

Item 4f **13/00727/FULMAJ**

Case Officer **Matthew Banks**

Ward **Chorley North West**

Proposal **Erection of temporary industrial building for a period of 24 months comprising B1(c) light industrial, B2 general industrial and B8 storage and distribution uses.**

Location **NIS Engineering Common Bank Industrial Estate Ackhurst Road ChorleyPR7 1NH**

Applicant **N I S Ltd.**

Consultation expiry: **17 September 2013**

Application expiry: **14 November 2013**

Proposal

1. Erection of temporary industrial building for a period of 24 months comprising B1(c) light industrial, B2 general industrial and B8 storage and distribution uses.

Recommendation

2. It is recommended that this application is granted full conditional planning approval.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information;
 - Design and impact on the streetscene;
 - Impact on the neighbours;
 - Access and parking;
 - Sustainable Resources;
 - Drainage.

Representations

4. To date, no letters of representation have been received concerning this application.

Consultations

5. **United Utilities** – no objections
6. **Coal Authority** – standing advice
7. **Lancashire County Council Highways** – request additional parking space
8. **CBC Economic Development** – support this application.

Assessment

Background Information

9. Planning permission was granted in February 2013 for the construction of a concrete slab (approximately 2000sqm) to south of the main building at the site. The application was applied for on the basis of the applicant securing significant specialist engineering contracts which required the erection of temporary buildings to accommodate the additional work.
10. At the time of determination, the contracts had not been finalised and so the applicant did not know the size or extent of the temporary buildings to be erected. As such, the current

application has been submitted in light of finalising the contract, resulting in a substantial sized building required for a temporary period of 24 months.

11. The applicant in this case is NIS Limited which is a specialist integrated engineering company providing bespoke design together with in-house manufacture of plant and equipment for high technology industries. The current NIS premises include production workshops for manufacturing together with purpose built test facilities for destructive and non-destructive test regimes. NIS currently employs approximately 179 people.
12. The proposed building would be the final step in securing the contract and would allow NIS to temporarily expand its capacity, further assisting the company in their operations.

Design and impact on the streetscene

13. At a national level The National Planning Policy Framework (The Framework) states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development.
14. The Framework also states that planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
15. At a local level, Policy 17 of the Adopted Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including (amongst other things) design, materials and ensuring development is sympathetic to surrounding land uses.
16. Policy GN5 of the Adopted Chorley Borough Local Plan Review states that the design of proposed developments will be expected to be well related to their surroundings. Applicants are expected to demonstrate that they have followed a methodology which sets out the design principles adopted, and have carried out a full survey of the site and its surroundings. Applicants should propose a design which is specific to the site including (amongst other things) the height, bulk and roof shape; external facing materials; layout and levels.
17. Policy BNE1 of the Emerging Local Plan (2012-2026) outlines the design criteria for new development, stating that a proposal should not have a significant detrimental impact on the streetscene by virtue of its density, siting, layout, building plot ratio, height, scale and massing, design, materials orientation, use of materials.
18. Policy EP3 of the of the Emerging Local Plan (2012-2026) outlines the design criteria for business and industrial development.
19. The proposed temporary building would be located to the same site as the previously approved concrete slab, to the south of the existing built development at the site, in a well-established industrial estate. To the east is a landscaped area including grassed mound with numerous trees, to the west is an existing parking area and service yard and further to that Ackhurst Road. To the south are a number of smaller industrial units sited at a lower level than the application site.
20. The building would cover an area of approximately 1630m², measuring approximately 20m by 80m and would be substantial in size. The building would have an eaves height of approximately 6m and would reach a maximum height of approximately 8.8m. The building would have a single goods entrance door to the north elevation and a further one to the gable (west) elevation. Worker access would be gained through multiple smaller doorways.
21. The building would be constructed from vertical profiled composite cladding, finished in olive green and would have a roof constructed from profiled composite cladding to a goose wing grey colour.
22. Given the size and position of the proposed building, it would appear visible from within the streetscene and from surrounding industrial units. However, it should equally be noted that

the site is already significantly developed including a number of buildings which are already significantly greater in height than that proposed. As a result, the development, whilst being substantial in size, would not appear incongruous or out of character in this area.

23. The land to which the building would be sited is relatively level and is easily accessed from the existing parking area. As such, it is not considered the proposed development would result in significant detrimental harm to the character or appearance of the area, particularly taking into account the developed nature of the application site and the industrial character of the surrounding area.
24. Furthermore, it is also relevant to note that the building would only be in situ for a temporary period of 24 months at which point it would be removed from site. As such, any impact of the proposed development would be short-lived.
25. The development is therefore considered to be in accordance with The Framework, Policy 17 of the Adopted Central Lancashire Core Strategy, Policy GN5 of the Adopted Chorley Borough Local Plan Review and Policies BNE1 and EP3 of the Emerging Local Plan (2012-2026).

Impact on the neighbours

26. At a national level, The Framework states within one of its twelve core planning principles that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
27. Policy 17 of the Adopted Central Lancashire Core Strategy states that the design of new development should take account of the character and appearance of the local area, including ensuring that the amenities of occupiers of the development will not be adversely affected by neighbouring uses and vice versa. The Central Lancashire Core Strategy also states that development should be sympathetic to surrounding land uses and occupiers, and should not result in demonstrable harm to the amenities of the local area.
28. Policy EP20 of the Adopted Chorley Borough Local Plan Review states that development which is likely to be noise-generating will not be permitted in, or close to, noise-sensitive areas unless adequate measures can be implemented as part of the development.
29. Policy BNE1 of the Emerging Local Plan (2012-2026) states that new development should not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing.
30. The proposed building would be positioned to the immediate south of the existing development at the site. The existing use/buildings currently comprise a large warehouse area with ancillary offices as well as a number of large rig testing buildings. The proposed building would front an existing parking area to the north and would be accessed via the existing vehicular access arrangements.
31. To the south of the site are a number of industrial units comprising Nos. 1-2, 9 and 11 (a-c) Common Bank Industrial Estate. The proposed building would be positioned within close proximity to these industrial units, however, in assessing the impact on these properties, it is relevant to note that the application site forms part of a wider industrial estate and the adjacent units are industrial in character carrying out noisy activities associated with such a use. For example, companies adjacent to the site include *BRT Bearings* (wheel bearing manufacturing company), *S Ollerton* (haulage firm) and *MJK Design and Build* (design and build manufacturers).
32. As such, it is not considered that the application could be refused in respect of the impact of the development in terms of noise and disturbance in relation to properties in the surrounding area.
33. It is also relevant to note that no letters of objection have been received concerning this application and no residential properties are within close proximity to the site.

34. The development is therefore in accordance with the relevant guidance within The Framework, Policy 17 of the Adopted Central Lancashire Core Strategy, Policy EP20 of the Adopted Chorley Borough Local Plan Review and Policy BNE1 of the Emerging Local Plan (2012-2026).

Access and parking

35. In respect of highway safety, The Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impact of development is severe.
36. Comments have been received from Lancashire County Council (LCC) Highways in respect of the proposed development.
37. LCC Highways are requesting that additional parking space should be provided to accommodate the development, even though it is applied for on a temporary basis.
38. The applicant has been contacted to this effect and is providing additional information in respect of how the proposed building will operate in the context of the existing business and how many additional jobs would be created as a result of the contract.
39. Once this information has been provided, the number of additional parking spaces can be accurately determined which will be dealt with appropriately on the addendum.

Sustainable Resources

40. Policy 27 (Sustainable Resources and New Developments) of the Adopted Central Lancashire Core Strategy requires new built development of non-residential units of 500m² or more floor space to meet a number of criteria. These include: (a) evidence to demonstrate that the design, orientation and layout of the building maximises energy use, maximises efficiency and is flexible enough to withstand climate change; (b) incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the carbon emissions of predicted energy use by at least 15% (and 20% from January 2015) and; (c) appropriate storage space should be provided for recyclable waste materials and composting. Criterion (d) is not applicable as the development is not within a nationally designated area such as a Conservation Area or Listed Building.
41. In considering the above, a number of factors must be taken into consideration. Firstly, in respect of Policy 27 point (a), the design, siting and size of the building have all been determined by a number of factors. The siting has been dictated by the position of the constructed concrete slab which has been located to this area of the site as it previously formed scrub land with limited use. Alternative locations within the site were considered, but were found to be less appropriate as they were either occupied by existing buildings, used for parking or included extensive landscaping or trees. The size of the building in this case has been dictated by the terms and requirements of the contract for which it was required and has been orientated as such to maximise operational functionality and ensure it fits with the size of the constructed slab. The design of the building is standard for an industrial area.
42. As such, in the case of this development it is not considered appropriate to request evidence to demonstrate that the design, orientation and layout of the building maximises energy use, maximises efficiency and is flexible enough to withstand climate change in accordance with criterion (a). This is because the building is required for a very specific purpose and will only be on site for a limited period of 24 months.
43. In respect of Policy 27, point (b), the building would be on site for a temporary period of 24 months and would then be removed to leave the existing concrete slab. As such, it is considered unreasonable and inappropriate in this case to require the applicant to incorporate decentralised, renewable or low carbon energy sources.

44. In respect of Policy 27, point (c), the building will be of a substantial size covering an area of approximately 1630m² and so will include adequate storage space for waste materials should it be required.
45. As such, taking into consideration the above and the specific circumstances concerning this development, it is not considered reasonable to refuse the application on the basis of the information required by Policy 27 of the Adopted Central Lancashire Core Strategy.

Drainage

46. Policy EP18 of the Adopted Chorley Borough Local Plan Review states that development should be designed to minimise the increase in surface water run-off. Planning permission may be refused where development will lead to an increased rate of surface water run-off. Planning Conditions or agreements may be used to ensure mitigation works are carried out by developers.
47. The proposed development would involve the erection of a temporary building on an existing concrete slab (permitted with the application 13/00043/FUL) which will increase surface water run-off in the area.
48. The applicant states on the application form that it is their intention to dispose of surface water to the existing mains system on Ackhurst Road. As part of the application, United Utilities have been consulted who note that a scheme for the provision and implementation of a surface water regulation was approved with the discharge application 13/00605/DIS.
49. As such, United Utilities raise no objection to the proposed development subject to a condition restricting surface water regulation to those details previously approved.
50. The development is considered to be in accordance with Policy EP18 of the Adopted Chorley borough Local Plan Review.

Overall Conclusion

51. On the basis of the above, the application is accordingly recommended for approval subject to conditions.

Planning Policies

National Planning Policy Framework

Central Lancashire Core Strategy

Policy 17

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, TR4, EP20 & EP18

Emerging Local Plan (2012-2026)

Policies EP3 and BNE1

Planning History

The site history of the property is as follows:

Ref: 76/00823/OUT **Decision:** PEROPP **Decision Date:** 16 November 1976

Description: Outline application for Factory and Offices (Phase 1)

Ref: 77/00406/FUL **Decision:** PERFPP **Decision Date:** 24 May 1977

Description: New factory and offices

Ref: 84/00112/FUL **Decision:** PERFPP **Decision Date:** 3 April 1984

Description: Extension to factory (temporary test facility for 2 years)

Ref: 84/00494/FUL **Decision:** PERFPP **Decision Date:** 21 August 1984

Description: Display of floodlit lettering on temporary building

Ref: 85/00212/FUL **Decision:** PERFPP **Decision Date:** 2 April 1985
Description: Temporary offices (2 years) pump test facility and car park

Ref: 86/00678/FUL **Decision:** PERFPP **Decision Date:** 11 November 1986
Description: Provision of relocatable office accommodation temporary car park for 92 cars and renewal of temporary permission 9/85/212 (temporary offices/pump facility) for further two years

Ref: 89/00606/FUL **Decision:** WDN **Decision Date:** 28 September 1993
Description: Erection of temporary office accommodation

Ref: 93/00708/FUL **Decision:** PERFPP **Decision Date:** 9 November 1993
Description: Erection of 3 portable buildings

Ref: 96/00565/FUL **Decision:** PERFPP **Decision Date:** 12 November 1996
Description: Provision of new steel framed store unit to rear of existing premises,

Ref: 96/00767/FUL **Decision:** PERFPP **Decision Date:** 18 December 1996
Description: Proposed extension to existing factory,

Ref: 05/00355/FULMAJ **Decision:** PERFPP **Decision Date:** 25 May 2005
Description: Erection of office unit comprising of two floors of office space, associated storage and services provision,

Ref: 11/00316/FUL **Decision:** PERFPP **Decision Date:** 16 June 2011
Description: Erection of Test Rig Hall, internal link access road and to formalise existing parking arrangements

Ref: 11/00596/DIS **Decision:** PEDISZ **Decision Date:** 5 August 2011
Description: Application to discharge conditions 4 (external facing materials); 5 (fencing); 6 (external lighting); 7 (landscaping); 10 (ground-surfacing details); 11 (surface water drainage) and 13 (car parking layout) of planning approval 11/00316/FUL.

Ref: 11/00859/ADV **Decision:** PERADV **Decision Date:** 16 November 2011
Description: Erection of free standing 1.3m high internally illuminated sign set on a 0.5m high concrete plinth

Ref: 11/00862/FUL **Decision:** PERFPP **Decision Date:** 16 November 2011
Description: Erection of a 3m high free standing solar panel to power adjacent sign

Ref: 12/00821/FUL **Decision:** PERFPP **Decision Date:** 18 October 2012
Description: Erection of modular building

Ref: 13/00043/FUL **Decision:** PERFPP **Decision Date:** 28 February 2013
Description: Construction of concrete slab (approximately 2000sqm) to south of main building.

Ref: 13/00605/DIS **Decision:** PEDISZ **Decision Date:** 22 July 2013
Description: Application to discharge conditions 3 (colour, form and texture of slab) and 5 (scheme for the provision and implementation of a surface water regulation) of planning approval 13/00043/FUL.

**Recommendation: Permit full planning permission
Conditions**

1. **The use hereby permitted shall be restricted to the hours between 07.30am and 18.00pm on weekdays and there shall be no operation on Saturdays, Sundays, Bank Holidays or any other Public Holiday.
Reason: To safeguard the amenities of local residents**
2. **The building hereby permitted shall only be used for uses B1(c) Light Industrial, B2 General Industrial and B8 Storage and Distribution and for no other purpose (including**

any other purpose in of the schedule to the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment).

Reason: The use of the proposed building has been specified by the applicant and is the basis upon which the application has been determined.

3. The development hereby permitted shall be carried out in full accordance with the surface water regulation details approved with the application 13/00605/DIS (Drawing number 22-02-100; Title: Outline drainage layout). No part of the development shall be occupied or used until the scheme has been implemented in accordance with the approved plans.

Reason: To secure proper drainage of the site and to prevent flooding in accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review 2003.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Number	Number and Type	Indexed
Location Plan	9327	04	8 August 2013
Proposed plan, elevations and section	9327	05	8 August 2013
Outline drainage layout	22-02-100	-	17 September 2013

Reason: For the avoidance of doubt and in the interests of proper planning

5. The proposed development must be begun not later than three years from the date of this permission.

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

6. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

Reason: To ensure that the materials used are visually appropriate to the locality.

7. Within 24 months from the date of commencement of the development, the development shall be removed in entirety from the site and the land returned to its former condition.

Reason: The development has been applied for on a temporary basis to support additional work secured by the applicant. The temporary permission is also necessary in this case as it forms the basis upon which an exemption from the requirements of Policy 27 (Sustainable Resources and New Developments) of the Adopted Central Lancashire Core Strategy has been justified.