

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: POLICY AND RESOURCES COMMITTEE

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Report Author: Neil Watson
Tel. No: 01282 661706
E-mail: neil.watson@pendle.gov.uk

DEVELOPMENT BRIEF FOR THE EXTENSION OF LOMESHAYE INDUSTRIAL ESTATE

PURPOSE OF REPORT

- (1) To inform Committee of the outcome of the consultation on the draft Development Brief.
- (2) To approve and adopt the final version.

RECOMMENDATIONS

- (1) That Committee note the comments received.
- (2) That Committee adopt the revised Development Brief as set out at Appendix A.

REASONS FOR RECOMMENDATIONS

- (1) In order that the Committee note the comments made and take them on board in considering the form of the Development Brief.
- (2) To adopt the Development Brief to comply with the requirements of Policy WRK3 of the adopted Part 1 Local Plan.

ISSUE

- 1 The adopted Core Strategy – Part 1 Local Plan allocates land for industrial development. That is an extension to the existing Lomeshaye Industrial estate. Policy WRK3 (Strategic Employment Site; Lomeshaye), which allocates the site in the Local Plan, provides several policy criteria for the site's development.
- 2 One for these criteria is to produce a Development Brief, including a design code, for the site. Phase 1, which comprises the lower part of the site, has already had planning permission approved on it. The Development Brief focusses therefore on phase 2 which is the upper section.

- 3 The Development Brief has been out to consultation and all the comments received are appended at Appendix B. In addition to the public consultation the Brief has been taken to Barrowford, Brierefield and Nelson Area Committees for comment. Brierefield and Nelson agreed the Brief and Barrowford commented as follows:

Whilst Councillors are supportive of the creation of jobs and investment in the Borough, there is concern that there will be increased traffic from workers and heavy vehicles entering and leaving the A6068 – an already busy road - travelling away from Junction 13/M65 past Fence down Cuckstool Lane to access the M65 at Junction 12 and travelling further along the bypass past Higham to join the motorway further down at Junction 8.

Annex i refers to the A6068 as a dual carriageway and this is not the case. Did the Planning Inspector also get this wrong at the time of the Examination in Public for the Core Strategy?

The Committee is not in support of a single access from the A6068. There should be a connection between the upper and lower sections so that the whole site can be accessed from the A6068 and Junction 12.

There has not been a proper Traffic Impact Assessment done to accompany the Brief. Paragraph 95 of the Inspector's decision letter into the Local Plan states "The site can be accessed from Junction 13 along the A6068". The Inspector did not say "should be" or "must be". The comments from Roughlee Booth Parish Council concerning access arrangements are supported.

That the Planning, Building Control and Licensing Services Manager be asked to report back on whether the land for Phase 2 had been sold to another party for the development.

- 4 Members will note that some comments have been made which go to the heart of whether or not the site should be allocated for employment. These relate for example to the capacity of the road network to accommodate the development and the principle of having a site there. Members are advised that matters of principle have already been considered and determined through the designation of the site in the Local Plan. The Brief does not consider these matters of principle. It considers design parameters that the development of the site should have regard to.
- 5 One of the main issues from the comments was whether there needs to be a transport assessment to consider the location of an access and whether the site should be accessed off the A6068. The Examination in Public into the Local Plan considered the principle of where the site could be accessed from. The Inspector heard evidence on the infrastructure investment that was being made to improve both junctions 12 and 13, had transport statements in front of him and had an indicative plan of the layout which showed access onto the A6068. There have also been discussions with Lancashire County Council's Highways section who do not object to the principle of an access onto the A6068.
- 6 The role of the Development Brief is not to act as a full planning application with full supporting documents. That will come at the next stage of the development of the site including a full transport statement looking in more detail at the precise requirements for the access arrangements to the site as well as the capacity of the transport network. The role of the Brief is to provide a Design Framework for the development of the site. For this purpose there has been adequate consideration of the principle of having an access onto the A6068 and there is no deficiency in the process for not having a full transport assessment in place, the principle having been agreed through the Local Plan process with the Inspector being satisfied that he had enough evidence to conclude that access could be from the A6068.

There is no requirement for a transport assessment to be undertaken as part of the Development Brief.

- 7 The Development Brief has been amended in line with the comments received as set out at Appendix A. It includes a revision to the scale of the units. The initial Brief looked to having 8m maximum heights for all units. For modern businesses may require additional head room. The proposal is to allow 8m to eaves for units that are not located adjacent to the A6068. This will not affect the overall appearance of the site in the landscape.

IMPLICATIONS

Policy: None

Financial: None

Legal: None

Risk Management: None

Health and Safety: None

Sustainability: None

Community Safety: None

Equality and Diversity: None