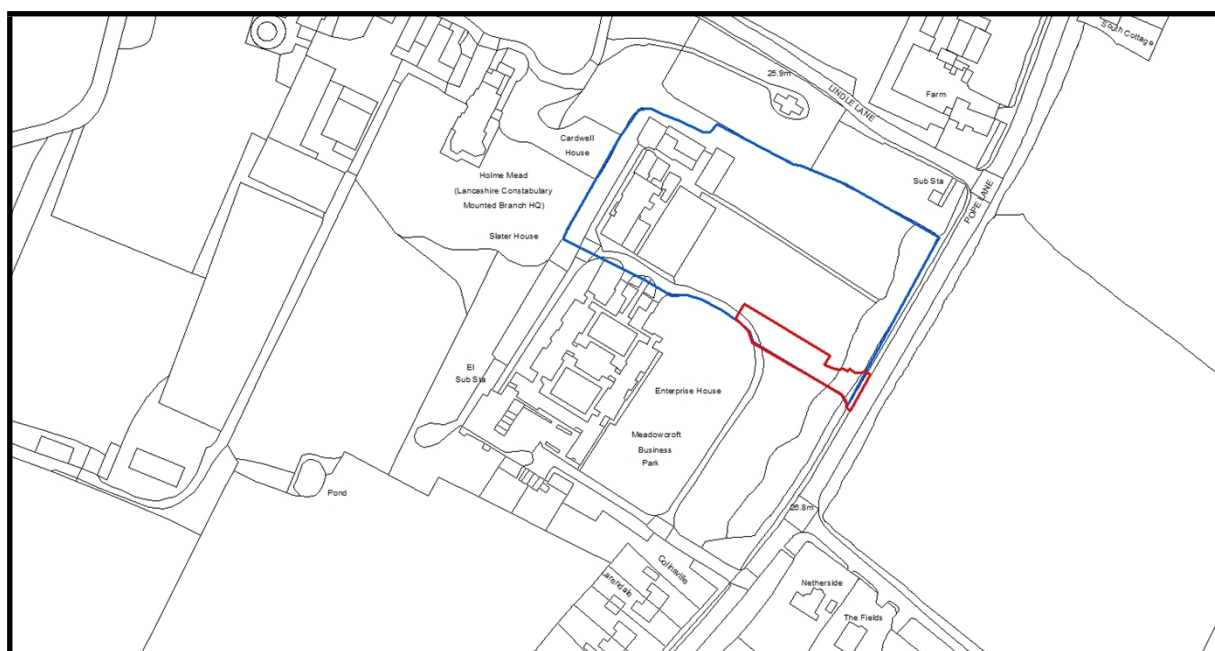


Application Number	07/2016/1292/FUL
Address	Meadowcroft Business Park Pope Lane Whitestake Preston Lancashire PR4 4BA
Applicant	Messrs. TJ Haley and MR Bailey
Agent	Mr Simon Newall 7 East Cliff Preston PR1 3JE
Development	Construction of new access road and junction of Meadowcroft Business Park
Officer Recommendation	Approval with Conditions
Officer Name	Mrs Janice Crook
Date application valid	12.01.2017
Target Determination Date	09.03.2017
Extension of Time	28.04.2016

Location Plan



1. Report Summary

- 1.1 The application proposes the formation of a new access road from Pope Lane to serve the remaining offices, part of the former Meadowcroft Business Park. The adjacent site is currently being redeveloped for a residential scheme and it has become apparent that there is conflict between the employees and visitors to the offices and the residential development in terms of access.
- 1.2 The site is within the Green Belt where there is a general presumption against inappropriate development. However, a recent appeal decision recognised that the

formation of an access is an engineering operation that would not harm the openness of the area, and represents a development that would not be inappropriate development in the Green Belt. In the interests of highway safety and to support the existing businesses, the application is, on balance, considered acceptable and is recommended for approval subject to the imposition of conditions.

2. Site and Surrounding Area

- 2.1 The application relates to land fronting Pope Lane in Whitestake and is located to the front of an office development, part of the former Meadowcroft Business Park. The site comprises of a grouping of buildings which currently houses five individual businesses together with an associated car parking area. The adjacent site has permission for a residential development of 14 dwellings with access to the Business Park through this development. The surrounding area consists of a mix of single and two storey residential properties to the south, the Lancashire Constabulary Mounted Branch complex to the west, open green belt land to the east and Lindle Lane to the north.

3. Planning History

- 07/1986/0350 Change of use of staff house no.2 from residential to office use for Social Services Emergency Duty Team. APV 30/07/1986
- 07/1996/0772 Change of Use From School Residential Block to Accountants Offices (Use Class A2) and Use of Adjacent Tennis Court for Associated Parking. APV 22/01/1997
- 07/1997/0650 Erection of Two and Single Storey Extensions, Formation of Staff Car Park, Erection of Security Fencing to Rear and Installation of 4 No 6 Metre High CCTV Columns. APV 04/02/1998
- 07/1999/0643 Change of use from C2 Residential Institution to mixed use of Offices (B1), Training Centre (C2) and Catering Facilities and formation of car park to rear. APV 24/11/1999
- 07/2012/0695/FUL for the erection of 14 Residential Dwellings following demolition of existing buildings on the adjacent site, APV 15/05/2013.
- 07/2016/0567/VAR for a variation of condition 2 to amend the site layout in respect of the re-location of the site turning head APV 13/10/2016

4. Proposal

- 4.1 The application proposes the construction of a new junction and access road from Pope Lane to serve the office development, part of the former Meadowcroft Business Park. The new access road will measure 6m in width reducing to 3m in width and 66m in length from Pope Lane to the connection with the existing access road. The new junction with Pope Lane will achieve visibility splays of 2.4m x 102m.

5. Summary of Publicity

- 5.1 Neighbouring properties were notified and a site notice posted with 22 letters of representation being received. Seven of the letters were objecting to the proposal on the following grounds:
- This stretch of Pope Lane is an accident blackspot
 - Will be difficult to see out from the new junction due to historic tree line
 - Excessive speed of motorists along Pope Lane
 - There have been 2 fatalities on this section of road
 - Pope Lane is very popular with walkers, joggers, horse-riding and the additional junction will be an additional hazard to negotiate
 - Only one footpath on Meadowcroft side of road
 - Additional access will be detrimental to safety of road users
 - No mention of additional access with original planning permission, this is very devious
 - Proposed access is close to the busy and narrow junction with Lindle Lane and immediately adjacent to two bus stops.

- Unsafe conflict of traffic
- Removal of trees fronting Pope Lane
- Impact on this country lane

5.2 Fifteen letters of support were received, commenting as follows:

- the proposal will provide a safer environment for both the business park users and the residents of the new housing development.
- Access will provide a clear view of oncoming traffic
- Benefit to new residential of development as constant flow of traffic will be removed from within residential site
- Safer for new families and children
- Better arrangement for businesses on the park
- Will improve the look the business to their clients
- Have received negative comments from clients regarding the access
- Will help promote the businesses and safeguard existing jobs
- People employed at the business park have found it increasingly difficult to access the workplace
- Reduce traffic volumes to both parts of site
- Since a large detached dwelling has been constructed on a bend on the internal road, visibility has become a real problem. Separate accesses will remedy this.
- Two separate accesses will help with traffic build up on Pope Lane
- Proposal will reduce danger for pedestrians
- Two accesses is a sensible approach

6. **Summary of Consultations**

6.1 **County Highways** have no objections in principle to the proposal but require two points be addressed. They require that the access is widened at the access point to at least 6m for a minimum of 15m from the back edge of the adopted highway and that sight lines of 2.4m x 102m be provided in both directions from the centre of the site access onto Pope Lane. Amended plans were therefore submitted in line with County Highways comments and they confirmed that the plan is now acceptable. County Highways also require three conditions be imposed in respect of the provision of facilities for wheel washing; the submission of a scheme for the construction of the site access and that the development shall not be utilised under the agreed scheme has been constructed. Finally, County Highways also require an informative note be placed on the decision notice in respect of the need for a Section 278 Agreement.

6.2 **Arboriculturist** initially commented that a tree constraints plan was required which detailed the trees that are to be retained/removed and a tree protection plan detailing root protection areas. The required plans were duly submitted and the Arboriculturist further commented that the protective fencing should be erected in accordance with BS5837 2010 prior to development commencing and remain in-situ through the development. The Arboriculturist also comments that the proposed mitigation tree planting should be planted in accordance with BS8545 2014 and should have a replacement condition attached for replanting on a like for like basis for a minimum of five years should failure take place within that time.

6.3 **Environmental Health** require the imposition of conditions in respect of the submission of a surface water drainage scheme and to restrict the hours construction works may take place.

6.4 **Hutton Parish Council** object to the proposal due to highway safety issues due to its location close to the junction with Lindle Lane and that Pope Lane is used by walkers, joggers and horse riders. They comment that the original planning approval for 14 houses retained access to the offices and this access served the site adequately for a number of years. They also comment that they recently instigated the installation of

PSID devices to increase safety along this section of Pope Lane and the proposal would add to the potential accident risks.

- 6.5 Ecology** comment that it's disappointing that that the plans involve fragmenting the screen woodland along the road frontage and that some of the trees have been removed to create the access as this is the most valuable nature conservation feature on the Meadowcroft site. However, Ecology do not object outright to the access proposals because the proposal will cause substantive ecological harm, providing a number of conditions are imposed in respect of no tree removal to take place during the optimum bird breeding season; that existing Bird and Bat boxes remain undisturbed in-situ; that retained trees are properly protected to BS 5837:2012 standards; that any lighting scheme proposed for the access road/junction should ensure that no excessive light is directed into the adjacent woodland areas and that new standard tree planting is required along the access road to compensate for trees lost.

7. Policy Considerations

- 7.1 The National Planning Policy Framework** has a presumption in favour of sustainable development whereby proposed developments that correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted. In terms of the Green Belt, the NPPF seeks to protect the Green Belt from inappropriate development in order to prevent urban sprawl and retain its openness. Inappropriate development will only be allowed where very special circumstances can be demonstrated. Paragraph 87 of the NPPF states: *As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.* At paragraph 88, the NPPF goes on to state: *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*"
- 7.2 The Rural Development Supplementary Planning Document** sets out the Council's approach to development in rural areas. Chapter D deals with employment and recognises that it is important that employment opportunities exist in rural areas to enable local people to access employment close to where they live and to help avoid excessive levels of commuting to urban areas.
- 7.3 South Ribble Local Plan Policy G1: Green Belt** has a general presumption against inappropriate development and planning permission will not be given for the construction of new buildings unless there are very special circumstances. However, in line with the NPPF, exceptions to this are buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it; the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Policy G1 also recognises that there are a number of major developed employment sites within the Green Belt. These sites can be developed within their curtilage. These major developed employment sites should continue to secure jobs and prosperity without further prejudicing the Green Belt. Such development is considered appropriate in the terms of the NPPF.

8. Material Considerations

8.1 Impact on Green Belt

- 8.1.1 Planning permission 07/2012/0695/FUL was granted for the erection of 14 residential dwellings to the southern part of Meadowcroft Business Park. As part of this residential scheme the existing junction and road were to be retained, providing access to both the new residential development and the remainder of the Business Park. However, due to problems accessing the Business Park for clients and employees, this application proposes a new junction and access road from Pope Lane to serve those offices within the remainder of the Business Park. The site is within the Green Belt where there is a general presumption against inappropriate development. The formation of a new junction and access road is a form of development that is not included in the exceptions to the presumption against inappropriate development in the Green Belt as identified in the NPPF and Local Plan Policy G1. It is therefore for the applicant to demonstrate that very special circumstance exist to outweigh the harm the development may have on the Green Belt by reason of inappropriateness and any other harm.
- 8.1.2 The principle characteristic of the Green Belt is its openness, and the applicant considers that the proposed development will have a negligible impact on openness and as such the degree of very special circumstances required is minimal. It is accepted that access roads by their very nature, do not introduce visual impairments to the openness of the Green Belt, being low lying and largely absent of structures. In a recent appeal decision to the Penwortham Mills site, Appeal Decisions APP/F2360/W/16/3144372 and APP/F2360/W/16/3152894, at paragraph 16 in Inspector commented that: *"The proposed access road, which would be an engineering operation that would not harm the openness of the area, would represent a development that would not be inappropriate development in the Green Belt."*
- 8.1.3 It is therefore considered, in light of this recent Appeal decision, that the proposed access road would not constitute inappropriate development in the Green Belt.

8.2 Character and Appearance

- 8.2.1 The submitted Design and Access Statements indicates that the access road will follow the shortest route possible between the highway and the offices in order to minimise the visual impact. The D&A Statement also recognises the access will be largely screened by existing hedgerow planting which can, where necessary, can be enhanced with additional planting. In this respect, it is noted that, although not part of this application, a number of trees and hedgerow were removed prior to submission, in order to provide an opening from Pope Lane. It is considered this had a detrimental impact on the character and appearance of the area together with an impact on habitat connectivity along Pope Lane. However, as indicated, this was not done as part of this current application, nor did the removal of trees form part of the permission on the adjacent site for 46 residential dwellings. The removal of trees does not require permission unless they are protected under the Tree Preservation Order and, in this case, the trees were not.
- 8.2.2 Whilst it is unfortunately that trees and hedgerow were removed, the proposed development does not require any further trees to be removed. Therefore the proposed development will not have an additional impact on the character and appearance of the area.

8.3 Rural Economy

- 8.3.1 In terms of the NPPF's aim to promote sustainable development, the documents submitted in support of this application indicates that the Business Park currently houses five individual businesses, which employ more than 40 people between them. These include three businesses providing professional services, an IT maintenance company and a distribution-based business. The businesses generate a constant flow of cars accessing the business park together with delivery vehicles.

8.3.2 Given that the Business Park is an employment generating use, it is considered that the Rural Development SPD is relevant. Chapter D recognises that it is important that employment opportunities exist in rural areas to enable local people to access employment close to where they live and to help avoid excessive levels of commuting to urban areas. Therefore the formation of a new access to serve the offices within the Business Park is in accordance with the aims of the SPD.

8.4 Suitability of Access

8.4.1 The proposed access road and junction off Pope Lane will be constructed to link to the existing access road serving the residential development which is currently under construction. This will effectively allow vehicles accessing the Business Park to bypass the new residential development and once completed, the access through the residential development will be blocked and a small section of the road removed, thereby permanently separating access to both developments and their associated uses. Pedestrian access will be via a dedicated pedestrian route, as existing.

8.4.2 The submitted Design and Access Statement indicates that the current shared arrangement has raised a number of concerns due to the number of vehicles accessing the Business Park and the estimated 98 daily vehicle movements associated with the residential development. The D&A Statement goes on to state that: *"...since construction of the residential development recently commenced, the existing shared access to the Business Park has already been affected, with employees and clients experiencing significant disruptions and problematic driving conditions as a result of service and infrastructure installation works..."*

8.4.3 County Highways initially had no objections to the proposal in principle but requested that a number of points regarding the proposed access be addressed prior to determination. They required the width of proposed access was to be 4.5m and requested that the proposed access be widened at the access point to at least 6m for a minimum of 15m from the back edge of the adopted highway. This would then facilitate two way vehicle movements at the site entrance. County Highways also required sight lines of 2.4 x 102m be provided in both directions from the centre of the new site access onto Pope Lane.

8.4.4 Following these comments further plans were submitted to demonstrate the required width of the access road and the sight lines and County Highways confirmed that the amended layout as shown on drawing TC/P5672/15/150 Rev C is acceptable.

8.5 Ecology

8.5.1 A simple Ecological Report was submitted with the application which concluded that the creation of the new access road can be achieved with no adverse effects of Priority Habitat, mature trees, ecologically valuable habitats and protected species. Further the proposals will not adversely affect the integrity of the wooded belt and its habitat connectivity function will be conserved.

8.5.2 The document was considered by the Council's Ecological Advisors who comment that it's disappointing that that the plans involve fragmenting the screen woodland along the road frontage, that some of the trees with bat and bird boxes on them, part of the adjacent residential scheme, are now close to the proposed access and that trees have been removed to create the access as this is the most valuable nature conservation feature on the site.

8.5.3 However, the Council's Ecological Advisors do not object to the access proposals because the proposals will not cause substantive ecological harm providing a number of conditions are imposed, as listed below:

- No tree removal should take place during the optimum bird breeding season (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person

- Existing Bird and Bat boxes should remain undisturbed *in-situ*
- Retained trees should be properly protected (BS 5837:2012 applies)
- Any lighting scheme proposed for the access road / junction should ensure that no excessive light is directed into the adjacent woodland areas
- New standard tree planting should be required along the access road to compensate for trees lost

8.6 Tree Issues

- 8.6.1 As discussed in the Character and Appearance section of this report and as indicated in the Ecology section above, a number of trees were felled prior to this application being submitted. Following the initial submission of this application and the Council's Arboriculturist's consultation response, an Arboricultural Development Report and Tree Constraints Plan were submitted and considered by the Arboriculturist. He responded, stating that protective fencing should be erected in accordance with BS5837:2012 prior to development commencement and remain in-situ throughout the development. An inspection programme of the protective fencing should be established and recorded by the arboricultural consultant as part of their overall site monitoring. Fencing should be erected as per the submitted Arboricultural Development Report dated February 2017.
- 8.6.2 The Arboricultural also commented that mitigation tree planting should be provided and planted in accordance with BS8545:2014 and a condition should be imposed to secure this requirement and to ensure replanting on a like for like basis for a minimum of five years should the trees fail within that time.

9. Conclusion

- 9.1 It is considered that, on balance the formation of a new access road to serve the Business Park is acceptable when balancing the impact the Green Belt against the need to provide a suitable, safe access to the business. It is considered that there is support for this development in the NPPF and given the recent appeal decision where the Inspector considered an access road would not be inappropriate development in the Green Belt

10. Recommendation

- 10.1 Approval with Conditions.

11. Recommended Conditions

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans 8859 L00 Rev P1 Location Plan; 8859 B2 New Road Access to Existing Business Park; TC/P5672/15/150 Rev C Site Entrance Details for S278 Highway Works; TC/P5672/15/151 Rev C Existing & Proposed Site Entrance Details; TC/P5672/15/152 Rev B Proposed Levels (sheet 1); TC/P5672/15/153 Rev B Proposed Level (sheet 2); TC/P5672/15/154 Rev B Sections Through Private Access Road; TC/P5672/15/100 Rev B Drainage Layout & Details
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

4. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of an appropriate legal agreement, under the Highways Act 1980.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

5. No part of the development hereby approved shall be utilised until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

6. Any construction works associated with the development shall not take place except between the hours of 0800 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs Saturday. No construction works shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing with the Local Planning Authority

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

7. That any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place during the nesting season, normally between March and August, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.

REASON: To protect habitats of wildlife in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

8. For the duration of the development hereby approved, the existing bird and bat boxes located in trees on or adjacent to the site shall remain undisturbed and in-situ

REASON: To ensure that adequate provision is made for protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

9. The development hereby approved shall be carried out in accordance with the Arboricultural Development Report by Tree Check Ltd dated February 2017. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the Local Planning Authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development. An inspection programme of the protective fencing shall be established and recorded by the Arboricultural Consultant as part of their overall site monitoring and a copy of the recordings submitted to the Local Planning Authority on completion of the development.

REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026

10. Prior to commencement of the development hereby approved, a scheme shall be submitted to the Local Planning Authority for approval in writing which demonstrate mitigation tree planting to compensate for those trees lost as a result of the development. The agreed mitigation tree planting measures shall be fully implemented by a competent, professional person and in accordance with BS8545: 2014. The tree planting shall be implemented in the first planting season following the commencement of the development or such extension of this time as may be agreed in writing with the Local Planning Authority. Any trees which within a period of 5 years from the completion of the development die, or are removed or become significantly damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the amenity and appearance of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G13 in the South Ribble Local Plan 2012-2026

11. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site or trees and hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

12. Relevant Policy

- G1 Green Belt
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation

13. Informative Note

- 1 The applicant is advised that the vehicle access point, will need to be constructed under a section 278 agreement. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact Lancashire County Council before works begin on site. Further information and advice can be found at www.lancashire.gov.uk