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PLANNING COMMITTEE

WEDNESDAY, 7TH NOVEMBER, 2018, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25 1DH

AGENDA

- 1 Welcome and Introduction
- 2 Apologies for Absence
- **3** Declaration of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgement of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

4	Minutes of the Last Meeting	(Pages 5 - 8)
	Held on Wednesday, 10 October 2018 to be signed as a correct record by the Chair.	
5	07/2018/6450/VAR - 244 Cop Lane, Penwortham, PR1 9AB	(Pages 9 - 16)
	Report of the Director of Property and Planning attached.	
6	07/2018/4095/FUL - Dunbia Preston, PR5 6AL	(Pages 17 - 32)
	Report of the Director of Property and Planning attached.	
7	07/2018/5649/REM - South Preston Office Village, Cuerden Way, Bamber Bridge	(Pages 33 - 42)
	Report of the Director of Property and Planning attached.	
8	07/2018/2811/FUL - Unit 201b, Moss Side Village Centre	(Pages 43 - 50)

Report of the Director of Property and Planning attached.

9 Draft Masterplan - Pickering's Farm, Penwortham

Report of the Director of Property and Planning attached.

Heather McManus CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillors Jon Hesketh (Chair), Rebecca Noblet (Vice-Chair), Renee Blow, Malcolm Donoghue, Bill Evans, Derek Forrest, Mick Higgins, Ken Jones, Jim Marsh, Jacqui Mort, Peter Mullineaux, Mike Nathan, Mike Nelson, Caleb Tomlinson and Barrie Yates

The minutes of this meeting will be available on the internet at <u>www.southribble.gov.uk</u>

Forthcoming Meetings 6.00 pm Thursday, 6 December 2018 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Procedure of Debate at Planning Committee

Whenever a planning application is dealt with by Planning Committee the Council is keen to allow the local community to participate in the process. The procedure that will ordinarily be followed is that:-

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- Borough councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case whether for or against.
- The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- The application will be then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at the meeting.

The Chairman of Planning Committee has discretion to vary these rules when dealing with a particular application if he considers it appropriate. Whenever members of the public speak (whether in opposition to a proposal or in favour of it) they should avoid repeating the same points made by other speakers.

Filming/Recording Meetings

The Council will allow any member of the public to take photographs, film, audiorecord and report on any Planning Committee meeting. If anyone is intending to record any such meeting (or part of such a meeting) then it would be very helpful if they could give prior notice of their intention to the Council's Democratic Services Team. Ideally 48 hours' notice should be given.

When exercising the rights to record a Planning Committee meeting a member of the public must not in any way be disruptive to that meeting. They must not provide an oral commentary on the meeting whilst it is continuing. If disruption is caused then the Chairman of the meeting may exclude that person from the rest of the meeting.

Members of the public will not be entitled to stay in the meeting if any confidential (exempt) items of business are being discussed.

Full details of planning applications, associated documents including related consultation replies can be found on the Public Access for planning system, searching for the application using the Simple Search box. <u>http://publicaccess.southribble.gov.uk/online-applications/</u>

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MINUTES OF	PLANNING COMMITTEE

MEETING DATE Wednesday, 10 October 2018

- MEMBERS PRESENT: Councillors Jon Hesketh (Chair), Renee Blow, Malcolm Donoghue, Bill Evans, Derek Forrest, Mick Higgins, Ken Jones, Jim Marsh, Jacqui Mort, Peter Mullineaux, Mike Nathan, Mike Nelson, Caleb Tomlinson and Barrie Yates
- OFFICERS: Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Jonathan Noad (Director of Planning and Property), Dianne Scambler (Governance and Member Services Team Leader), Charlotte Lynch (Trainee Governance and Member Services Officer), Janice Crook (Planning Officer), Debbie Roberts (Planning Officer) and Chris Sowerby (Interim Assistant Planning Manager (Development Management))
- OTHER MEMBERSCouncillor Clifford Hughes MBE, Councillor David Bird,
Councillor David Howarth (Leader of the Liberal Democrats
Group), Councillor Phil Smith and Councillor David Watts

PUBLIC: 19

53 Welcome and Introduction

The Chair, Councillor Jon Hesketh, welcomed members of the public to the meeting, introduced the committee and explained the proceedings and the role of its members.

54 Apologies for Absence

An apology for absence was received from Councillor Rebecca Noblet.

55 Minutes of the Last Meeting

RESOLVED: (Unanimously)

That the minutes of the meeting held on 5 September 2018 be approved as a correct record and signed by the Chair.

56 Declaration of Interest

Item 7: 07/2018/4782/FUL - Councillor M Higgins declared a personal interest.

57 Appeal Decisions

There were no decisions to discuss.

58 07/2018/4700/VAR - 42 Liverpool Road, Penwortham, Preston, PR1 0DQ

Speakers: 4 objectors, 1 supporter, the Agent, the Applicant and Ward Councillor David Howarth.

Address: 42 Liverpool Road, Penwortham, Preston, PR1 0DQ

Applicant: Mrs Carole Rialas

Development: Variation of conditions Nos 8 – live music to be played indoors only and up to 22:00, 9 – ability for people to be outside the front of the premises till 22:30, 10 – installation of patio heaters to front of premises, 12 – waste collections to be made also on Saturdays during 8:00 to 19:00 and 14 – extend hours of operation to Mondays to Thursdays of planning approval 07/2015/1854/FUL.

RESOLVED: (Unanimously)

That the planning application be part approved and part refused subject to conditions, including an amendment to condition 12 that there should be no waste collection between the hours of 10:00 and 19:00 on Saturdays.

59 07/2018/4782/FUL - Butlers Farm Court, Leyland

Speakers: 5 objectors and the Agent

Address: Land At Butlers Farm Court, Leyland, Lancashire

Applicant: Mr Paul Rhodes

Agent: Mr Chris Weetman, 1 Reeveswood, Eccleston, Chorley, PR7 5RS

Development: Erection of 6 apartments with associated car parking

RESOLVED: (Yes: 10, No: 4)

That the planning application be approved subject to conditions.

60 07/2018/5859/LBC - Worden Park, Worden Lane, Leyland, PR5 2DJ

Speakers: None

Address: Worden Park, Worden Lane, Leyland, Lancashire, PR5 2DJ

Applicant: South Ribble Borough Council – Andrew Richardson

Development: Listed building consent for removal of modern free-standing flue, alterations to fireplaces and hearths and repairs to existing chimney stacks

RESOLVED: (Unanimously)

That Listed Building consent for the planning application be granted.

61 07/2018/5742/HOH - The Water Tower, 2 Cop Lane, Penwortham, Preston, PR1 0SR

Speakers: None

Address: The Water Tower, 2 Cop Lane, Penwortham, Preston, Lancashire, PR1 0SR

Applicant: Mr Gary Hall

Agent: Mr Stuart Pascoe, 14 Hill Road, Penwortham, PR1 9XH

Development: Erection of porch to front and conservatory to side following demolition of existing porch and conservatory. Widening of driveway to front and replacement windows

RESOLVED: (Unanimously)

That the planning application be approved subject to conditions.

62 Exclusion of Press and Public

RESOLVED: (Unanimously)

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, 'Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it'.

63 Brindle Road Persimmon Scheme Appeal Approach

The Committee considered a report of the Director of Planning and Policy that updated on progress with regards to the Persimmon appeal on the Brindle Road site and sought agreement on the way forward.

Speakers: None

RESOLVED: (Chair's Casting Vote – Yes: 8, No: 7)

That, given the risks highlighted in the report, the Council withdraws from defending its decision on the Persimmon Brindle Road appeal and does not contest the case on a no costs basis.

Chair

Date

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Agenda Item 5

Appl	ication	Number
· · · · · · · ·		

Address

07/2018/6450/VAR

244 Cop Lane Penwortham Preston Lancashire PR1 9AB

Applicant

Agent

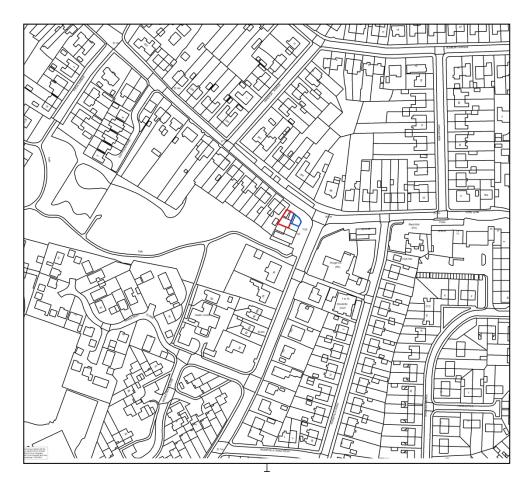
Mr Stuart Booth JWPC Ltd 1B Waterview White Cross Lancaster LA1 4XS

Mr Tim Sayers

Development Variation of condition No. 9 of planning approval 07/2015/1778/FUL - extension of opening hours to 08:00 - 22:00 Monday to Thursday, 08:00 - 22:30 Friday and Saturday, and 10:00 - 21:30 Sundays and Bank Holidays

Officer Recommendation	Approval with Conditions	
Date application valid	11.09.2018	
Target Determination Date	06.11.2018	
Extension of Time	12.11.2018	

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1. Introduction

1.1. This application is brought before Committee at the request of the Ward Member

2. <u>Report Summary</u>

- 2.1. This proposal seeks permission to extend the opening hours of premises already within the A3 (café/restaurant use class). The property is a small end of terrace unit with forecourt. It is attached to a hot food takeaway (east) and has residential facing and to the west. The former tanning salon has operated for a number of years without apparent issue, and there have been no statutory nuisance problems of concern to Environmental Health.
- 2.2. Development has been assessed by the Councils statutory consultees, and on balance is considered acceptable. Representation has been made by a number of residents as detailed in Para 6 below.
- 2.3. The property is within a designated local centre where the presumption is towards retention and support of existing 'A' class uses (retail and high street business), and is within easy reach of public transport options. An assessment of adjacent retail properties shows that in the main these open until later into the evening.
- 2.4. For the reasons stated in this report, it is considered that this application should be approved subject to the imposition of conditions.

3. Application Site and Surrounding Area

- 3.1. The application refers to a terraced, commercial property in lawful A1/A3 use (café/restaurant), and located at the junction of Pope and Cop Lanes, Penwortham.
- 3.2. The property has a small yard to the rear accessed from a side alley, and sits within a mixed use area designated as Kingsfold Local Centre, to which Policy E5 (Local Centres) refers.
- 3.3. Immediately to the west and facing in the north are residential properties, whilst to the east and south are retail premises within the same 'C' shaped terrace. The property also accommodates 2 upstairs flats accessed via external staircase to the rear.
- 3.4. Off road parking in the area is generally limited to forecourt areas there is one space designated to the property itself, but a larger forecourt to the front of adjacent properties appears to be in communal use the neighbouring commercial unit is also in the applicant's ownership.

4. Site History

4.1. Other than pre-application requests, there are eight planning applications on the history of this site. The most relevant is 07/2015/1778/FUL – Change of use from tanning salon (sui Generis) to a sandwich shop/cafe (Class A3), single storey rear extension and relocation of staircase. Approved Jan 2015 and discharged by 07/2016/0592/DIS and 07/2017/1878/DIS

5. Proposal

- 5.1. Description of works
 - 5.1.1. The application proposes variation of condition 9 as imposed on 07/2015/1778/FUL to extend opening times of the café.

5.1.2. Condition 9 currently reads

'The proposed development shall not open to the public outside the hours of <u>08:00-17:00</u> <u>Monday to Saturday, and 10am - 3pm on Sundays or Bank Holidays</u>.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan'.

5.1.3. The applicant wishes to change this to read

'The proposed development shall not open to the public outside the hours of <u>08:00-22:00</u> <u>Monday to Thursday, 08:00 – 22:30 Friday and Saturday and 10am – 21:30 Sundays and</u> <u>Bank Holidays</u>. Reason: In the interests of the amenity of the nearby residents in accordance with Policy.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan'.

- 5.1.4. Proposed variation of the condition would allow for an additional 5 hours evening opening Monday to Thursday, 5.5 hours Friday and Saturday and an extension of 6.5 hours on Sundays and Bank Holidays.
- 5.1.5. For comparison, other businesses also within the Kingsfold Local Centre, and which enjoy similar residential surroundings operate the following closing times. For completeness, a number of smaller daytime businesses are also present.
 - Puccini takeaway (attached in the east): Monday Thursday 10pm, Friday/Saturday 10.30 pm, Sunday 9.30pm
 - Bargain Booze (20m south): 10.30 pm closure daily
 - Shampan Restaurant (50m east): Monday Saturday 11pm
 - Godwin's Fish & Chips (55m east): Monday Friday 9pm, Saturday 8pm, Sunday closed
 - Black Bull pub (100m east): Monday Friday and Sunday 11pm, Saturday 11.30pm
 - Co-Op store (120m east): 10pm closure daily

6. <u>Representations</u>

- 6.1. Summary of Publicity
 - 6.1.1. A site notice has been posted and twelve neighbouring properties have been consulted.

6.2. Letters of objection

6.2.1. 5 letters of objection have been made; their comments are summarised below:

- Insufficient parking to the shop which would get worse with extended opening hours
- Corner where business is located is an 'accident blackspot' and bollards which were removed without planning permission should have been retained within the forecourt.
- Increased noise and disturbance to local residents one respondent would not object subject to 9pm closure
- Property will ultimately become a wine bar/restaurant
- Occupant of Shampan restaurant states that the café has no off road parking, and that he has closed his car park during the daytime because of the café. He is also concerned that he will lose parking for his own clients should permission to extend be granted.
- Existing litter problems caused by '*empty pizza boxes and uneaten food*' there is no evidence to attribute these issues to the applicants café; particularly as there are other takeaways/pizza restaurants in the immediate vicinity.

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Officer Comment: Bollards mentioned were removed following continued complaint from neighbouring residents about the overall lack of parking in the area, and with the full agreement of both Borough and County Councils. The lawful A3 use already allows the premises to be used as a café or restaurant, with service of alcoholic if ancillary to the main business, and subject to separate alcohol licence as issued by the Licensing Committee. During the initial application to change the sites use, it was made clear to Planning Committee that parking on the Shampan car park would not be acceptable. A decision was made having regard to this restriction. There is no evidence that only the applicant's clientele unlawfully use the Shampan Car Park, and policing of the neighbours car park is the owner's responsibility.

6.2.2. In addition, comments have been made which as non-material planning considerations have not been taken into account are:

- Website is not fit for purposes and unavailable for access comments have not been published. Comments have been made available online and have been publically available throughout the process. The consultation period was extended to cover an website issues
- Accusations that the Officer is 'overly friendly with the applicant' and that this should be decided by planning committee to avoid a 'nod and a wink' the Officer has no personal involvement with the applicant, but in line with the requirements of the NPPF has worked with the applicant to achieve where possible the best outcome.
- Earlier permissions on this site have been 'fudged to the detriment of the surrounding area'
- Occupant of Shampan objects as '*hours of opening will clash with my own*'. Competition is not a material planning consideration.

6.2.3 Penwortham Town Council also objects to the proposal which they feel would have a detrimental impact on the amenity of local residents.

6.3. Letters of Support

6.3.1. 27 letters of support have been received. Comments are:

- The business is a real success and Penwortham is at the moment '*thriving with new restaurants, bars and coffee shops*', but options in Kingsfold which do not require residents to go to Liverpool Road would be welcomed
- Small family friendly café a quiet restaurant in the area would be welcomed
- Why would there be a problem extending hours when other businesses on this busy road already open later?
- Residents should support small local businesses the more vibrant Penwortham is the better for the local economy
- Opening later would allow residents with daytime commitments to wind down in a *'warm, inviting place'* which is *'great for socialising'*
- The only other option in Kingsfold is The Black Bull, but not suitable for children in the evening
- Lets 'change the perception of Kingsfold and raise its profile for positive reasons'
- Resident of 242 Cop Lane (immediately adjacent) registers their support

7. <u>Summary of Responses</u>

- 7.1. Environmental Health have no objections to the proposal
- 7.2. Lancashire County Council Highways have no objection to the proposed variation of conditions and are of the opinion that the level of vehicle movement associated with the business would not have a severe impact on highways safety. LCC have however referred

to a condition previously approved which requires installation of bollards to the front of the premises; in the main works have been done but the scheme remains incomplete. As that condition does not relate to the extension of time proposal submitted here, and the Council has no power to require completion of an extant permission within a specific time, this comment is not relevant.

8. <u>Material Considerations</u>

8.1. Economic Consideration and Site Allocation

8.1.1. **National Planning Policy Framework** - The overarching theme of the NPPF is one of presumption in favour of sustainable development; this includes building a strong and competitive economy. It also supports the important contribution that economic opportunities offer to the community, whilst acknowledging that noise resulting from new development may also impact on quality of life (Para 180). Chapter 6 (Building a strong, competitive economy) in particular highlights the need to pursue economic growth, job creation and prosperity. Chapter 7 (Ensuring the vitality of town centres) of the same document states that planning policies should promote competitive, viable, town centre environments which are recognised as the heart of their community and provide customer choice. Although Kingsfold is allocated as a Local rather than Town Centre, the principle of the policy remain the same.

8.1.2. **Local Plan 2012-2026 Policy E5 (Local Centres)** refers to Kingsfold, noting that 'A1 (retail) uses will be protected and enhanced in order to maintain the vitality and viability of the centre. Applications for other local centre uses (A2, A3, A4 and B1) may be appropriate where they do not undermine the sustainability of the shopping area.'

8.2. Design, Character and Appearance

8.2.1. In terms of design, **Core Strategy Policy 17** and **Local Plan Policy G17** both support development where design and siting are of a high quality, car parking and servicing provision are acceptable and there is no impact upon surrounding land use.

8.2.2. Although acknowledged during the initial change of use application that the property does not accord to adopted parking standards, business has been conducted on this site in one form or the other for many years. The café in question has also used the premises for a number of years, and it is unlikely that a simple extension of time during the evening, which would typically be a less busy period, would offer such detriment to the extended area as to warrant refusal. The property is limited by own capacity, and as such customers are likely to be different, rather than additional to daytime clientele.

8.3. <u>Neighbouring properties</u>

8.3.1. The only residential property which might be directly affected by this proposal is no: 242 Pope Lane whose rear garden is separated by existing 2m fences. This resident however has registered their support of the extended opening hours, and on balance any additional detriment as a result of longer hours is considered unlikely.

9. CONCLUSION

- 9.1. Subject to precautionary conditions, proposed development would be in keeping with, but protective of the nature of the area, and extended environs; according to the relevant policies of the South Ribble Local Plan 2012-2026, Central Lancashire Core Strategy and National Planning Policy Framework.
- 9.2. Should permission be granted, any conditions imposed on application 07/2015/1778/FUL which have not been discharged would be carried over.

10. <u>RECOMMENDATION:</u>

Approval with Conditions.

RECOMMENDED CONDITIONS:

- The variation 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. Refuse, recycling and waste materials shall only be stored to the rear of the property (as per plan GL94/E02) but shall not at any time be stored underneath the staircase. Waste materials/bins shall not be stored on the public highway or pavement adjacent to the public highway unless on the day of collection by an appropriate body. Immediately following collection, waste containers/bins shall be moved back to the recessed area. The approved area shall be retained thereafter for waste storage and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the character and visual appearance of the area and to safeguard the safety and living conditions of any nearby residents particularly with regard to odours, egress and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan

The proposed development shall not open to the public outside the hours of 08:00-22:00 Monday to Thursday, 08:00 – 22:30 Friday and Saturday, and 10:00 – 21:30 on Sundays or Bank Holidays.
 Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.

RELEVANT POLICY

NPPF National Planning Policy Framework

Core Strategy Policy

Policy 5 Local Centres

Policy 17 Design of New Buildings

Local Plan 2012-2026

- Policy F1 Car Parking
- Policy G17 Design Criteria for New Development

Note:

Other application Informative

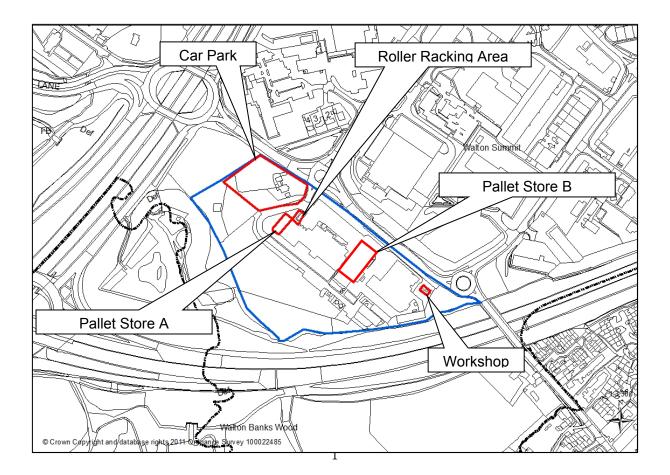
1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such

an application is £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

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Agenda Item 6

Application Number	07/2018/4095/FUL
Address	Dunbia Preston Limited Church Road Bamber Bridge Preston Lancashire PR5 6AL
Applicant	Dunbia Preston
Agent	Mr John Flinn 3A Hamnett Street Hyde SK14 2EX
Development	Erection of roller racking, 2 no: high bay pallet stores and detached building to provide a workshop, Installation of car park and control barriers following demolition of the existing bungalow (The Bungalow)
Officer Recommendation Officer Name	Approval with Conditions Mrs Debbie Roberts
Date application valid Target Determination Date Extension of Time	01.08.2018 31.10.2018 14.11.2018



1. <u>Report Summary</u>

1.1. Dunbia is a large, established meat processing and distribution facility located to the southern side of Church Road, Bamber Bridge; the site covers approximately 7.3 hectares (18 acres), although developed areas amount to only 3.8 ha (9.5 acres)

1.2. The site includes woodland areas (south-west and skirting the southern site boundary), an unoccupied bungalow in its own defined curtilage, and undeveloped tracts of Green Belt land to south and west. The site is bound on all sides by mature hedgerow and shrubbery, and is accessed from Church Road in the north.

1.3. A pylon is located within the north-western part of the open land, and outside site boundaries are a hotel, 4 dwellings and Walton Summit Industrial Estate (approx. 100m north), the M6 and the settlement of Bamber Bridge at 210m away (west), and residential properties 195m south-east. The M65 motorway skirts the southern site boundary.

1.4. The site accommodates an abattoir, meat processing, packing and distribution facilities. Cold storage is limited, and therefore currently spread across a number of sites in Lancashire; 12 no: on-site chiller vans are also in permanent use.

1.5. 730 people are employed on a continuous shift pattern, and limited parking is available to the west, but away from main working areas. On site security is particularly strict.

1.6. The developed part of the site (excluding the bungalow) is allocated as employment land by South Ribble Local Plan Policy E2 (Protection of Employment Areas and Sites). The remainder of the extended site is Green Belt land to which Policy G1 (Green Belt) refers

1.7. It is considered that in terms of green belt development, this proposal demonstrates the very special circumstances required of green belt policy – see detailed policy discussion below.

1.8. The proposed development is not considered to have an undue impact on the amenity of neighbouring properties, the character and appearance of the area, and should improve highways safety and the free flow of traffic within the site. It is therefore considered compliant with Local Plan Policy G17 (Design for New Development).

1.9. County Highways have fully assessed the application and raise no objections to the proposed development, confirming that development would have a negligible impact upon highways safety and capacity.

1.10. It is the Officers view that proposed development would not detrimentally affect the amenity or nature conservation value of the site. Although some loss of trees is inevitable, retention of site boundaries, and where possible areas of landscaping and ecological compensation ensures protection of site biodiversity; particularly as lands to the rear of the site are open, undeveloped green space.

1.11. Following full consultation neighbour representation has been made by three residents; one on behalf of four neighbours. Statutory consultee comments have been addressed either by amendments to the proposal, or by condition.

1.12. On balance, the application is considered compliant with the Central Lancashire Core Strategy, South Ribble Local Plan (policies as identified below) and the National Planning Policy Framework 2018 and is therefore recommended for approval subject to the imposition of conditions.

2. <u>Application Site and Surrounding Area</u>

2.1. Dunbia is a large, established meat processing and distribution facility located to the southern side of Church Road, Bamber Bridge; the site is roughly triangular in shape, covering approximately 7.3 hectares (18 acres), although the developed part of the site sits to the north-east corner and amounts to around 3.8 ha (9.5 acres)

2.2. In the south-west is an area of woodland with natural pond – woodland skirts the southern site boundary, and to the north-west an unoccupied bungalow with outbuildings and a defined curtilage. Within the same ownership but outside of the developed area, are deep tracts of Green Belt, open land to south and west. The site is bound on all sides by mature hedgerow and shrubbery, and is accessed from Church Road in the north.

2.3. A pylon is located within the north-western part of this land and overhead lines dissect the site in an east to west direction; a 100m electricity network transmission buffer zone sits to either side of the overhead wires.

2.4. Outside the site in the north are the Holiday Inn Hotel (100m distance), 4 dwellings and industrial units on Walton Summit Industrial Estate – the closest of which is 92m away. 210m to the north-west is access onto the M6 motorway, beyond which are Church Road Conservation Area and the settlement of Bamber Bridge. 195m south-east are residential properties beyond the M65; this motorway skirts the southern site boundary.

2.5. The site accommodates an abattoir, meat processing, packing and distribution facilities. In line with EU regulations, buildings, working areas and roadways which run around the southern side of the site are completely segregated into 'dirty' (animals in) and 'clean' areas (finished product out). Cold storage is limited, and currently spread across a number of sites in Lancashire. 12 no: on-site chiller vans are also in permanent use.

2.6. 730 people are employed on a continuous shift pattern. Just inside the main entrance there is a security building. Limited parking is available to the west, but away from main working areas.

2.7. The developed part of the site (excluding the bungalow) is allocated as employment land by South Ribble Local Plan Policy E2 (Protection of Employment Areas and Sites). The remainder of the extended site is Green Belt land to which Policy G1 (Green Belt) refers.

3. <u>Site Context / Planning History</u>

3.1. There are 41 planning applications on the history of this site. Twenty seven pre-date 2000, but the most recent and relevant to this scheme are:

- □ 07/2001/0259 Creation of Temporary Access to Church Road to Serve Retail Meat Plant. Approved 2001
- □ 07/2003/0377 Extensions to existing lairage buildings. Installation of 1 no. water supply borehole. Approved April 2003
- □ 07/2003/0467 Erection of 2.4 M high railings to front. Approved July 2003
- □ 07/2004/0586 Erection of 2 No Replacement gas tanks (CO2, O2). Approved July 2004
- □ 07/2007/0749/FUL Location of CO² vessel on car park to rear. Approved 2007
- □ 07/2010/0005/FUL Extension to side and rear of existing factory. Approved Feb 2010
- 07/2010/0319/FUL Additional building for lairage. Approved July 2010
- 07/2011/0216/FUL Extension to chillers, dispatch chill and carcass marshalling and loading bays. Approved May 2011
- □ 07/2015/0353/FUL Installation of water treatment facility. Approved March 2015

□ Application 07/2010/0004/FUL was also submitted for formation of car park and alterations to existing access following demolition of 'The Bungalow', but refused as contrary to the Green Belt policy of that time. Appeal 2130537 (October 2010) however granted permission subject to a number of conditions which primarily dealt with highways matters. Application 2010/0407/FUL – a resubmission of the same scheme – was subsequently approved in November 2013.

4. Proposal

4.1. The application seeks permission for erection of a roller racking building, 2 no: high bay pallet stores and detached workshop building, Installation of car park and control barriers following demolition of the existing bungalow (The Bungalow). The main central access off Church Road is to be retained.

4.2. <u>Staff/Visitor Car Park</u>

4.2.1. The proposal involves installation of a stone and porous tarmac car park on scrubland to the west of the main access, and following demolition of the existing bungalow. This is Phase 1 of the project to allow for relocation of vehicles parked throughout the site into one secure area. Existing smaller car parking areas would then be redeveloped during Phases 2 and 3 of the programme (construction of buildings).

4.2.2. The car park would incorporate 210 parking spaces of which 2 would be mobility parking. Cycle and motorbike spaces are allocated in the north-eastern corner, and small areas of landscaping would be scattered throughout. A number of small trees would be removed, although 5 no: protected oaks are to be retained in the centre of the site and protected during construction. The majority of a natural pond would also remain to the sites western side, although works to accommodate a number of parking spaces run immediately adjacent. Existing tree planting is to be retained along the road frontage.

4.2.3. Barrier security access would be installed on the eastern side, and a lorry parking area accommodating only 2 or 3 vehicles just outside of the barrier gate, but within the site.

4.2.4. The Green Belt designation is such that the main car park proposal and southwestern end of the lorry park are within the Green Belt whilst the north-eastern barrier end of the lorry park, and all other built development proposals sit within employment land, to which Policy E2 refers

4.3. Pallet Store A

4.3.1. Proposed to the east of the main access / west of the existing processing plant (employment land) is a pallet store extension. The portal frame building would measure 34m x 43m with a 12m ridge in line with existing structures, and 10.5m eaves; a relatively shallow pitch, but of a height which in the future may allow for automated stacking. A 7 truck, dock leveller (internal delivery bay facility) would be installed into the western side facing the access road which runs around the rear of the site.

4.4. Pallet Store B

4.4.1. This building would be located on hardstanding between the processing plant and chiller buildings to the rear – employment land (Policy E2). It would measure 33m x 70m, and would be designed in materials and with a roof form as per Store A. Two dock levellers would be installed into the north-west elevation with access via existing internal roadway

4.4.2. Screening to Church Road is such that this building would not be particularly visible from outside of the site.

4.5. Currently, processed meat products are stored off site at a number of locations, and in 12 no: chiller vans running 24hrs a day on site. Relocation of products to outside locations amounts to 35 vehicle movements per day to and from Dunbia. Development of the site in such a way would negate the need for either external storage, or chiller units which reportedly cause noise issues to neighbouring residents. Cold storage areas would connect directly into the production process to help Dunbia meet the large scale demands of national supermarket chains, lower product shelf life and allow for faster delivery and production.

4.6. An estimated 200 jobs would be created at the Bamber Bridge site although some may be relocated from elsewhere. An Employment Skills Assessment has been submitted but is inconclusive (see Economic Development comments below)

4.7. Roller Racking Building

4.7.1. A new roller racking (storage) building is proposed to the north of Pallet Store A, next to an existing processing area, and within the employment land designation. The 'L' shaped building would have a 24m x 12-18m footprint, with a 12m high ridge and 10.5m eaves.

4.7.2. Roller racking is a fork lift truck fed, space saving racking system for palleted meat products.

4.8. Workshop

4.8.1. This building would be located to the north-eastern corner furthermost from the main access. At $22m \times 8.5m$, with a 6.2m pitched roof, it would be screened by mature shrubbery on the east and northern sides, and existing buildings in the west.

4.8.2. All proposed buildings would include level access where possible, and would be constructed with concrete bases, supporting goosewing grey and blue insulated wall panels with composite roof cladding

5. <u>Summary of Supporting Documents</u>

5.1. The application and scaled plans are accompanied by the following:

- Arboricultural Assessment (CB Trees Ltd: 6.6.18)
- Great Crested Newt Suitability Assessment (AC Ecology Services Ltd: 8.9.15)
- Bat Survey (Martin Prescott Environmental: Sept 15 & August 2018)
- Construction Management Strategy (John Flinn: 27.7.18)
- □ Planning Statement (John Flinn: 12.6.18)
- □ Location Plan/Site Layout Dwg 1: (Davenport & Flinn)
- □ Location Plan (Blackwell's: 729575:24.7.18)
- Employment & Skills Assessment (Cstep. J Flinn: 13.6.18)
- □ Proposed Site Plan (3.19-30 Rev D: May 2018 Davenport & Flinn)

6. <u>Representations</u>

6.1. <u>Summary of Publicity</u>

6.1.1. Two site notices and a newspaper advertisement have been posted, and seven neighbouring properties consulted.

6.2. Letters of Objection or Support

6.2.1. Three letters of objection has been received from the occupant of 3 Reedfield Place (80m north across Church Road), but on behalf of 1-4 Reedfield Place, and from the occupants of 1 and 4 Reedfield Place independently. Comments are summarised as:

- Proposed buildings are to be built on Green Belt land
- Additional noise from wagons and fork lift vehicles would add to existing noise problems
- □ Pollution relating to additional vehicles parking in the site

Officer Comment: It is likely that the proposal will abate noise from vehicles as the need for on-site 24hr cold storage within company waggons is reduced. The discussion around use of Green Belt land can be seen at Para 8.2 below

6.2.2. Other comments which have been made but which as non-material planning considerations have not been taken into account are:

- □ Existing odour problems
- □ Company has little regard to its neighbours respondent details ongoing issues unrelated to this planning application
- □ Noise from vehicles not on electric hook up an earlier permission required that vehicles are hooked up, and measures taken by Environmental Health (1998) to secure compliance

7. Summary of Responses

7.1. **Cadent (National Grid)** were consulted with regards to on site infrastructure which might be affected by development; namely the Shevington/Lostock Hall Major Accident Hazard Pipeline, and above ground electricity installations including a pylon and overhead power lines

7.1.1 Subject to a number of safety requirements which are included as informative notes, Cadent have no objection to works adjacent to the pylon/wires, but passed their concerns onto the Asset Protection Team regarding the presence of the gas pipeline which runs roughly to the west of the pylon in a north-easterly direction through the centre of the proposed car park. Minor pipes are not shown but must also be anticipated. The **Asset Protection Team** confirmed separately that the applicant may proceed using normal safe systems of work, to which the aforementioned informative notes apply.

7.1.2 Cadent advised that access to the pipeline must be maintained, and that there cannot be any obstructions which limit or inhibit maintenance; the legally negotiated easement of being 3m either side of the pipes centre within which works must be controlled. Car park development however is generally found to be acceptable. Cadent also requested that the Health & Safety Executive were consulted, and that the applicant contacts both organisations at the earliest opportunity to discuss future site safety.

7.2. Health & Safety Executive do not advise against development, but recommend consultation with Cadent (above)

7.3. **County Highways** have fully assessed the application and raise no objections to the proposed development, confirming that development would have a negligible impact upon highways safety and capacity.

7.4. **South Ribble Arborist** has no objection to removal of trees where the car park is to be located. Oak trees are of mature/semi mature nature, and tree/root protection plans in accordance with BS5837 2012 detailing suitable cellular load bearing systems for up to 3.5tonne vehicles, as well as protected fencing have been supplied.

7.5. South Ribble's Ecology Consultant has assessed the accompanying ecology surveys (Martin Prescott Bat Surveys 2015 & 2018, and AC Ecology Services Newt Studies 2015 & 2018. Precautionary conditions are considered adequate with regards to bat activity and nesting birds. When addressing Great Crested Newt populations around the site however, the ecologist stated that 'the proposal involves the loss of a pond. While this has been assessed as being sub-optimal for great crested newts, it may be used by other amphibians and has ecological value in its own right. No compensation for this loss is proposed and consequently there will be a net loss of biodiversity at the site. In line with policy G16 of South Ribble's Local Plan we would expect compensation to be provided for this loss either on or off site'. Following some discussion, the ecologist is now happy for development to proceed subject to pre-commencement installation of a compensatory waterbody in line with the applicants own ecology report.

7.6. **South Ribble Economic Development** have assessed the applicants Employment Skills Statement, and although they are happy that the method statement submitted covers the Employment Skills SPD requirements in terms of the construction phase, they have requested further information with regards to prospective employees of the company i.e. who? would they be new or relocated from other branches? details of Dunbia apprenticeships, projected employee numbers and future job creation for local people etc. Information has been supplied but is inconclusive, and as such a condition to require this information in line with the SPD prior to commencement of works has been requested

7.7. South Ribble Environmental Health has no objection due to the sites distance from adjacent properties. Precautionary conditions with regards to hours of work and construction management are however felt necessary.

8. <u>Material Considerations</u>

8.1. <u>Site Allocation Policy</u>

8.1.1. The site is designated under Policies G1 (Green Belt) and E2 (Protection of Employment Areas and Sites) of the South Ribble Local Plan. The proposed car park and partial lorry park in the west are located within the Green Belt, whilst all other developed parts of the site are allocated employment land to which Policy E2 refers; all development proposed other than the car park would be within this area. Open lands to the south and within the same ownership are also Green Belt

8.2. Green Belt Development

8.2.1. Due to the nature of the site, the Green Belt assessment is complex, but it must be borne in mind that Green belt development only relates to the car park element of the scheme, and whilst proposed buildings abut Green Belt areas, they must be viewed against a backdrop of established, large scale built development.

8.2.2. Both the National Planning Policy Framework (NPPF) and Local Plan Policy G1 (Green Belt) state a need for strict development control, with a general presumption against inappropriate development in green belt areas except in very special circumstances.

8.2.3. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to Green Belt openness, and very special

circumstances will not exist unless that harm, by reason of inappropriateness or any other harm, is clearly outweighed by other considerations.

8.2.4. There are exceptions to this - one of which is *'limited infilling or partial or complete redevelopment of previously developed sites... where the development would re-use previously developed land whether redundant or in continuing use which would not have a greater impact on the openness of the green belt' (Local Plan G1: F / NPPF 2018: Para 146) – but the NPPF 2018 definition of previously developed land is clear that it excludes residential gardens in built up areas.*

8.2.5. Arguably, the bungalow and its immediate curtilage are minimal in size and as previously developed land would benefit from only limited exemption; the remainder of the Green Belt site being associated with, but not curtilage of the bungalow. As such, and having regard to this restricted previously developed extent, the applicant must demonstrate that for the remainder there are very special circumstances to allow for the car park development which clearly outweigh any harm to the Green Belt; both visual and by definition harm through encroachment. This attracts significant weight in the planning balance.

8.2.6. In addition both NPPF and Policy G1 note that 'certain other forms of development are also not inappropriate where they preserve green belt openness including ...engineering operations and local transport infrastructure which demonstrates a need for a green belt location' G1:10.29/NPPF 2018 Para 146). Whilst it is acknowledged that in the main the proposal requires development of allocated employment land, as proposals also require redevelopment of Green Belt land to the west, this paragraph is relevant. Without reconfiguration of the site, extension of the main facility would not be possible - smaller car parking areas throughout the site are required for the siting of proposed buildings. The need therefore to use Green Belt areas for the provision of transport infrastructure in line with the above is paramount to the success of the application, and the organisations future in South Ribble.

8.2.7. When assessing the site as a whole, it is considered that in terms of green belt development, this proposal both complies with, and demonstrates the very special circumstances required of green belt policy as follows:

- □ Alterations to install the proposed car park would be limited to low level, engineering and transport infrastructure and as such are policy compliant in accordance with Para 8.2.6 above
- □ Dunbia is an established employment site which should be offered operational protection – proposals are well designed, subject to appropriate landscaping and ensure the longevity of the business and increased local employment/training. Loss of an area of Green Belt land to allow for the facilities continued use is considered a very special circumstance which should be afforded significant weight in the planning balance
- □ HGV, staff and visitor parking outside of, and within the site is at capacity, and has the potential to impact on the road network, residential amenity and highways safety. By relocating parking to a single internal area, rather than throughout the site, highways safety which is considered to take priority over the green belt allocation would be ensured. The very special circumstances arising from betterment of the highway network should also be offered considerable weight.
- □ Proposed development of green belt areas would be low key, and visually protective of the extended area. This retention of openness should be neutral weight as mitigation rather than as betterment.
- □ Policy compliant, proposed built development within designated employment areas abuts the Green Belt, but will have limited detrimental impact when viewed against a backdrop of established built development.
- □ Proposed changes to the Green Belt would not be excessive in the context of this large industrial site.

8.3. Additional Policy Background

Additional policy of marked relevance to this proposal is as follows:

8.3.1. Economic Policy

8.3.1.□.1. The NPPF 2018 at Para 11: provides a presumption in favour of sustainable economic growth and development. Chapter 6 (Building a strong and competitive economy) of the same document commits to securing growth, job creation and prosperity in order to meet the challenge of global competition, whilst ensuring that the planning system does everything it can to support sustainable economic growth (Para 80).

8.3.1.□.2. Central Lancashire Policy 10 (Employment premises and sites) and Local Plan E2 (Employment Areas and Sites) offer similar protection to employment sites, promoting development to ensure their retention, with Policy E2:8.24 stating that *'industrial and business premises within the borough are essential to its prosperity, and the ability for existing firms to expand is seen as a main component of job retention and creation'*

8.3.2. Highways/Transport Policy

8.3.2.□.1. NPPF Chapter 9 (Promoting sustainable transport) states that 'developments should be located and designed to accommodate the efficient delivery of goods, and access by service and emergency vehicles' (Para 110). Core Strategy Policy 3 (Travel) also seeks to improve the road network by reducing the need for vehicle journeys, and amongst other things reviewing work place parking, whilst Local Plan Policy F1 (Parking Standards) requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

8.3.3. Design Policy

8.3.3.□.1. Core Strategy Chapter 7 (Requiring Good Design) and Local Plan Policy G17 (Design of New Buildings) both attach great importance to the design of the built environment, requiring proposals to take account of the character, appearance and amenity of the local area, and to highways and pedestrian safety.

8.3.4. Environmental Protection Policy

8.3.4.□.1. NPPF 2018 Chapters 15 (Natural Environment) and Local Plan G16 (Biodiversity/Nature Conservation) both seek to conserve and enhance the natural environment, and protect site biodiversity; as reflected by Core Strategy Policy 22. In addition Local Plan Policy G13 (Trees, Woodlands and Development) states that development will not be permitted where it affects protected trees and woodland without suitable mitigation.

8.4. Other Material Considerations

8.4.1. Area Character and Economic Protection

8.4.1.□.1. This development proposal relates well to neighbouring buildings and the extended locality, incorporating high quality design with appropriate landscaping. Retaining the plant's well screened, commercial facade, the scheme when complete would respect local character whilst offering necessary levels of internal parking and servicing space. Alterations to accommodate development are also considered to result in increased highways and pedestrian safety both outside and within the site.

8.4.1.□.2. Adopted national and local planning policy aims to preserve where practicable existing employment sites, as long as development proposals accord to other planning policy, such as that afforded to green belt protection. It is considered that as the industrial facility is well established, located in a predominantly commercial but visually screened area, provides significant employment and helps to support the local economy, proposed changes which benefit the business's long term future would impact little on the character or amenity of the immediate area.

8.4.2. Impact Upon Neighbouring Properties

8.4.2.□.1. The closest residential properties facing the proposal site are those in the north (Reedfield Place) at approximately 80m from the sites main access; more than acceptable separation for a scheme of this nature when taking into account existing and proposed landscape screening and the sites current use. There are other properties more distant which are also screened by either Dunbia's other buildings, open space or the M65, and would not be affected.

8.4.2. \Box .2. It should also be borne in mind that properties on Reedfield Place – one of which was constructed as late as 2011 - are already located within the confines of an established industrial estate where noise and odours from manufacturing processes are to be expected.

8.4.2.□.3. It is your officer's opinion that impact by virtue of overlooking, loss of privacy, noise or excessive traffic generation to any adjacent property is unlikely as a result of proposed development. There have been no objections from Environmental Health

8.4.3. Highways, Access and Parking

8.4.3.□.1. The proposal has been separately assessed by LCC Highways, whose comments are noted above.

8.4.3.□.2. The proposal would allow for business growth in the future, would accommodate existing and future employees in a safe and secure manner and would remove the need for chiller vans operating continuously on site. The potential for reduced traffic to and from alternative storage locations also offers significant benefits to other users of the road network, and residents of the area.

8.4.4. Natural Environment, Ecology and Ground Conditions

8.4.4. \Box .1. *Trees* – Trees within the site are semi/early mature specimens, and other than 5 mature oaks would be removed to accommodate development. It is the Arboriculturalists opinion that subject to appropriate construction and protection measures, this is the most practical option. The vast majority of trees surrounding the site would be retained.

 $8.4.4.\Box.2.$ On balance it is considered that the need for the proposed parking area, and as a consequence improved highways safety far outweighs the loss of existing trees. Conditions however to require landscaping as approved, and to protect retained trees are recommended.

8.4.4.□.3. As adjacent woodland has the potential to be used by nesting birds a precautionary condition with regards to tree felling is recommended.

8.4.4.□.4. Lighting for the car park has not been identified, but a precautionary condition to deflect lighting away from wooded areas is considered necessary.

8.4.5. Drainage

8.4.5.□.1. Details of drainage have not at this stage been supplied; a precommencement condition is therefore considered appropriate.

9. <u>Conclusion</u>

9.1. Dunbia is an established, but well screened commercial facility located on Church Road, Bamber Bridge; a well-developed, predominantly commercial area straddled by the M6 and M65 motorways. Although parts of the facility are designated as Green Belt, the main site has for many years been allocated as employment land.

9.2. Green Belt policy seeks to protect Green Belt lands from inappropriate development, but includes exceptions to this protection, or where the applicant can demonstrate that very special circumstances exist to allow for non-conforming development. It is considered that these very special circumstances do exist, as detailed within section 8.2.4 of this report.

9.3. The proposed development would not have an undue impact on the amenity of neighbouring properties, the character and appearance, or nature conservation of the area, and is expected to improve highways safety and the free flow of traffic. It has been fully assessed by the Councils statutory consultees as acceptable subject to conditions.

9.4. Objections have been received from three residents as detailed at Para 6.2.1

9.5. On balance, and taking into account the above discussion, it is considered that this application is compliant with the Central Lancashire Core Strategy, South Ribble Local Plan (policies as identified below) and the National Planning Policy Framework 2018, and is therefore recommended for **approval subject to imposition of conditions**.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

- 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 following approved plans and suite of documents:
 - o Arboricultural Assessment (CB Trees Ltd: 6.6.18)
 - o Great Crested Newt Suitability Assessment (AC Ecology Services Ltd: 8.9.15)
 - o Bat Survey (Martin Prescott Environmental: Sept 15 & August 2018)
 - o Construction Management Strategy (John Flinn: 27.7.18)
 - o Planning Statement (John Flinn: 12.6.18)
 - o Location Plan/Site Layout Dwg 1: (Davenport & Flinn)
 - o Location Plan (Blackwell's: 729575:24.7.18)
 - o Employment & Skills Assessment (Cstep. J Flinn: 13.6.18)
 - o Proposed Site Plan (3.19-30 Rev D: May 2018 Davenport & Flinn)

o Tree Protection Document (CB Trees Ltd: Cellweb)

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

- 3. The development hereby approved shall be carried out in line with Chapter 5 of the approved Ecology Survey (Chrysalis Environmental: Sept 18), having particular regard to, but not limited to Para 5.2.2 (compensatory waterbody). REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
- 4. Prior to the commencement of development, a scheme for the provision of foul and surface water drainage shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved plans during the development and shall be thereafter retained and maintained for the duration of the approved use.

REASON: For the avoidance of doubt and to protect the living conditions of future occupants of the site in accordance with Policy 29 in the Central Lancashire Core Strategy

REASON: In order to satisfy the Local Planning Authority that the final details of proposed foul water drainage are acceptable before work commences on site, for avoidance of doubt and to safeguard local watercourses and avoid pollution of the water environment in accordance with Policy 29 in the Central Lancashire Core Strategy

5. Prior to first occupation of the development hereby approved, a minimum of ten of the communal parking spaces hereby approved shall be fitted with Electric Vehicle Recharge points, including adequate charging infrastructure and cabling and specifically marked out for the use of Electric Vehicles. One charging point shall also be installed into each of the proposed extensions (Roller racking area, pallet store 1 and pallet store 2). These shall be retained and maintained thereafter.

REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy

- Prior to commencement of works on site details of all piling activity shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30 - 17:00.
 REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and G17 of the South Ribble Local Plan
- During construction and site clearance, no machinery shall be operated, no processes carried out or deliveries taken at or dispatched from the site outside the following times:
 0800 hrs to 1800 hrs Monday to Friday
 0800 hrs to 1300 hrs Saturday
 No activities shall take place on Sundays, Bank or Public Holidays.
 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
- 8. The approved car park landscaping scheme as shown on approved site plan 3019-30 Rev D (Davenport & Flinn) shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and

shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17 in the South Ribble Local Plan 2012-2026

9. 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 as detailed in the Tree Protection Plan which has been agreed by the local planning authority. 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 only be removed during installation of cellweb root protection works as per agreed tree protection document (CB Trees Ltd: Cellweb) and replaced immediately after. 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. REASON: To ensure before commencement of works on site that there shall be no damage to trees during construction works in accordance with Policy G13 in the

South Ribble Local Plan 2012-2026

10. Should the development not have commenced within 24 months of the date of this permission, a re-survey be carried out to establish whether bats or other protected species are present at the site shall be undertaken by a suitably qualified person or organisation. In the event of the survey confirming the presence of such species details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.

REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

- 11. If the presence of bats, barn owls, great crested newts or other protected species is detected or suspected on the development site at any stage before or during development or site preparation, works must not continue until Natural England has been contacted regarding the need for a licence. 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. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections. REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
- 13. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within and

surrounding 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

- 14. Cycling and Motorcycle facilities to be provided in accordance with the approved Site Plan (3019-30 Rev D: Davenport & Flinn) before first use of the staff car park hereby approved and permanently maintained thereafter. Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.
- 15. Prior to commencement of works on site, details of future employment and skills at the Dunbia site as explained by, and in line with the Central Lancashire Employment and Skills SPD and Appendix 1 of the same document shall be submitted to, and approved in writing by the Local Planning Authority. Once approved the assessment shall be adhered to thereafter unless agreed in writing with the Local Planning Authority

REASON: To identify skills shortages, and to ensure that there are the necessary employment and skills opportunities in local areas in accordance with Central Lancashire Core Strategy Policy 15

RELEVANT POLICY

National Planning Policy Framework

Central Lancashire Core Strategy

- 3 Travel
- 10 Employment Premises and Sites
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity

South Ribble Local Plan

- E2 Protection of Employment Areas and Sites
- F1 Car Parking
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species

National Grid Safety Requirements:

National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect the asset.

a)National Grid requires 3D drawings to be provided at the earliest opportunity (DWG, DGN or DXF files)

b)Statutory electrical safety clearances must be maintained at all times. National Grid recommends that no permanent structures are built directly beneath our overhead lines. These distances are set out in EN 43 - 8 Technical Specification for "overhead line clearances Issue 3 (2004) To view EN 43 - 8 Technical Specification for "overhead line clearances Issue 3 (2004). http://www.nationalgrid.com/uk/LandandDevelopment/DDC/devnearohl_final/appendixIII/appl II-part2

c)The statutory minimum safety clearance is 7.6 metres to ground and 8.1 metres to a normal road surface. Further detailed information can be obtained from the Energy Networks Association's (www.energynetworks.org.uk) Technical Specification E-43-8 for "Overhead Line Clearances", Issue 3 (2004)

d) Any changes in ground levels which are proposed either beneath or in close proximity to our existing overhead lines would serve to reduce safety clearances. Safety clearances to existing overhead lines must be maintained in all circumstances.

e) To view the Development Near Overhead Lines Document. <u>http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=23713</u>

f) To view the National Grid Policy's for our Sense of Place Document. http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/

g) The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines."

h) Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any high voltage conductor at the point where the conductors are under their maximum 'sag' or 'swing' conditions. Overhead Line profile drawings should be obtained using the above contact details.

i) If a landscaping scheme is proposed as part of the proposal, only slow and low growing species of trees and shrubs should be planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

j) Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of our towers. These foundations extend beyond the base of the tower. Pillar of Support drawings should be obtained using the contact details above.

k) Due to the scale, bulk and cost of the transmission equipment required to operate at 275kV or 400kV National Grid only support proposals for the relocation of existing high voltage overhead lines where such proposals directly facilitate a major development or infrastructure project of national importance which has been identified as such by government.

I) To promote the successful development of sites crossed by existing overhead lines, and the creation of well-designed places, National Grid has produced 'A Sense of Place' guidelines, which look at how to create high quality development near overhead lines and

offer practical solutions which can assist in avoiding the unnecessary sterilisation of land in the vicinity of high voltage overhead lines.

m) Further information regarding our undergrounding policy and development near transmission overhead lines is available at http://www.nationalgrid.com/uk/LandandDevelopment

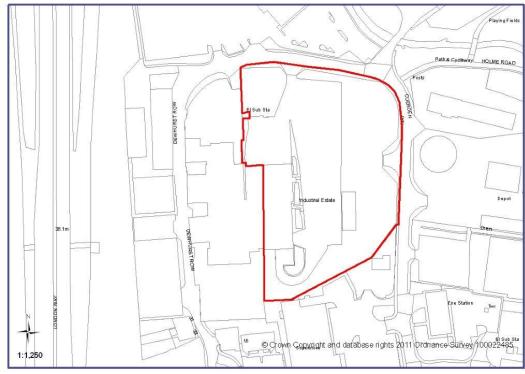
Agenda Item 7

Application Number	07/2018/5649/REM
Address	South Preston Office Village Cuerden Way Bamber Bridge Lancashire
Applicant	Roundhouse Properties 368 LLP
Agent	Annabel Partridge
	8 Ashbrook Office Park Longstone Road Manchester M22 5LB England
Development	Reserved matters application for the layout, scale, landscaping and appearance of 5 units (Class A1 (non food), Classes B1, B2, B8,D2, and Trade Counter (Sui Generis) uses) with associated car parking and works to outline planning permission 07/2011/0624/OUT, as amended by 07/2013/0843/VAR
Officer Recommendation	Approval with Conditions

Officer Recommendation Officer Name

Approval with Conditions Mr Chris Sowerby

Date application valid Target Determination Date Extension of Time 06.09.2018 06.12.2018 N/A



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1. REPORT SUMMARY

1.1 The proposal is a Reserved Matters application for the 'layout', 'scale', 'landscaping' and 'appearance' of 5 commercial units (Class A1 (non food), Classes B1, B2, B8, D2 and Trade Counter (Sui Generis) uses) with associated car parking and works. The principle for the redevelopment of the site for commercial uses, together with the matter of access, has previously been established by outline planning permission 07/2011/0624/OUT, as amended by 07/2013/0843/VAR.

1.2 The application relates to a broadly rectangular 1.5 hectare site, located off Cuerden Way and close to the Sainsbury's Supermarket in Bamber Bridge. The site, a former United Utilities depot, comprises of an office / workshop and large yard area and is within an area of land designated as Policy B4: Commercial and Employment Site at Cuerden Way, Bamber Bridge in the South Ribble Local Plan.

1.3 The proposal comprises of 4 units, ranging from Gross Internal Areas of 511sqm to 2183sqm, in a single block along the northern boundary of the site. The larger 2 of these 4 units also include mezzanine floors. A single detached unit, with a Gross Internal Area of 511sqm, is also proposed along the western boundary of the site.

1.4 The proposed scheme reflects the character and appearance of the existing commercial units within the employment area and will not have a detrimental impact on the streetscene.

1.5 County Highways and Environmental Health have raised no objections to the proposed development.

1.6 The proposed commercial development on the site accords with the requirements of Policies 1, 3, 9, 10, 11, 33 and 29 of the Core Strategy and Policies B4, G14 and G17 of the South Ribble Local Plan. For these reasons, and those contained within the report, the application be approved subject to the imposition of conditions.

1.7 The outline permission included conditions relating to the site access, sustainable transport, retail restrictions, ecology, hours of construction, dust management, wheel washing facilities for construction traffic, sound insulation of plant and machinery, asbestos, ground gases, importation of soil, contaminated land, drainage and hours of opening which do not need to be re-imposed as part of the Reserved Matters approval.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to a broadly rectangular 1.5 hectare site, located off Cuerden Way and close to the Sainsbury's Supermarket in Bamber Bridge. The site, a former United Utilities depot, comprises of an office / workshop and large yard area.

2.2 The site is bounded to the north and east by Cuerden Way with a Matalan store, LCC's Cuerden Depot and Bamber Bridge Fire Station present beyond. To the south is an Aldi Supermarket and to the west are buildings occupied by LCC. Beyond the building occupied by LCC, some 35m west of the site, is small pocket of residential properties comprising of a terrace of 3 dwellings.

2.3 The surrounding area comprises of a mixture of land uses including retail sites (Aldi, Sainsbury's, Matalan, B&Q) which sit alongside non-retail uses such as the South Ribble Tennis Centre, LCC's Cuerden Depot, the Cuerden Way Business Village, hotels and The Poachers Public House and restaurant. Some 50m beyond the south-western corner of the application site is a short terrace of residential properties within the employment site.

2.4 The application site is within an area of land designated as Policy B4: Commercial and Employment Site at Cuerden Way, Bamber Bridge in the South Ribble Local Plan.

3. SITE HISTORY

3.1 In January 2012 outline planning permission (07/2011/0624/OUT), with the access defined, was granted by the Planning Committee for the redevelopment of the site allowing Class A1 (non food), Classes B1, B2, B8,D2, and Trade Counter (Sui Generis) uses together with associated car parking area, landscaping and ancillary facilities following demolition of existing buildings.

3.2 In September 2012 a variation of conditions application (07/2012/0311/VAR) was approved which relaxed retail restrictions imposed by conditions 4 (restrictions on non-food retail use), 21 (restrictions on floor area) and 23 (restrictions on ancillary food sales) on planning approval 07/2011/0624/OUT in order to generate greater interest in the site from prospective tenants and to provide greater flexibility for the potential future occupiers.

3.3 In October 2015 a variation/removal of condition application (07/2013/0843/VAR) was approved which removed condition 23 of planning approval 07/2012/0311/VAR in order to generate greater interest from potential anchor tenants, which are required to make the scheme viable for development of the retail park to commence.

4. PROPOSAL

4.1 The proposal is a Reserved Matters application for the layout, scale, landscaping and appearance of 5 commercial units (Class A1 (non food), Classes B1, B2, B8, D2 and Trade Counter (Sui Generis) uses) with associated car parking and works to outline planning permission 07/2011/0624/OUT, as amended by 07/2013/0843/VAR.

4.2 The proposal comprises of 4 units, ranging from Gross Internal Areas of 511sqm to 2183sqm, in a single block along the northern boundary of the site. The larger 2 of these 4 units also include mezzanine floors. A single detached unit, with a Gross Internal Area of 511sqm, is also proposed along the western boundary of the site.

4.3 The units, which would measure 8m in height, are of a modern design with extensive areas of glazing on their frontages and a mixture of light and dark grey cladding on the remainder of the units.

4.4 Access to the development has previously been approved from Cuerden Way to the east with a service access to the block of 4 units from Cuerden Way to the north. A total of 191 parking spaces are proposed, which comprise of 162 regular parking spaces, 5 electric charging bays, 10 accessible spaces and 14 motorcycle spaces. Cycle hoops are also proposed close to the site access for up to 36 bicycles.

4.5 Low level boundary planting, which includes tree planting, is proposed along the southern and eastern boundaries with existing mature trees along the northern boundary to be retained

5. REPRESENTATIONS

5.1 No letters of representation have been received in relation to the proposal.

6. CONSULTATION REPLIES

County Highways have raised no objections to the proposal confirming that the internal layout and parking provision are acceptable.

Environmental Health have raised no objections subject to the imposition of a condition relating to the provision of electric vehicle recharge points.

3

United Utilities have raised no objection to the proposal, recommending a condition relating to the agreement of a sustainable drainage management plan.

The Local Lead Flood Authority (LCC) have raised no objections to the proposal subject to the imposition of conditions relating to surface water drainage and the agreement of a lifetime management plan

Ecology have advised that as general practice dictates that survey reports for bats are only valid for 2 years the reports submitted with the original outline consent are outdated. It was however noted by Lancashire County Council Ecology during the original outline application that, whilst due to bats being mobile species, it is always difficult to entirely rule out the bat presence but there is no roof space within the site that could have any realistic potential for bats due to a lack of ingress points within the buildings. As such, a precautionary approach to demolition was taken which prompted the inclusion of condition 5 on the outline consent which required the development (including demolition) to proceed in full accordance with the recommendations set out in the submitted ecology report which required additional surveys during that active season for bats prior to demolition offering the protection Ecology have sought. An update on the potential presence of invasive plant species has also been requested, however this can be secured by a suitably worded condition.

The Local Authority's **Arboriculturist** has raised no objections to the proposal, recommending that trees identified for retention should be secured as such by way of a suitably worded landscaping condition.

Preston City Council has raised no objections to the proposal.

7. MATERIAL CONSIDERATIONS

7.1 The principle for the redevelopment of the site, allowing Class A1 (non food), Classes B1, B2, B8, D2, and Trade Counter (Sui Generis) uses together with the details of the site access, has previously been established by the granting of the outline consent 07/2011/0624/OUT and the subsequent approved variation and removal of conditions on that consent (07/2012/0311/VAR and 07/2013/0843/VAR).

Policy Considerations

7.2 i) NPPF

7.2.1 The revised NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development stating *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development"* (para. 80)

7.3 ii) Core Strategy Policy Considerations

7.3.1 Policy 1 of the Core Strategy is entitled 'Locating Growth' and encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

7.3.2 Policy 10: Employment Premises and Sites seeks to protect all existing employment premises and sites last used for employment for employment use.

7.3.3 Policy 17: Design of New Buildings expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors criterion in the South Ribble Local Plan (2012-2026) Policy G17.

7.4 CIL

7.4.1 The approval of the associated outline planning permission and variations pre-dated the introduction of the Community Infrastructure Levy charging schedule and, as such, monies would not be required through CIL.

7.5 Character and Design

7.5.1 Policy 17 of the Core Strategy expects new buildings to *"take account of the character and appearance of the local area"* with Policy G17 of the South Ribble Local Plan requiring development not to have a detrimental impact on *"the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials"*. In consideration of the above, the local distinctiveness and character of the local area have been assessed. The surrounding area comprises of a mixture of land uses and includes medium to large retails units of a similar modern design that utilize large areas of glazing on their frontages and style of cladding. As a result, the proposed external appearance of the units is not considered to be out of character with the surrounding area. Landscape retention and planting softens the impact of the development, with the proposed development resulting in significant visual betterment over the existing appearance of the site.

7.5.2 For the above reasons the proposed development is considered to comply with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

7.6 Relationship To Neighbours

7.6.1 A minimum distance of 50m would be present from a short terrace of residential properties to the south-west corner of the site where areas of landscaping and car parking are proposed. A greater distance, in excess of 80m, would be present to the servicing area on Unit B1 with existing intervening commercial uses. Environmental Health have raised no objections to the proposal.

7.7 Highway Issues

7.7.1 County Highways have fully assessed the application and have raised no objections to the proposal, confirming that the internal layout and parking provision are acceptable.

7.7.2 The site access detail for the development was agreed as part of the associated outline planning consent.

7.8 Tree Issues / Wildlife

7.8.1 No trees within the site are subject to Tree Preservations Orders, with no trees worthy of such protection. The submitted landscaping scheme proposes the retention of existing mature trees along the northern boundary which, with low level shrub and tree planting proposed along the southern and eastern boundaries, the Local Authority's Arboriculturist has raised no objections to.

7.8.2 The ecology report submitted with the associated outline planning application confirmed that there is no roof space within the site that could have any realistic potential for bats due to a lack of ingress points within the buildings. As such, a precautionary approach to demolition was taken which prompted the inclusion of condition 5 on the outline consent which required the development (including demolition) to proceed in full accordance with the recommendations set out in the submitted ecology report which required additional surveys during that active season for bats prior to demolition offering the protection Lancashire County Council Ecology sought.

8. CONCLUSION

8.1 The proposed commercial development on the site is considered to be acceptable. The proposed development is not considered to result in the overdevelopment of the site and is not considered to be out of character with the streetscene. The proposed development is not

considered to have an undue impact on the amenities of neighbouring properties and there are no significant highway safety or amenity implications.

8.2 The outline permission included conditions relating to the site access, sustainable transport, retail restrictions, ecology, hours of construction, dust management, wheel washing facilities for construction traffic, sound insulation of plant and machinery, asbestos, ground gases, importation of soil, contaminated land, drainage and hours of opening which do not need to be re-imposed as part of the Reserved Matters approval.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby approved shall be begun either before the expiration of 3 years from the date of the outline permission, or before the expiration of 2 years from the date of the permission herein.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

 The development shall be carried out in accordance with the approved materials schedule detailed on the approved Drawings no. 10489 PL-1 E01 A (Building A Units A1 to A4 Proposed Elevations & Sections) and 10489 PL-2 E01 A (Building B Proposed Elevations) unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

3. None of the units hereby approved shall be occupied, or be brought into use, until the car parking area detailed on the submitted Proposed Site Plan (drwg. no. 10489 PL-X L03 B) have been surfaced or paved in accordance with a scheme to be approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan.

REASON: To allow for the effective use of the parking areas, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy F1 of the South Ribble Local Plan 2012-2026.

4. 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 as detailed on the Proposed Site Plan (drwg. no. 10489 PL-X L03 B) which has been agreed by the Local Planning Authority. 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.

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

5. Prior to the commencement of development details of the landscaping of the site including, wherever possible, the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. The replacement tree or shrub must be of similar size to that originally planted.

Details submitted shall be compliant with 'BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026

6. Prior to the commencement of development an assessment shall be undertaken by a suitably qualified person/s for the presence of invasive plants on the site, the results of which shall be sent to the Local Planning Authority.

Should the presence of invasive plants be confirmed a detailed method statement for the removal or long-term management /eradication of invasive plants, as identified under the Wildlife and Countryside Act 1981 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The method statement shall include proposed measures to prevent the spread of invasive plants during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment reoccurs

7. Notwithstanding details provided on the submitted Proposed Site Plan (drwg. ref. 10489 PL-X L03 B), prior to the first use of the development 10% of parking bays shall be provided with a rapid (30 mins) electric vehicle recharge point to the parking area. The parking bay shall be appropriately marked to ensure the sole use by electric vehicles and an adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay.

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

8. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

a) Detailed design drawings, including :

o Cross section of flow control manhole and attenuation tank

o Longitudinal section drawings of proposed drainage systems including design levels

b) Corrections are required in the run off rate as there are discrepancies in the run off rate used in the drainage strategy, drainage system flow calculations and drainage plan

c) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing as applicable;

f) Site investigation report, including the results for each SuDS feature of :

- o Boreholes or Trial Pits
- o Infiltration (Permeablility) Testing
- o Factual Ground Investigation Report (GIR)
- o Geotechnical Design Report (GDR)
- g) Details of water quality controls, where applicable.
- h) Breakdown of attenuation volume in pipes, manholes and tank.

The scheme shall be implemented in accordance with the approved details prior to completion of the development. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

9. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: To ensure that the proposed development can be adequately drained, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

10. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and bespoke asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to completion of the development. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that the proposed development can be adequately drained, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

11. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwgs no. 10489 PL-X L01A (Site Location Plan), 10489 PL-X L03 B (Proposed Site Plan), 10489 PL-2 S01 A (Building B Proposed Section), 10489 PL-2 P01 B (Unit B Proposed Ground Floor Plan), 10489 PL-2 E01 A (Building B Proposed Elevations), 10489 PL-1 E01 A (Unit A Proposed Sections), 10489 PL-1 PL02 A (Unit A Proposed Roof Plan), 10489 PL-1 E01 A (Building A Units A1 to A4 Proposed Elevations & Sections) and 10489 PL-2 P02 A (Building B Unit B1 Proposed Roof Plan).

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

RELEVANT POLICY

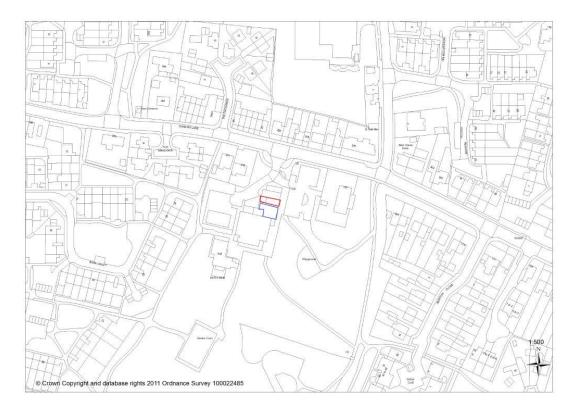
- 1 Locating Growth (Core Strategy Policy)
- 3 Travel (Core Strategy Policy)
- 9 Economic Growth and Employment (Core Strategy Policy)
- 10 Employment Premises and Sites (Core Strategy Policy)
- 11 Retail and Town Centre Uses and Business Based Tourism (Core Strategy Policy)
- 22 Biodiversity and Geodiversity (Core Strategy Policy)
- 29 Water Management (Core Strategy Policy)
- POLB4 Commercial and Employment Site at Cuerden Way

- POLG14 Unstable or Contaminated Land
- POLG17 Design Criteria for New Development
- NPPF National Planning Policy Framework

Note:

Agenda Item 8

Application Number	07/2018/2811/FUL
Address	Unit 201B Moss Side Village Centre Dunkirk Lane Moss Side Leyland Lancashire PR26 7SN
Applicant	Mason Partners LLP
Agent	
	Mr Peter Joyce Ground Floor Mason Partners Llp Cor Fenwick Street LIVERPOOL L2 0PJ
Development	Change of use from Class A1 (Retail use) to Class A5 (Hot food takeaway)
Officer Recommendation Officer Name	Approval with Conditions Mrs Catherine Lewis
Date application valid Target Determination Date Extension of Time	05.09.2018 31.10.2018 08.11.2018



1. Report Summary

1.1 This application requests planning permission for the change of use of a retail shop (Class A1 use) located within the Moss Side Village Centre to a hot food take away (Class A5). No letters of representation have been received from neighbouring properties. However, the Environmental Health Officer has raised concerns and recommended refusal due to insufficient and inadequate information submitted relating to noise and odour control.

1.2 Given that the proposed hot food takeaway would be adjacent to an existing fish and chips shop conditions controlling these aspects are recommended.

1.3 The application is recommended for approval.

2. Application Site and Surrounding Area

2.1 The site is located off Dunkirk Lane, Leyland within an area known as Moss Side Village Centre – a terrace of retail/commercial units located on land designated under Policy B1 (Existing Built Up Area) of the South Ribble Local Plan.

2.2 The Village centre which lies approximately 1kw to the west of Leyland town centre, is a popular group of shops and includes a hot food take away, pharmacy, a large Co-op and a vets. To the east is a car park to the units, whilst to the west and north are residential properties. Moss Side Community Centre lies to the south west of the group of shops.

2.3 Formally the newsagents, this unit was the subject of a previous application to subdivide the existing retail unit in to three units which was approved in November 2017.

2.4 Revised plans were requested due to inconsistencies with the address on the application form and the details on the plans. The application form stated that the change of use related to Unit 1. However, the plans appeared to relate to Unit 3.

3. Site History

3.1 There are a number of planning application for the Village Centre and the most relevant and recent being:

3.2 07/2017/2722/FUL Sub-division of existing retail unit into 3 units (Classes A1-Retail A2-Financial and professional services and A3-Resturant and cafe) with external alterations. Approved 2017.

4. Proposal

4.1 The application proposes the change of use from Use Class A1 (retail) to Class A5 (Hot Food Take away). The application has provided revised drawings to demonstrate the indicative location of a flue to the rear of the unit.

4.2 Proposed employees are 3 full time and 2 part time.

4.3 Requested hours of opening are:

Mon-Sat 10:00 to 01:00

Sunday 10:00 to 01:00

These hours have been amended to 08:00am to 23:00pm Monday to Sunday.

5. Summary of Publicity

5.1 A site notice has been posted and neighbouring properties have been notified. Following the receipt of revised plans to clarify the address further consultation has been undertaken and a verbal update will be provided at the meeting.

6. Summary of Responses

6.1 Lancashire County Highways: raise no objections

6.2 **South Ribble Borough Council Environmental Heath Team:** Initially raised concerns due to insufficient and inadequate information submitted relating to noise and odour control. However, subject to conditions controlling these aspects together with hours of operation and deliveries has raised no objection.

6.3 **Architectural Liaison Unit:** There have been high levels of crime reported in the area and a number of site specific measures including height of service counter, CCTV cameras, fencing and storage areas to be appropriately secured are recommended. A copy of this consultee response has been forwarded to the developer.

7. Policy

7.1 NPPF Revised Planning Policy Framework

Section 6 Building a strong competitive economy

Paragraph 80 Planning policies and decisions should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and the wider opportunities for development.

7.2 Central Lancashire Core Strategy

Policy 1: Locating Growth supports development.

Policy 17: Design of New Buildings provides guidance for the design of new buildings. Designs should consider a number of criteria including the character and uses of the local area and minimise opportunity for crime.

Policy 26: Crime and Community Safety encourages the use of Secure by Design principles in new development.

7.3 South Ribble Local Plan adopted July 2015.

Policy B1: Existing Built-up Area permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment providing that the development complies with the requirements for access, parking and servicing; is in keeping with the character of the local area and would not adversely impact the amenity of nearby residents.

Policy F1: Parking Standards advises that parking and servicing space should accord with the adopted parking standards. Any variation from the standards should be supported by a transport statement based on local evidence.

1,000 population. The stated standards are to be flexible and appropriate for each individual development.

Policy G17: Design Criteria for New Development permits new development provided that, the proposal does not have a detrimental impact on neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property.

8. Other Material Considerations

8.1.1 The application site is subject to Policy B1 (Existing Built up Areas) of the South Ribble Local Plan 2012-2026 which Policy B1 provides for development where it complies to requirements relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents.

8.1.2 The applicant has advised that this application is for a feasibility and marketing purposes only and that the appearance to the front of the unit would remain largely unchanged with minor alterations to the rear of the elevation to enable extraction and odour control.

8.1.3 Moss Side Centre currently has a mix of uses including a range of retail uses and a hot food takeaway and therefore the principle of the proposed use is considered acceptable. Environmental Health has raised a number of concerns due to the lack of information on odour and noise. However, the unit would be adjacent to an existing Fish and Chip shop and Environmental Health has advised that these aspects could be controlled through the imposition of conditions.

8.1.4 Concern was raised about the hours of operation requested by the applicant and these have been amended so that the premises shall not be opened between the hours of 23:00pm and 8:00am thereby reflecting the approved hours of opening of an adjacent unit. A condition controlling this aspect is recommended.

8.2 Highways

8.2.1 The development does not involve any extensions and the existing car park allows for adequate levels of parking in accordance with Policy F1 (Parking standards) of the same document. LCC Highways has raised no objection to the proposal.

8.3 Relationship to Neighbours

8.3.1 The closest residential properties are located some 17m to the rear of the proposal with a residential flats attached to some of the village centre units. It is considered that subject to the imposition of conditions controlling the details of adequate ventilation, extraction and hours of operation associated with the A3 use, the proposed use would not have a detrimental impact upon the amenities of the adjacent properties.

8.4 Conclusion

8.4.1 The application for a Hot Food take away is at an established village centre at Moss Site, Leyland. No objections have been received from the statutory consultees or neighbouring residents and subject to conditions controlling hours of opening, hours of construction, details of ventilation and extraction and waste collection the proposed change of use is acceptable. The proposed development accords with the policies of the Development Plan and the National Planning Policy Framework.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

- 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.
- The development hereby approved shall be carried out in accordance with the approved plans: Drawing No. MP 101 entitled "Existing and Proposed Dwgs Rev A" Drawing No. DWG MP 0110426_003 Location Plan

or any subsequent amendments to those plans that have been agreed in writing by the local planning authority.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

3. Prior to the installation of any extraction/ventilation systems full details of the noise levels to be experienced at the nearest properties and the fixings to be used shall be provided to the local planning authority for written approval. The approved system shall then be installed as agreed and thereafter maintained as approved. Any changes to the system shall first be agreed with the local planning authority in writing.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

4. Prior to the commencement of the development an assessment of the potential impact of odour from the development shall be undertaken and mitigation measures identified. This shall be submitted to the local planning authority for approval. The assessment shall be undertaken in line with 'Control of Odour & Noise from Commercial Kitchen Exhaust Systems 2018', and shall include a maintenance plan. Once agreed the identified mitigation measures shall be fully implemented prior to first use of the site and shall thereafter be retained and maintained in efficient working order in line with the approved scheme for the duration of the approved use. Any changes to the approved scheme must first be agreed with the local planning authority.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

5. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at any time on Sundays or nationally recognised Bank Holidays.

No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 09:00 - 17:00 Monday to Friday. No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

6. The proposed development shall only operate within the hours of 08:00 to 23:00 Monday to Sundays.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

 Deliveries shall not occur outside the hours of 09:00 to 21:00 Monday to Friday and 09:00-13:00 Saturdays. No deliveries shall be received on Sundays or nationally recognised Bank Holidays

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

8. Waste collections shall not occur outside the hours of 07:30 to 21:00 Monday to Friday and 09:00-13:00 Saturdays. There shall be no collections on Sundays and nationally recognised Bank Holidays.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan

RELEVANT POLICY

NPPF National Planning Policy Framework

- 1 Locating Growth (Core Strategy Policy)
- 17 Design of New Buildings (Core Strategy Policy)
- POLB1 Existing Built-Up Areas
- POLG17 Design Criteria for New Development

Note:

1. Information on the suggested contents of the scheme is available from South Ribble Borough Council's Environmental Health Department. Details to be included as a minimum shall consist of:

- o Operational hours
- o Discharge heights
- o Sound levels produced by the system
- o Anticipated sound levels at the nearest noise sensitive property
- o Full details of all grease and odour control systems
- o Maintenance plan for the system

2. The extraction/ventilation system shall be so designed to ensure the following standards are achieved:

The proposed development shall be designed so the rating levels for cumulative noise from all noise sources shall not exceed, 10 dB(A) below the existing LA90, at the nearest noise-sensitive premises to the proposed development as assessed in accordance with British Standard 4142 (2014).

3. The applicant's attention is drawn to the consultee response dated 18 September 2018 from the Architectural Liaison Unit.

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Agenda Item 9

REPORT TO	ON
Planning Committee	7 November 2018



TITLE	REPORT OF
Draft Masterplan – Pickering's Farm, Penwortham	Director of Property and Planning

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

1.1 A Draft Masterplan has been prepared by Taylor Wimpey and Homes England for the site known as Pickering's Farm, Penwortham. The site is allocated in the South Ribble Local Plan under Policy C1 for a range of land uses including residential, employment and commercial uses together with Green Infrastructure and community facilities. The policy requires that a Masterplan for the comprehensive development of the site is agreed. The Draft Masterplan that has been prepared provides the broad principles of the development of this site and therefore the purpose of this report is to seek the endorsement of the Planning Committee for formal six week public consultation on the Draft Masterplan to commence.

2. **RECOMMENDATIONS**

2.1 That the Planning Committee endorses the submitted Draft Masterplan relating to the Pickering's Farm site for consultation purposes.

3. EXECUTIVE SUMMARY

3.1 A Draft Masterplan has been prepared, as required for the allocated housing site, Policy C1: Pickering's Farm, Penwortham. The Draft Masterplan sets out details of a public consultation 'visioning' exercise that was carried out which was used to inform this Draft Masterplan. The Draft Masterplan provides the broad principles of how the Pickering's Farm site could be developed, including the access and movement through the site and development parameters which include the scale of development; site accesses; road hierarchy; green infrastructure and phasing of the development.

3.2 It is considered that the Draft Masterplan satisfies the requirements of Policy C1 in terms of providing for a range of land uses which include residential, employment and commercial uses together with Green Infrastructure and community facilities.

3.3 Copies of the masterplan will be displayed for Members to view at the Planning Committee meeting and will be available in the Members room.

4. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	
Health and Wellbeing	
Place	Х

Projects relating to People in the Corporate Plan:

People	Х

5. BACKGROUND TO THE REPORT

5.1 Policy C1 entitled Pickering's Farm Penwortham of the South Ribble Local Plan states

Planning permission will only be granted for the development of the Pickering's Farm site subject to the submission of:

- a) An agreed Masterplan for the comprehensive development of the site. The Masterplan must include the wider are of the Pickering's Farm site which includes the safeguarded land which extends to Coote Land as shown on the Policies Map and makes provision for a range of land uses to include residential, employment and commercial use. Green Infrastructure and community facilities.
- b) A phasing and infrastructure delivery schedule
- c) An agreed programme of implementation in accordance with the Masterplan and agreed design code.

5.2 A draft Masterplan has been produced by Homes England and Taylor Wimpey for the allocated site. As part of the preparation of this draft Masterplan, the Developers have carried out extensive consultation to establish a 'vision' for the site. The draft Masterplan has been prepared following this initial consultation with property owners and landowners within the site, the local community, Members and Officers of South Ribble Borough Council and Lancashire County Council, statutory organisations, Penwortham Town Council and other stakeholders. This initial consultation took place between June and September 2018 and sought views on the overall content and vision for the draft Masterplan. A summary of the extensive consultation is attached as Appendix 1.

5.3 This draft Masterplan has been prepared as a basis for further more formal consultation with all parties. The purpose of this consultation is to seek the views of the local community and key stakeholders to inform a final Masterplan for the site as required by Policy C1. Once all comments have been received, they will be fully considered by Officers and the Developers and, where appropriate, revisions will be made to the draft Masterplan prior to it being submitted to South Ribble Borough Council for adoption for Development Management purposes and will then be used to guide future development within the site.

6. PROPOSALS

6.1 The draft Masterplan sets out details of the Pickering's Farm site and the context in which it is set. It then sets out the vision for the site which was informed by the 'visioning' consultation exercise. The site area extends to 99.78 hectares and comprises land bounded by Chain House Lane / Coote Lane to the south and Penwortham Way to the west.

6.2 The draft Masterplan outlines the broad principles for development of the site, including the location of dwellings; access and movement through the site and development parameters which include the scale of development; site accesses; road hierarchy; green infrastructure and phasing of the development.

6.3 It also includes details of the Cross Borough Link Road Extension and other Local Highways Improvements and Public Transport Improvements, including an extensive network of footpaths, cycle ways and bridleways through the site and beyond.

7. CONSULTATION TO BE CARRIED OUT

7.1 Authority is sought to commence a six week formal public consultation on the Draft Masterplan with property owners and landowners within the site, the local community, Ward Members and Penwortham Town Council and other stakeholders together with Statutory Consultees.

7.2 Copies of the masterplan will be displayed for Members to view at the Planning Committee meeting and will be available in the Members room.

7.3 Going forward the consultation period will commence on 9th November for a 6 week period. The applicant intends to hold two formal consultation events at Penwortham Community Centre on:

- Tuesday, 20th November 1pm 2pm for Councilor preview; 2pm 3pm for local resident preview; 3pm – 8pm for public event.
- Saturday 24th November 2pm 5pm.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications

9. LEGAL IMPLICATIONS

9.1 There are no legal implications

10. COMMENTS OF THE STATUTORY FINANCE OFFICER

10.1 The report requests approval to proceed with consultation on the Draft Masterplan and therefore there are no financial implications at this stage.

11. COMMENTS OF THE MONITORING OFFICER

11.1 The report requests approval to proceed with consultation on the Draft Masterplan and therefore there are no legal implications at this stage.

12. OTHER IMPLICATIONS:

If required an update will be provided at the Meeting.

HR & Organisational Development	
► ICT / Technology	If required an update will be provided at the Meeting.
 Property & Asset 	If required an update will be provided at the Meeting.
Management	
▶ Risk	If the report is not approved there could be a delay to the consultation exercise.
Equality & Diversity	This report requires authorisation to commence a formal consultation process. At this stage, there are no equality impact issues identified.

13. BACKGROUND DOCUMENTS

Central Lancashire Core Strategy South Ribble Local Plan

14. APPENDICES

14.1 Appendix 1: Extract from the applicant's document entitled "Pickering's Farm, Penwortham, Statement of Community Consultation Phase 1&2."

Report Authors:	Telephone:	Date:
Janice Crook, Planning Officer Catherine Lewis Planning Officer	01772 625413 01772 625411	29.10.2018

Appendix 1

Extract from the applicant's document entitled "Pickering's Farm, Penwortham, Statement of Community Consultation Phase 1&2."

Consultation Programme: Phase One

^(*) An initial meeting with the Cabinet Member for Strategic Planning, Housing and Economic Growth, Councillor Cliff Hughes, took place to brief him on the proposed consultation.

Residents living within the site's boundaries were advised of the consultation ahead of the launch via a written letter and door knocking exercise.

 \square Leaflets were distributed to approximately 6,500 residents and business within a bespoke area surrounding the site advising of the proposals and details of the public exhibition.

C Key political stakeholders, including the local ward members, local Authority Cabinet members, MP and Parish/Town Councils were informed of the consultation via letters. Meetings were subsequently held with a number of these individuals.

C A press release was issued to the Lancashire Evening Post, South Ribble Borough Council and Blog Preston, advising of the launch of the consultation.

 \square A dedicated Facebook page was established detailing information about the consultation, including links to the project website. Facebook adverts were also launched to those living within 3km of the site, resulting in over 25,000 views.

Consultation Programme: Phase Two

A Steering Group was established with local representatives from County, Borough and Town Council, to allow them to view an initial draft of the presubmission Masterplan and provide their feedback. Two Steering Group meetings took place on Tuesday, 21st August and Monday, 10th September at the Hallmark Hotel, Leyland, and the Wellington Park, Leyland, respect