

<b>No.1</b>	<b>APPLICATION NO.</b>	2019/0595/FUL
	<b>LOCATION</b>	Ramsay Timber And Building Supplies Skull House Lane Appley Bridge Wigan Lancashire WN6 9DR
	<b>PROPOSAL</b>	Variation of Condition No. 2 of planning permission 2018/1260/FUL to vary the approved plans.
	<b>APPLICANT</b>	Ramsay Timber And Building Supplies
	<b>WARD</b>	Wrightington
	<b>PARISH</b>	Wrightington
	<b>TARGET DATE</b>	18th September 2019

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## **1.0 REFERRAL**

1.1 The application has been called in for consideration at Planning Committee by Councillor Baybutt to assess the impact of the proposed development on neighbouring properties.

## **2.0 SUMMARY**

2.1 The proposal is a S73 (variation of condition) application which relates to the variation of the approved plans for 2018/1260/FUL. This recent permission granted approval for a large part replacement timber storage building. The proposal is to increase the height of the approved storage building by increasing the height of the eaves by 2.6m and the ridge by 1m. The approved building would be sited 5m off the site's southern boundary with residential properties.

2.2 The principle of a building of this floorspace for storage use, in association with a timber yard, was established by approval 2018/1260/FUL. The impacts in respect of highway safety, trees and layout/design remain the same. The revised proposals have been assessed in respect of residential amenity, conservation impacts/design and ecology/protected species. The scheme is considered to be acceptable and in accordance with policies GN3 and EN4 of the West Lancashire Local Plan (WLLP).

## **3.0 RECOMMENDATION: APPROVE with conditions.**

## **4.0 THE SITE**

4.1 The site is located to the south of Skull House Lane, Appley Bridge. It is located within the southern area of Ramsay's Timber Yard and is largely surrounded on 3 sides by warehouse and industrial buildings used by the Timber Business. The site adjoins to the south, the elevated garden and the residential dwelling Oakward, plus an industrial building and former Quarry. There are some residential properties to the west in Apple Hey and Spring Bank but these are largely separated by an embankment. The site sits in a dip with the land to the north and west (and residential properties) being at a significantly higher level.

4.2 The site is designated as part of a 'Significant Employment Site' in the WLLP.

## **5.0 PROPOSED DEVELOPMENT**

5.1 The proposal is a S73 application which relates to the variation of approved plans Condition 2 to application 2018/1260/FUL.

5.2 The proposal is to increase the height of the approved storage building by increasing the height of the eaves from by 2.6m and the ridge by 1m.

## **6.0 RELEVANT PLANNING HISTORY**

6.1 2018/1260/FUL - Erection timber storage building GRANTED

6.2 2014/0663/FUL - Demolition of existing office and small workshop buildings and extension of existing traditional portal frame timber storage building  
GRANTED

6.3 2007/0717/FUL - Timber store.  
GRANTED

6.4 2007/0051 - Erection of two storey replacement office building  
GRANTED

6.5 2004/1351 - Extension to existing wood/timber store.  
GRANTED

6.6 2000/0396 - Timber storage shed.  
GRANTED

6.7 1998/0716 - Open sided timber store.  
GRANTED

6.8 1994/0995 - Erection of storage canopy.  
GRANTED

6.9 1990/0813 -Canopy to cover external timber treatment plant.  
GRANTED

6.10 1990/0349 - Canopy to cover new timber treatment plant.  
GRANTED

## **7.0 CONSULTEE RESPONSES**

7.1 None

## **8.0 OTHER REPRESENTATIONS**

8.1 Wrightington Parish Council - No objections

8.2 There have been 5 objections from neighbouring properties raising the following issues:

### **Residential amenity**

Increase in height will impact immensely on the imposing size of warehouse;  
Proposed building now 3.5m higher and eaves 2.6m higher than existing storage buildings;  
No justification for increased height and volume;  
At present adequate concealment from property;  
Views of buildings on site would be more bulky/massive than 3 existing buildings it replaces;  
Need more screening in winter;

Need extra natural screening/landscaping from noise, light and views;  
Main concern illumination of the premises;  
Increased height will increase usage and extend operating hours as traffic at capacity;  
Increased height increases use of bigger forklift trucks;  
Longstanding complex history of emissions issue with Ramsay Timber causing health problems;  
Why external storage proposed close to vulnerable residential properties.

### **Conservation**

Large planned building will have significant negative impacts on Conservation Area including trees/wildlife.

### **Inadequate detail**

Size and height of building not fully stated;  
No full site plan (at 1250 scale);  
Surrounding properties not shown on plans;  
Full environmental statement not included no assessment on trees wildlife health.

### **Wildlife/Ecology**

Larger building will have negative impacts on trees wildlife;  
Barn owls in and around buildings (nesting) no habitat survey submitted.

- 8.3 There has been 1 comment from a neighbouring property raising no objection but requesting the building be clad in dark green or brown to blend in with natural surroundings and assurance that tree works have been assessed by the appropriate department.
- 8.4 2 Residents subsequently have withdrawn their objections following discussions with the applicant and the amendments made

## **9.0 SUPPORTING INFORMATION**

- 9.1 Plans and sections.
- 9.2 The applicant has produced sections showing the proposed building in relation to the buildings it replaces and in relation to surrounding other buildings on site.
- 9.3 The applicant has responded to residents' concerns with the following information:

The 3 open buildings which are to be demolished are currently accessed by a wagon/sideloader to move the timber. These machines can currently manoeuvre right up to the site boundary. The construction of the new building will go a long way to helping reduce any noise pollution;

The door to the South West corner of the building is to be removed, ensuring there will be no vehicle traffic movements around this area. Any storage around this area will be lightweight as this will only be able to be carried in by hand;

Any doors to the rear are positioned to the Eastern side of the building away from the houses and will be kept to a minimum;

The requirement for the increase in height is so cantilever racking can be included in the building. This enables our Client to reach packs of timber much more easily, quickly and also safely;

The extra height keeps the vehicle working movements down to a minimum working time;

The levelling off of the site to construct the building, will allow the purchase of more advanced side loaders/forklifts which are electric, being environmentally friendly and quieter for adjacent neighbours;  
Any lighting of the building will be directional as noted in the Planning Approval, there is no additional lighting proposed;  
Our Client is open to changing the colour of the cladding to green along the South and West walls to help blend in with the existing landscaping.

- 9.4 In response to residents reporting of a barn owls in the area the applicants have submitted a Bat, Barn Owl and Nesting Bird Survey by Envirotech Ecological Consultants.

## **10.0 RELEVANT PLANNING POLICIES**

- 10.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) provide the policy framework against which the development proposals will be assessed.

- 10.2 The site is located within the North Quarry Business Park which is designated as a 'Significant Employment Site' within the West Lancashire Local Plan (WLLP).

### **10.3 National Planning Policy Framework**

Building a strong, competitive economy

Achieving well-designed places

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

### **10.4 West Lancashire Local Plan (WLLP) 2012-2027 DPD**

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy EC1 – The Economy and Employment Land

Policy EN1 – Low Carbon Development and Energy Infrastructure

Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment

Policy EN4 – Preserving and Enhancing West Lancashire's Historic Environment

**Supplementary Planning Document – Design Guide (January 2008)**

## **11.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

- 11.1 The site is designated as part of a 'Significant Employment Site' in the WLLP (Policy EC1) and the principle of the building of this floorspace for storage use in association with the timber yard was established by approval 2018/1260/FUL. The impacts in respect of highway safety, trees and layout/design remain the same. The revised proposals for an increase in height of the approved building are to be assessed in respect of Residential amenity and Conservation/Design Impacts and impacts on Ecology/trees are further assessed.

### **Residential Amenity**

- 11.2 The site has a longstanding and lawful use as a timber yard. The building would be used for the storage of timber in association with the wider timber yard and its operation, use and hours would remain unchanged. The approved building measured 73m in length, a maximum width of 43m with a maximum ridge height of 8.7m.
- 11.3 The proposal is to increase the height of the eaves by 2.6m and the ridge by 1m so cantilever racking can be included in the building. The applicant states this will enable

packs of timber to be reached more easily, quickly and also in a safer manner. The main change is the physical impact of this larger structure particularly on its southern boundary. The nearest residential property would be that of Oakwood which is located directly south of the site. The building would be located about 15m away from this dwelling and it is noted that there is significant tree screening and a 5.5m blockwork retaining wall on the boundary. The eaves height of the building would increase by 2.6 m and the building would be visible approximately 2m above this boundary wall albeit set 5m off the common boundary. Owing to the scale and height of the proposal it is likely that the eaves/roof of the proposed building would be visible from the garden of Oakwood. However there are inward facing garden outbuildings on this common boundary behind the retaining wall and a belt of conifer screening and a large deciduous tree with the dwelling beyond. I still consider that the physical presence of the building set 5m off the boundary would not result in significant harm in respect of being overbearing to Oakwood noting the existing extensive screening, the presence of existing buildings and the fact that the pitched roof would slope away from the party boundary.

- 11.4 The increased height of the building might be slightly more visible from other surrounding properties to the west in Apple Hey and Spring Bank particularly in winter but private views are not a material planning consideration. I do not consider that the physical presence of the building would have an overbearing impact upon any other neighbouring properties as a result of the separation distance from it and given the level changes, embankment and existing vegetation. The previous consent approved 4 lighting columns on the southern boundary of the site with lighting directed towards the building. In the absence of any details of the columns or lighting luminance a safeguarding condition is repeated to control any impacts from lighting.
- 11.5 In terms of the activity associated with the proposed building the applicant has now deleted the proposed door to the South West corner of the building in order to remove vehicle traffic movements around this area. The applicant considers the more level site will allow the purchase of electric fork lift loading/unloading equipment. The larger building reduces outdoor servicing areas and enables movement of unloading/loading vehicles to take place inside the building.
- 11.6 Subject to repeating relevant safeguarding conditions directly related to the development proposed, I do not consider the proposal would adversely affect the amenities of nearby residential properties and the proposal complies with GN3. These conditions for what are in effect replacement storage buildings still include controls over the use of any fixed power driven machinery.

### **Impact on the adjacent Conservation Area/Design**

- 11.7 The Ashfield Terrace Conservation Area lies to the immediate south of the site and therefore the proposed development requires an assessment as to whether it affects the setting of this heritage asset. The principle statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 is to preserve the character or appearance of a conservation area" and its setting s.72(1) and this is complemented by similar requirements in Policy EN4. I consider that the replacement building, would not appear prominent within the context of its surroundings either through scale, design or use of materials. The proposed profiled cladding materials for the building are considered acceptable and are similar to other industrial buildings on the site and meet the requirement of Policy GN3 of the WLLP. The applicants offer to clad in green the south and west elevations of the building with the other goosewing grey, will help it better blend in with the existing embankment/landscaping. There is a clear boundary between the Conservation Area and the Employment area and given that it is a replacement building (albeit slightly large in area and roofscape) together with the marked change in levels, I do

not consider there would be any adverse impact on the setting of the Conservation Area. The amended proposal with an enlarged roof would thereby comply with Policy EN4 and GN3 and duties under s72 of the P(LBCA) Act.

### **Ecology/Protected species**

- 11.8 In accordance with Policy EN2 in the Local Plan, where there is reason to suspect that there may be priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. The applicants were advised at Pre Application that further consideration should be given to whether or not these buildings support (or could potentially support) priority species, such as bats or nesting birds, or their habitat. Residents have commented that there are Barn Owls in and around the existing buildings. In response the applicants have submitted a Bat, Barn Owl and Nesting Bird Survey, by Envirotech Ecological Consultants.
- 11.9 The site survey found no evidence of bats roosting although there is a possibility of opportunistic use by low numbers of bats at some times of the year. The level of use is not considered likely to be significant and with the precautionary mitigation, a significant disturbance and or the loss of roost sites is unlikely to occur. There was no evidence of birds currently nesting. Work will not be commenced or undertaken in such a way as active nest sites are disturbed. There is no evidence of past use of the buildings by barn owls for roosting or nesting.
- 11.10 Subject to precautionary measures set out in the applicants submitted ecology report, the proposal complies with Policy EN2 in respect of Ecology and Priority Species.

### **12.0 CONCLUSION**

- 12.1 The principle of a building of this floorspace for storage use in association with a timber yard was established by approval 2018/1260/FUL. I consider that the physical presence of the building with its enlarged roof design set 5m off the boundary would not result in significant harm in respect of being overbearing to neighbouring properties. Subject to repeated safeguarding conditions I do not consider the proposal would adversely affect the amenities of nearby residential properties and would comply with Policy GN3. I do not consider that the amended design would appear prominent within the context of its surroundings within the Conservation Area either through scale, design or use of materials and would not impact on ecology or protected species. I consider the proposals would comply with Policies GN3, EN2 and ENV4 of the WLLP and the duty under S72 of the Planning (Listed Buildings and Conservation Areas) Act.

### **13.0 RECOMMENDATION**

- 13.1 That planning permission be granted subject to the following conditions and reasons:

#### **Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference 3649-18-04D Proposed Site Plan received by the Local Planning Authority on 30 August 2019.  
Plan reference 3649-19-10A Proposed Site Sections received by the Local Planning Authority on 13 June 2019.

Plan reference 3649-18-06B Proposed Plan received by the Local Planning Authority on 23 July 2019.

Plan reference 3649-19-11A Proposed Elevations received by the Local Planning Authority on 23 July 2019.

Plan reference 3649-18-08A Proposed Site Plan and Location Plan received by the Local Planning Authority on 27 November 2018.

3. No development shall take place until full details and samples of the facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No power driven machinery (other than hand held tools), plant, flues or ducting shall be installed or operated in the building hereby approved without details to be submitted to and approved by the Local Planning Authority. These details shall include any measures necessary to ensure sound attenuation or ventilation/extraction of any machinery, plant, flue or ducting. The scheme shall implemented in accordance with any approval by the Local Planning Authority
5. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of any external lighting, including any to be installed on the building have been submitted to and approved in writing by the Local Planning Authority. The details shall include height of any lighting/columns, orientation and cowling of any lighting, its luminosity and hours of operation. All external lighting shall be installed and maintained in accordance with the agreed scheme.
6. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Impact Statement with Tree Protection measures by Godwins Arboricultural Limited received 27 November 2018 unless otherwise agreed in writing by the Local Planning Authority.
7. The development shall be implemented in accordance with the Recommendations and Mitigation strategy described in the Bat, Barn Owl and Nesting Bird Survey prepared by Envirotech and deposited with the Local Planning Authority on 20 September 2019.

### **Reasons**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To safeguard local residents from noise and disturbance, and to comply with Policy GN3 of the West Lancashire Local Plan
5. To safeguard local residents from any adverse impacts of lighting and to comply with Policy GN3 of the West Lancashire Local Plan
6. To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 of the West Lancashire Local Plan
7. To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document

### **Reason for Approval**

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:  
Policy GN1 - Settlement Boundaries  
Policy GN3 - Criteria for Sustainable Development  
Policy EC1 - The Economy and Employment Land  
Policy EN1 - Low Carbon Development and Energy Infrastructure

Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment  
Policy EN4 - Preserving and Enhancing West Lancashire's Natural Environment  
together with Supplementary Planning Guidance and all relevant material considerations.  
The Local Planning Authority considers that the proposal complies with the relevant Policy  
criteria and is acceptable in the context of all relevant material considerations as set out in  
the Officer's Report. This report can be viewed or a copy provided on request to the Local  
Planning Authority.