

## **APPLICATION REPORT – 23/01179/FUL**

**Validation Date: 10 November 2022**

**Ward: Chorley North West**

**Type of Application: Full Planning**

**Proposal: Erection of a storage building (Use Class B8) for a temporary period of up to ten years**

**Location: NIS Engineering Common Bank Industrial Estate Ackhurst Road Chorley PR7 1NH**

**Case Officer: Chris Smith**

**Applicant: NIS Ltd**

**Agent: Abigayle Boardman, Acland Bracewell**

**Consultation expiry: 8 December 2022**

**Decision due by: 9 February 2023**

---

### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located on Ackhurst Road in the settlement area of Chorley as defined by the Chorley Local Plan Policies Map. It is a rectangular area of land located to the south of an existing building which accommodates an engineering business – NIS Engineering. The immediate locality is a built-up urban area characterised by business and commercial units located within the Common Bank Industrial Estate. There are residential properties located approximately 250m to the east of the site at Stansted Road.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The application seeks planning permission for the erection of a storage building which would measure approximately 80m by 20m, with a maximum height of approximately 8m. It would be built from single skin steel cladding with steel sheet roofing and roller shutter doors.
4. The building would provide additional storage space for products manufactured within the existing warehouse building. The statement submitted with the application sets out that additional storage capacity is required on the basis that existing buildings on the site do not have sufficient capacity to enable the business to meet the requirements of a new contract.

### **REPRESENTATIONS**

5. No representations have been received.

### **CONSULTATIONS**

6. Chorley Council's Environmental Health Officer – No comments have been received.

7. The Coal Authority – Standing Advice/Low Risk.
8. Lancashire County Council Highway Services (LCC Highway Services) – Have advised that they are of the opinion that the proposed development would not have a significant impact on highway safety, capacity, or amenity in the immediate vicinity of the site.
9. Lead Local Flood Authority (LLFA) – Have no objections to the proposed development.
10. United Utilities (UU) – Have not raised any objections subject to conditions.

## **PLANNING CONSIDERATIONS**

### Principle of the development

11. The National Planning Policy Framework (The Framework) states that plans and decisions should apply a presumption in favour of sustainable development and for decision making this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
12. The Framework is also strongly in support of proposals that sustain and enhance economic growth. At paragraph 81 it states that significant weight should be placed on the need to support economic growth through the planning system. The application seeks planning permission to make use of part of the existing site, which already accommodates a general industrial use (Use Class B2), for a building which would provide storage space for the storage and distribution of products engineered on site. The proposed development would, therefore, enable the existing business to fulfil existing and future contracts and it would, therefore, sustain and enhance economic growth in line with the requirements of the Framework.
13. Support for economic growth is complemented by Central Lancashire Core Strategy Policy 10, which seeks to protect existing employment premises and sites.
14. The application site is located in the settlement area of Chorley. Policy V2 of the Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
15. The proposed development is, therefore, acceptable in principle subject to an assessment in relation to Chorley Local Plan 2012-2026 policy EP3, which provides guidance for the development of new industrial units and extensions to existing industrial units. This policy sets out criteria to be satisfied by such proposals. An assessment against these criteria is set out as follows:
  - a) *they are of a scale and character that is commensurate with the size of the settlement;*  
Whilst the proposed building would be a large building measuring approximately 80m by 20m, with a maximum height of approximately 8m, it is considered that its size would be commensurate to the existing building on site which is a very large industrial warehouse building. It is also noted that the immediate locality is an industrial estate which contains several similarly sized and designed functional buildings and the proposed building would be seen entirely within this prevailing context.
  - b) *the site is planned and laid out on a comprehensive basis;*  
The development has been designed to fit the site and make an efficient and effective use of the available space.
  - c) *the proposal will not prejudice future, or current economic activities within nearby areas;*

The proposed development would support an existing business by facilitating the provision of additional storage space and there is no evidence to suggest that the development would be in any way harmful to economic activity in other areas, given the scale and type of development for which there appears to be a growing demand.

*d) the proposal will not cause unacceptable harm e.g. noise, smells to surrounding uses;*

It is not considered that the proposed building, which would only be used for storage purposes, would have an adverse impact on surrounding uses. Whilst there are neighbouring properties to the east of the site at Stansted Road they are located approximately 250m away from the site and this degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on neighbouring amenity as a result of noise. This is also the conclusion of a noise assessment which has been submitted with the application.

*e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;*

The site has a well-established access capable of supporting commercial traffic movements. The development would make use of this access and would provide adequate on-site parking. LCC Highway Services have advised that they do not have any objections to the proposed development.

*f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;*

The application site has reasonable access to public transport with a bus stop located approximately 200m to the north on the B5251 Ackhurst Road. The site is also accessible to a reasonably large catchment by walking or cycling.

*g) open storage areas should be designed to minimise visual intrusion;*

The proposed building would provide additional storage space at the site thus reducing the likelihood of there being any further need to utilise outdoor areas for storage which could result in visual intrusion.

*h) adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;*

The wider industrial site within which the application site is located is already industrial in character with steel palisade fencing and relatively tall shrubbery along the boundaries which provide a degree of screening. Just beyond the eastern site boundary land levels increase gradually in height enclosing the site on this side and screening it from the adjacent public highway to the east.

*i) on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;*

To the north, south and west the site is bounded by neighbouring industrial and commercial uses. Whilst land immediately to the east of the site is undeveloped, due to its undulating form and ascending topography along with the significant number of trees located here, it is considered that there is already an adequate degree peripheral landscaping to the east of the site.

*j) the development makes safe and convenient access provision for people with disabilities;*

The application site is level and is accessible for people of all levels of mobility.

*k) the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;*

The building is not to be heated and would be a basic storage building. The site is located within an existing industrial estate complex and is secured by fencing.

*l) the proposal will not result in surface water, drainage, or sewerage related pollution problems;*

There would be no greater impact on surface water, drainage, or sewerage related pollution problems than existed previously.

*m) the proposal incorporates measures which help to prevent crime and promote community safety.*

There would be palisade security fencing installed around the site and the building would be locked, which is a suitable level of security for the proposed development.

#### Impact on the amenity of neighbouring occupiers

16. *Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.*

17. The application site is located approximately 250m to the west of a housing estate and it is separated from the properties located there by the B5251 Yarrow Valley Way and a very densely wooded area located to the east of the public highway which completely screens the site from the residential properties. Consequently, it is considered that any impacts on neighbouring amenity would be negligible and that they would not be significantly greater or more adverse than any impacts which already occur as a result of the existing industrial use of the site or neighbouring industrial and commercial uses within the Common Bank Industrial Estate.

18. It is considered that the proposed development would have no unacceptable impact on the amenity of the nearby residents and is considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012-2026.

#### **CONCLUSION**

19. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing site or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents or highway safety. It is, therefore, considered that the development accords with policies' EP3 and BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

#### **RELEVANT HISTORY OF THE SITE**

**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:** 84/00494/FUL      **Decision:** PERFPP      **Decision Date:** 21 August 1984  
**Description:** Display of floodlit lettering on temporary building

**Ref:** 84/00112/FUL      **Decision:** PERFPP      **Decision Date:** 3 April 1984  
**Description:** Extension to factory (temporary test facility for 2 years)

**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:** 92/00585/FUL      **Decision:** PERFPP      **Decision Date:** 29 September 1992  
**Description:** Extension to provide new offices drawing office reception and presentation rooms

**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.

**Ref:** 13/00727/FULMAJ      **Decision:** PERFPP      **Decision Date:** 7 October 2013  
**Description:** 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

### Suggested conditions

1. 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.*

2. The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

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

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Site Location Plan	X757.PL01-1	10 November 2022
Proposed Block Plan	X757.PL02-1	10 November 2022
Proposed GA Plans	X757.PL03-1	10 November 2022
Proposed Elevations	PL04-1(A)	10 November 2022
External Lighting Scheme	022.062.E01 Rev.PL1	10 November 2022

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

4. 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.

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

5. 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.*

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and

agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

*Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.*

7. The development hereby approved shall be used for Class B8 purposes and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

*Reason: To define the development and to protect the amenity of neighbouring occupiers.*

8. This permission shall expire on 5th January 2033; by which date the use of the land for the erection of a storage building shall have been discontinued, the building fully removed from the site and the land restored to its previous authorised state in all respects.

*Reason: In accordance with the application and in the interests of the Local Planning Authority retaining control over the long-term use of the land and quality development, as the use may be inappropriate to the locality on a permanent basis.*