and have raised concern that the proposed new junction onto Titan Way does not meet junction spacing standards as per Creating Civilised Streets, with the junction being too close to the existing access for Osprey Place. In addition, no visibility splays have been provided for this new junction.

7.6.3 Further concerns have been raised by LCC Highways with regard to the lack of secure and covered storage facilities for cyclists and the location of refuse collection areas. It is also noted that the detailed internal footways are not of sufficient width to be classed as being compliant with inclusive mobility.

7.6.4 The applicant has been afforded the opportunity to address the issues raised by LCC Highways and/or provide evidence in rebuttal but has failed to respond. Consequently, the application is to be considered against the submitted plans and there are a number of outstanding concerns in regards to highway and pedestrian safety, specifically relating to the provision of a safe means of access, the provision of adequate off-street parking and the provision of adequate footways for pedestrians. The application is therefore contrary to the requirements of the NPPF (para. 114), Policy 17 c) of the Core Strategy and Policies G17 c) and F1 of the South Ribble Local Plan.

7.7 Drainage Issues

7.7.1 Given the total floor area of the proposed units exceeds 1,000sq m, the proposal constitutes a 'major' application with the Lead Local Flood Authority (LLFA) being a statutory consultee. As no drainage statement or drainage strategy have been provided as part of the submission, the LLFA have objected to the proposal as no assessment of the impact the development would have on surface water drainage can be made.

7.7.2 In respect of flooding the NPPF advises major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate, take account of advice from the lead local flood authority (para. 175). Furthermore Policy 29 of the Core Strategy seeks to improve water quality, water management and reduce the risk of flooding.

7.7.3 The applicant has been afforded the opportunity to address the issues raised by the LLFA and/or provide evidence in rebuttal but has failed to respond. Consequently, the application is to be considered as submitted and there are outstanding concerns in respect to surface water drainage. The application therefore is contrary to the requirements of the NPPF (para. 175) and Policy 29 of the Core Strategy

7.8 Tree Issues

7.8.1 Trees and bushes along the north-western and north-eastern boundaries with Titan Way and Bison Place are proposed to be removed, with pockets of replacement landscaping detailed on the site layout plan, however no Tree Impact Assessment has been provided. The quantity and quality of the trees to be removed therefore remains to be established.

7.8.2 Policy G13 of the South Ribble Local Plan is entitled 'Trees, Woodlands and Development' and states a presumption in favour of retaining and enhancing existing tree, woodland and hedgerow cover on sites. Where a development proposes an unavoidable loss of trees, replacement trees are required to be planted on site where appropriate at a rate of two new trees for each tree lost. There is also a Policy requirement for tree survey information to be submitted, including tree protection, mitigation and management measures, with all planning applications where trees are present on site. The absence of such

information with this submission is contrary to the requirements of Policy G13 of the South Ribble Local Plan.

8. CONCLUSION

8.1 The relevant statutory consultees in respect of highway matters (LCC Highways) and surface water drainage (LCC as the LLFA) have raised issues which require the submission of further information and/or amended plans. Furthermore, no Tree Impact Assessment has been provided despite trees being present on site and for significant levels of tree removal proposed. The applicant has been given an opportunity to supply additional information and/or amend plans to try and address outstanding concerns, with the agent initially being made aware of the issues in respect of highway, drainage and tree matters in mid-late September 2023. Despite subsequent emails to the agent, in addition to a phone call, no additional/amended details have been forthcoming and no timeframe for the submission of the requested information has been provided. With an extension of time for the determination of the application expiring on the 2nd February 2024, Officers are bringing the item to Planning Committee for determination prior to the expiry of the agreed extension of time.

8.2 Due to the absence, or inadequacy, of information relating to highway, surface water drainage and tree matters and the harm that may subsequently be caused the proposal is contrary to the requirements of the NPPF, Policies 17 and 29 of the Core Strategy and Policies G13, G17 and F1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The submitted plans fail to demonstrate a safe means of access, the provision of adequate off-street parking and the provision of adequate footways for pedestrians to the detriment of highway and pedestrian safety. Therefore the application is contrary to the requirements of the NPPF (para. 114), Policy 17 c) of the Core Strategy and Policies G17 c) and F1 of the South Ribble Local Plan.
2. The submission fails to demonstrate the proposed development will not have an adverse effect on surface water drainage and flooding, contrary to the requirements of the NPPF (para. 175) and Policy 29 of the Core Strategy
3. The submission fails to demonstrate the proposed development would not result in unavoidable loss of trees on site and does not provide tree protection, mitigation and management measures. The absence of such information with this submission is contrary to the requirements of Policy G13 of the South Ribble Local Plan.

RELEVANT POLICY

NPPF National Planning Policy Framework

1 Locating Growth (Core Strategy Policy)

10 Employment Premises and Sites (Core Strategy Policy)

17 Design of New Buildings (Core Strategy Policy)

29 Water Management (Core Strategy Policy)

POLE2 Protection of Employment Areas and Sites

POLF1 Car Parking

POLG13 Trees, Woodlands and Development

POLG17 Design Criteria for New Development

Note:
