

Proposed development: Reserved Matters Application for Reserved Matters application (access within the site, landscape, layout, appearance, scale) pursuant to outline 10/15/0496 for Phase 3 comprising of 16,000 sq.ft Industrial Units (B2 Use Class) and associated infrastructure

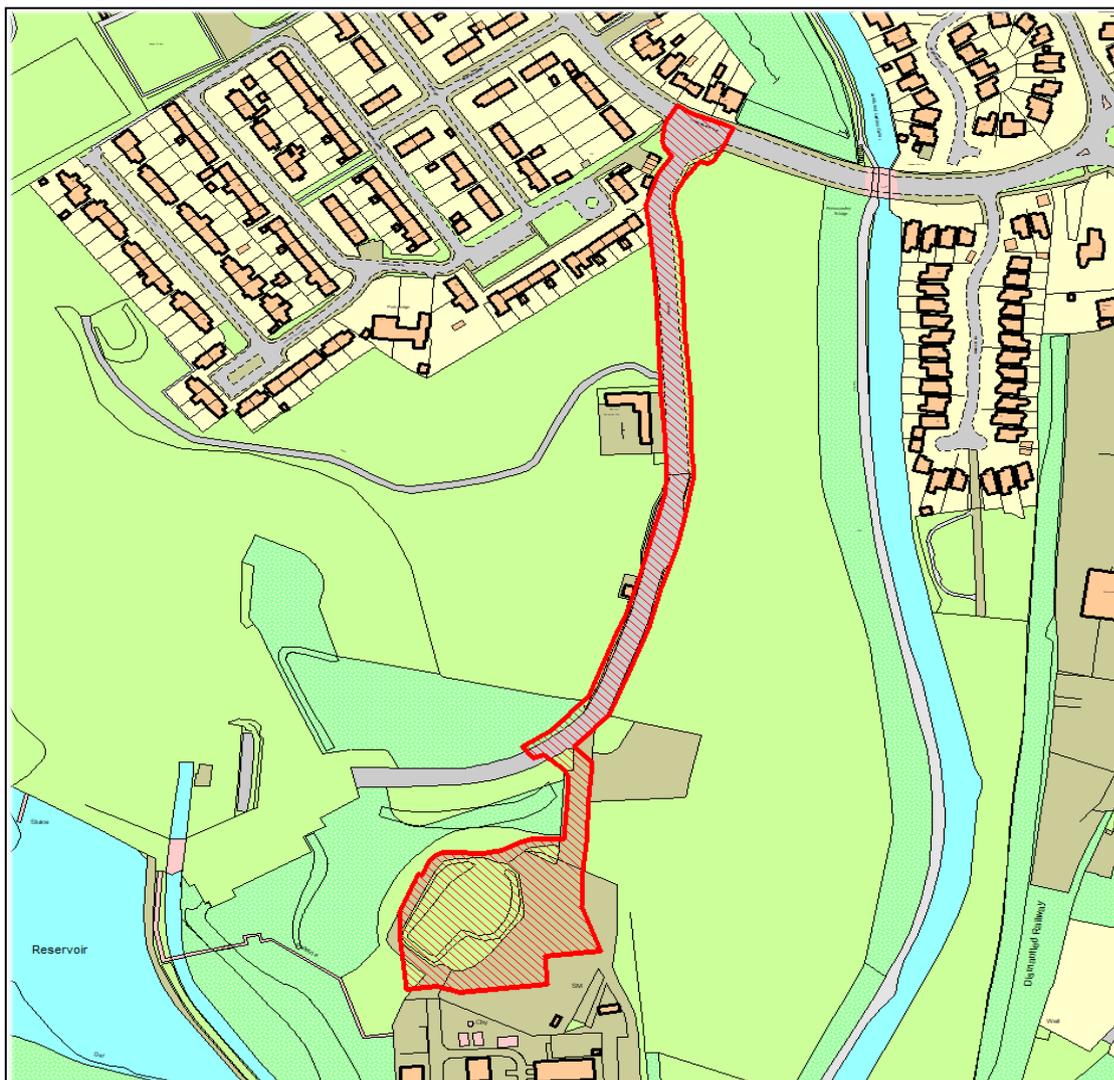
Site address:

**Phase 3 Former Sappi Paper Mill
Livesey Branch Road
Feniscowles
Blackburn
BB2 5HX**

Applicant: Blackburn Waterside Regeneration Ltd

Ward: Livesey With Pleasington

**Councillor Derek Hardman
Councillor Paul Marrow
Councillor Mark Russell**



1.0 SUMMARY OF RECOMMENDATION

- 1.1 **APPROVE** – Subject to the recommended conditions set out within section 4 of this report.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

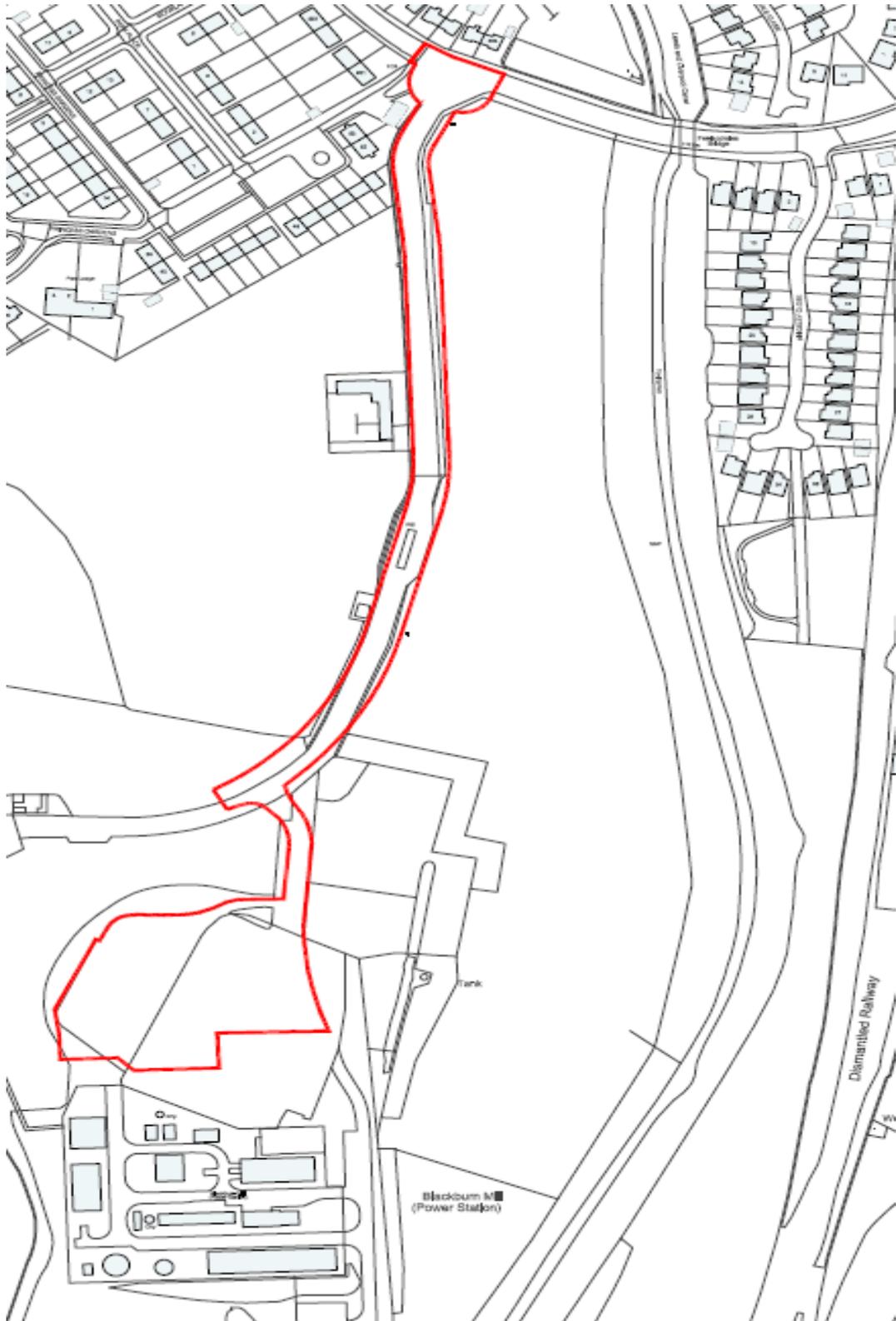
- 2.1 This application is before Members as it relates to phase 3 of the reserved matters to an outline application that was previously considered and approved at the November 2015 meeting of the Planning & Highways Committee.
- 2.2 Planning permission 10/15/0496 related to an outline approval, with all matters reserved save for means of access. The approval allowed for a mixed use development of a maximum of the following: 500 dwellings, 3,224m² of office employment (use class B1a), 9,192m² of light industrial employment (use class B1c), 333m² of retail floor space (use class A1) and a 1,110m² community building (use class D1). The proposal also relates to associated ancillary works.
- 2.3 The current reserved matters application will deliver a high quality employment scheme within the Borough, whilst also bringing a brownfield industrial site back in to use. It supports the Borough's planning strategy for job creation as set out in the Core Strategy. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

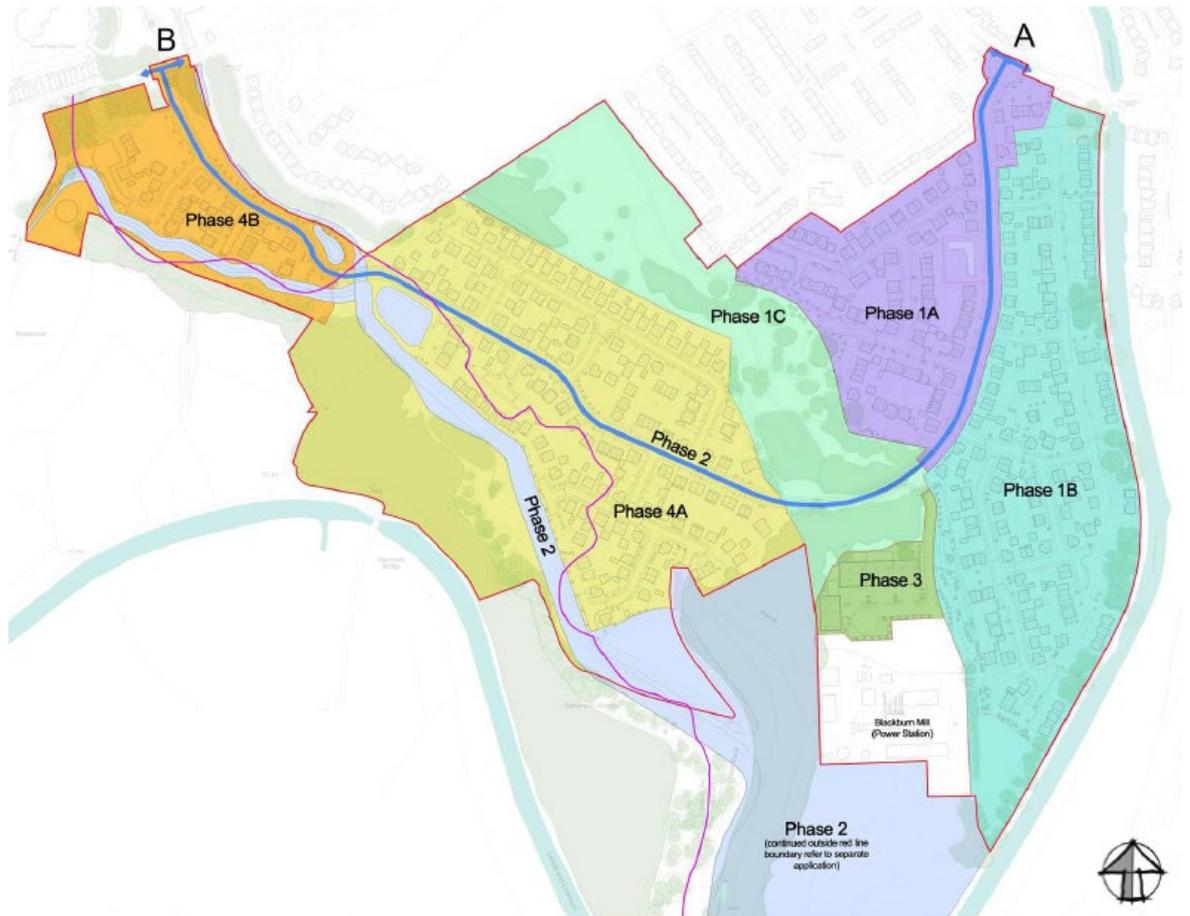
3.1 Site and Surroundings

- 3.1.1 The proposal relates to phase 3 of the redevelopment of the area commonly referred to as the 'SAPPI site' given the last occupant of the majority of the area. The site forms part of an irregular shaped parcel of land positioned to the south west of Livesey Branch Road and south east of Moulden Brow and measuring approximately 26.8 hectares.
- 3.1.2 The SAPPI site has historically been used for industrial activity but the mill buildings have now been demolished and the area is no longer in active use. The southern portion of the site is largely undeveloped and is comprised of woodland and grassland. The River Roddlesworth runs through the site from south to north and is culverted beneath the former mill area within the central portion of the site. The north and east sections of the site are zones of previously undeveloped grassland.
- 3.1.3 The current reserved matters application is identified as Phase 3 of the SAPPI development. Phase 3 sits to the south of the spine road linking the site to Livesey Branch Road. The area is bounded to the east by a residential development parcel, referred to as Phase 1B, whilst the southern edge

bounds the Blackburn Mill Power Station. The northern and western edges are bounded by mature landscaping.



Extract from submitted location plan.



Extract from submitted phasing plan.

3.2 Proposed Development

- 3.2.1 The submission is a reserved matters application, addressing access within the site, landscape, layout, appearance, scale; pursuant to outline application 10/15/0496, as amended by application 10/18/0317, for Phase 3 comprising 16,000 sq.ft of class B2 industrial units.
- 3.2.2 The proposal provides for 4no. units, arranged in an 'L' shape around a central parking and servicing area. The units are all equal in size at 4,000 sq.ft, and of single storey construction with a maximum height of 7m. The units are principally constructed with light grey cladding, with feature fibre cement cladding panels in grey/green and brick plinth detail. Each unit has a large roller shutter access door and glazed entrance area.
- 3.2.3 The proposed external areas provides for 29 car park spaces and a shared service and vehicle turning area. The car park spaces are principally located to the front of the units and include landscaping strips.



Extract from submitted proposed site plan.

3.3 Development Plan

3.3.1 In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.3.2 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal, the following are considered to be the most relevant policies;

3.3.3 Core Strategy:

- CS1 – A Targeted Growth Strategy
- CS16 – Form and Design of New Development

3.3.4 Local Plan Part 2 (LPP2)

- Policy 1: The Urban Boundary
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 28: Development Opportunities
- Policy 36: Climate Change
- Policy 40: Integrating Green Infrastructure & Ecological Networks

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (The Framework).

3.4.2 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking, this means approving development proposals that accord with the development plan without delay (paragraph11).

3.5 Assessment

3.5.1 In assessing this reserved matters application there are a number of important material considerations that need to be taken into account, as follows:

- Principle;
- Design and Layout;
- Highways and access; and
- Amenity impact

3.5.2 Principle of Development:

The principle of a mix of residential an employment uses within the site has already been considered and accepted through the assessment and subsequent approval of outline application 10/15/0496, as amended by application 10/18/0317

3.5.3 Design and Layout

Policy 11 of the Local Plan requires development to present a good standard of design, demonstrating an understanding of the wider context and making a positive contribution to the local area. The policy sets out a list of detailed design requirements relating to character, townscape, public realm, movement, sustainability, diversity, materials, colour and viability. This underpins the main principles of sustainable development contained in the NPPF.

3.5.4 The proposal provides for 4no. units, arranged in an 'L' shape around a central parking and servicing area. The units are all equal in size at 4,000 sq.ft, and of single storey construction with a maximum height of 7m. The units are principally constructed with light grey cladding, with feature fibre cement cladding panels in grey/green and brick plinth detail. Each unit has a large roller shutter access door and glazed entrance area.

3.5.5 A detailed design and access statement has been provided which sets out the key design principles, which are taken forward in the application proposals. These include;

- Building layout scale and massing designed to minimise visual impacts on the adjacent residential areas

- Building layout, scale, massing and materials designed to respect the setting of the canal and canal towpath
- Building layout designed to maximise the benefits of the landscape setting, the canal setting and access to the canal towpath
- Parking is to the front of units. This ensures secure spaces are created with high levels of natural surveillance and no casual access.
- The use of defensive planting within the scheme helps to minimise the impact of the development, maintain clear visibilities and allow natural surveillance. The positioning of shrubs and trees will help to provide privacy and security without providing hiding places or opportunities for anti-social behaviour.
- The proposed materials for the commercial buildings will be horizontal grey cladding with accent cladding to the entrances.

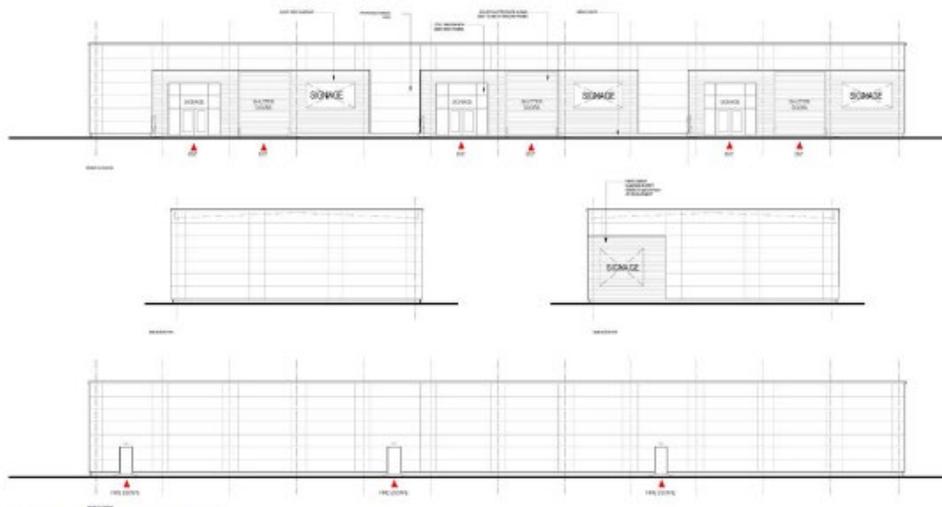


Figure 12: Unit 1 Elevation

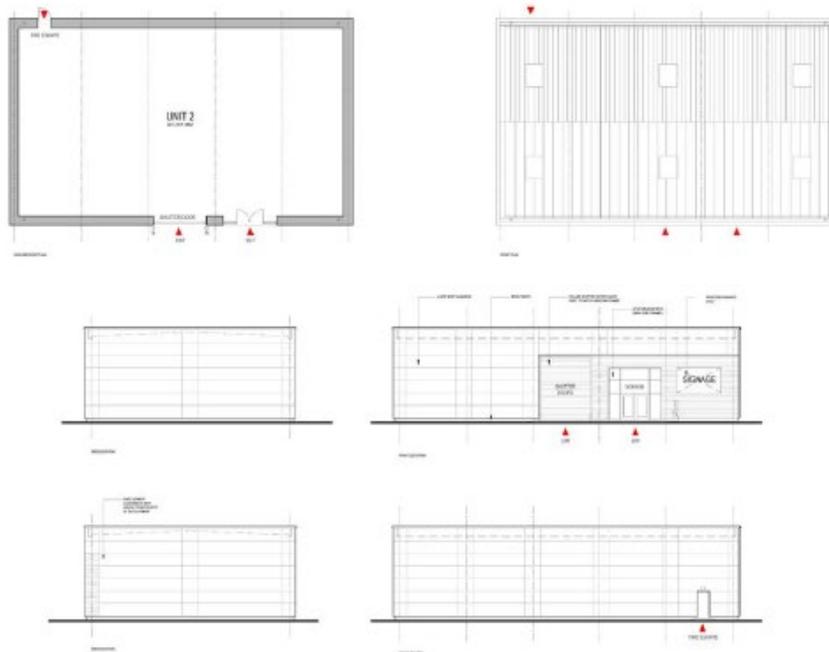


Figure 12: Unit 2 Elevation

Extract from submitted floor plans and elevations:

3.5.6 The comprehensive details submitted illustrate a design and layout which show new buildings, infrastructure and landscaping which accords with the provisions of the relevant policies of the development plan.

3.5.6 Highways:

Core Strategy Policy 22: Accessibility Strategy and Local Plan Policy 10: Accessibility and Transport, aim to ensure that new developments provide appropriate provision for access, car parking and servicing so as to ensure the safe, efficient and convenient movement of all highway users is not prejudiced.

3.5.7 The site is currently accessed via an existing priority controlled 'T' junction, located to the east of the site on the A6062 Livesey Branch Road. This provides direct access to the existing CHP Power Plant and the remaining undeveloped land in the lower portion of the site. Planning approval 10/18/0290 provides for a remodelling of the existing junction to reduce its size, removing large expanses of carriageway to form a more compact, safer formalised priority junction. The adjoining internal access road is secured by the deed of variation application 10/18/0740 and will be residential in nature with pedestrian crossing facilities and footways provided on both sides, linking Livesey Branch Road through to Moulden Brow. As a consequence the access arrangements are considered to be satisfactory.



Extract from submitted site plan showing access and parking arrangements:

- 3.5.8 Parking provision for the development, at 29 spaces, is broadly in accordance with the Council's adopted parking standards; 1 space per 60m² of floor space. Furthermore, the spaces include a mix of standard car park spaces to adopted standards of 2.4m x 4.8m and larger spaces for light vans of 2.4m x 5.5m.
- 3.5.9 Highway colleagues have requested further information of the servicing arrangements for the development. However, the proposal is a speculative development and full details of the type and numbers of delivery vehicle are not known at this time. The scheme provides for direct access to each unit that will support deliveries, as well as being served by a 21m turning area to facilitate larger vehicles entering and leaving the site in forward gear.
- 3.5.10 Highways colleagues have requested the use of a construction methods condition, though it is unnecessary to attach such a condition to this reserved matters application as one has already been imposed upon the original outline consent 10/15/0496, as amended by 10/18/0317.
- 3.5.11 Subject to the delivery of the spine road – as controlled by the separate deed of variation application 10/18/0740 – matters already controlled by condition within the outline approval for the site and the above suggested condition relating to disabled parking and cycle storage facilities, the proposal can be considered to meet the requirements of Policy 10 of the Local Plan Part 2

3.5.12 Residential Amenity:

Policy 8 of the LPP2 relates to the impact of development upon people. Importantly, at section (ii) of the policy there is a requirement for all new development to secure satisfactory levels of amenity for surrounding uses and future occupiers of the development itself. Reference is made to matters including; noise, vibration, odour, light, dust, privacy/overlooking and the relationship between buildings.

- 3.5.12 Members will note that the technical assessment relating to noise, vibration, odour and dust are already controlled by planning conditions associated with the outline approval for the site.
- 3.5.13 The proposed commercial units are modest in scale, with a maximum height of 7m. They are positioned approximately 40m away from the nearest residential unit within Phase 1b. The distance serves to ensure there is no prospect of loss of amenity due to overlooking/loss of privacy or the relationship between buildings.
- 3.5.14 The Council's Head of Public Protection has again requested a number of conditions to limit potential harm to future users of the site and occupants of the dwellings within the surrounding phases of development. These include; the use of a maximum noise level condition, restricting maximum day time noise levels to 45dB and night time to 35dB when measured from any residential property; restricting delivery and dispatch times to the following times; Monday to Friday 7:30am to 20:00pm, Saturday 8:00am to 18:00pm,

No delivery or dispatch on Sundays and Bank Holidays; and standard land contamination conditions. Given the same conditions are imposed upon the outline approval there is no requirement to attach the conditions to this reserved matters application.

3.5.15 In summary, the suite of conditions imposed upon the outline permission, allied to the physical form and layout of the new buildings detailed within this reserved matters application, serve to ensure amenity standards will not be unduly affected. Accordingly, compliance with LLP2 Policy 8 is achieved.

4.0 RECOMMENDATION

4.1 APPROVE subject to the following conditions;

1. 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:

P17 5150 40; 17 5150 05E; 17 5150 33; 17 5150 34; 17 5150 35; 17 5150 66; and 17 5150 68

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

5.0 PLANNING HISTORY

5.1 10/12/0048 – Prior Approval for complete demolition of former Sappi Paper Mill including all outbuildings, tanks and enclosures down to the slab level of each structure (Approved March 2012)

10/13/1011 – Environmental Impact Assessment screening request; mixed use development comprising residential and employment uses (EIA not required, November 2013)

10/15/0496 – Outline application for a maximum of the following: 500 dwellings, 3,224m² of office employment (use class B1a), 9,192m² of light industrial employment (use class B1c), 333m² of retail floor space (use class A1) and a 1,110m² community building (use class D1). (Approved November 2015)

10/18/0290 – Reserved Matters application (access within the site, landscape, layout, appearance, scale) pursuant to outline application 10/15/0496 for Phase 1a comprising of 95 dwellings and associated infrastructure

10/18/0317 – Variation of conditions 2, 6, 14, 15, 16, 18, 19, 22, 29, 32, 33, 36, 37, 38, 40, 41, 43 and 44 pursuant to planning application 10/15/0496

10/18/740 - Variation to Section 106 Planning Obligation for planning Application 10/15/0496

10/18/1097 - Reserved Matters Application (access within the site, landscape, layout, appearance, scale) pursuant to outline 10/15/0496 for Phase 1b comprising of 141 dwellings and associated infrastructure

10/19/1072 - Variation of condition No. 6 pursuant to planning application 10/18/0290 'Reserved Matters application (access within the site, landscape, layout, appearance, scale) pursuant to outline application 10/15/0496 for Phase 1a comprising of 95 dwellings and associated infrastructure' to allow for design changes to house types K and A1

- 5.2 Additionally, a significant number of planning applications relating to the historical use of the site have been identified, but none are considered to be relevant to the determination of the current application.

6.0 CONSULTATIONS

Public Protection:

No objection, subject to conditions relating to; maximum noise levels at the boundary of any residential property (Day-time level - 45dB and Night-time level - 35dB) ; restricted delivery and dispatch from the employment area (Monday to Friday 7:30am to 20:00pm, Saturday 8:00am to 18:00pm, No delivery or dispatch on Sundays and Bank Holidays); standard land contamination conditions

Lead Local Flood Authority:

No objection.

Highways:

Vehicular access to the property is to be taken from a new access road which links directly to Star Drive and Livesey Branch Road beyond. The road width is 4.5m and supported by a footway on one side of the carriageway. Pedestrian access is provided from Star Drive and leading up to each individual unit, this is acceptable.

The proposal generates a parking requirement of 28 spaces when considered against the Council's adopted parking standard. The scheme provides for 29 spaces, which is acceptable.

No servicing details have been provided, given the speculative nature of the development.

Environmental Services:

No objection.

Public Consultation:

Public consultation has taken place, with 216 neighbouring properties individually consulted via letter, site notices displayed and press notices issued. No representations have been received.

7.0 CONTACT OFFICER: Martin Kenny, Principal Planner

8.0 DATE PREPARED: 5th October 2021