

# Planning Committee

Thursday, 10th February, 2022, 6.00 pm

Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

## Agenda

### 1 Welcome and Introduction

### 2 Apologies for Absence

### 3 Declarations 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 judgment 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 meeting Thursday, 13 January 2022 of Planning Committee

(Pages 5 - 8)

To be approved as a correct record for signing by the Chair.

### 5 Appeal Decisions

(Verbal Report)

An update will be provided at the meeting.

### 6 07/2021/00966/REM - Land west of Lancashire Business Park, Centurion Way, Farington, Leyland

(Pages 9 - 52)

Report of the Director of Planning and Development attached.

### 7 07/2021/01162/VAR - Unit 7, The Capitol Centre, Capitol Way, Walton-le-Dale

(Pages 53 - 60)

Report of the Director of Planning and Development attached.

<p><b>8 07/2021/00812/FUL - Dunbia (Preston) Ltd, Church Road, Bamber Bridge</b></p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 61 - 72)</p>
<p><b>9 07/2021/01246/FUL - AB Inbev UK Ltd, Cuerdale Lane, Samlesbury</b></p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 73 - 82)</p>
<p><b>10 07/2021/01163/FUL - Old Mill Industrial Estate, School Lane, Bamber Bridge</b></p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 83 - 104)</p>
<p><b>11 07/2021/00858/FUL - Green Lane Farm, Green Lane, Samlesbury</b></p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 105 - 114)</p>
<p><b>12 07/2021/01194/VAR - 14a Liverpool Road, Penwortham</b></p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 115 - 122)</p>

Gary Hall  
Chief Executive

Electronic agendas sent to Members of the Planning Committee Councillors Caleb Tomlinson (Chair), Mal Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Harry Hancock, Jon Hesketh, Clare Hunter, Chris Lomax, Caroline Moon, Phil Smith, Gareth Watson and Barrie Yates

The minutes of this meeting will be available on the internet at [www.southribble.gov.uk](http://www.southribble.gov.uk)

Forthcoming Meetings  
6.00 pm Thursday, 3 March 2022 - 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.
- Ward 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 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.
- Anyone wishing to speak on an application must register by email to [democraticservices@southribble.gov.uk](mailto:democraticservices@southribble.gov.uk) or by telephone to 01772 625563 no later than 12 noon, two working days prior to the meeting.
- Speakers will be allocated on a first come first served basis.
- 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, audio-record 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. <http://publicaccess.southribble.gov.uk/online-applications/>

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<b>Minutes of</b>	<b>Planning Committee</b>
<b>Meeting date</b>	<b>Thursday, 13 January 2022</b>
<b>Committee members present:</b>	Councillors Caleb Tomlinson (Chair), Damian Bretherton, James Flannery, Harry Hancock, Jon Hesketh, Clare Hunter, Chris Lomax, Caroline Moon, Phil Smith, Kath Unsworth, Gareth Watson and Barrie Yates
<b>Committee members attended virtually (non-voting):</b>	None
<b>Officers present:</b>	Steven Brown (Head of Development Management), Jodi Ingram (Senior Solicitor), Debbie Roberts (Senior Planning Officer) and Charlotte Lynch (Democratic and Member Services Officer)
<b>Other attendees:</b>	Councillors Bill Evans, Margaret Smith (attended virtually), Karen Walton (attended virtually) and Paul Wharton-Hardman
<b>Public:</b>	3

## **86 Welcome and Introduction**

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting, introduced the committee and explained that the meeting was being livestreamed to YouTube and held with COVID-secure measures in place.

## **87 Apologies for Absence**

Apologies for absence were received from Councillors Will Adams, Mal Donoghue and Mary Green.

Councillors Damian Bretherton and Kath Unsworth attended as substitutes.

## **88 Declarations of Interest**

Councillor Phil Smith declared a non-prejudicial interest in item 6 – ‘Rose of Farington’, 59 Stanifield Lane, Leyland – but would stay in the meeting for the duration of the item.

## **89 Minutes of meeting Thursday, 9 December 2021 of Planning Committee**

**Resolved: (For: 9 Abstain: 3)**

**For:** Councillors Caleb Tomlinson, Bretherton, Flannery, Hancock, Hesketh, Hunter, Lomax, Moon and Watson.

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**Abstain:** Councillors Phil Smith, Unsworth and Yates.

That the minutes of the previous meeting, held on Thursday, 9 December 2021, be approved as a correct record for signing by the Chair.

## 90 Appeal Decisions

Members were advised of one appeal, relating to 23 Manor Avenue, Penwortham, which had been dismissed by the Planning Inspector.

## 91 07/2021/01122/FUL - 'Rose of Farington', 59 Stanifield Lane, Leyland

Speakers: 1 objector, Councillor Paul Wharton-Hardman (ward councillor) and the Agent

Address: 'Rose of Farington'  
59 Stanifield Lane  
Leyland

Applicant: Fylde Investments Ltd.

Agent: Mr Jake Salisbury  
Graham Anthony Associates  
2 Croston Villa  
High Street  
Garstang  
PR3 1EA

Development: Change of use from A4 (Drinking establishment – now sui-generis use class) to C3 (residential). Conversion and extension following demolition of rear extension to create 10 apartments at the former Rose of Farington.

An amendment was proposed by Councillor Caroline Moon, seconded by Councillor James Flannery, to defer the application.

A vote was taken first on the officer recommendation, proposed by Councillor Barrie Yates and seconded by Councillor Gareth Watson, and it was subsequently

**Resolved: (For: 8 Against: 4)**

**For:** Councillor Caleb Tomlinson, Bretherton, Hancock, Hesketh, Hunter, Lomax, Watson and Yates

**Against:** Councillors Flannery, Moon, Phil Smith and Unsworth

That the application be approved subject to conditions outlined in the report.

## 92 07/2021/00942/FUL - 55 Towngate, Leyland

Speakers: the Agent

Address: 55 Towngate

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Leyland

Applicant: Starboard Dining Ltd.

Agent: Mr Adam Beamish  
Beamish Planning Consultancy

Development: Change of use of ground floor of former betting shop (Sui Generis) to hot food takeaway (Sui Generis), replacement shopfront, and installation of a plant and extraction system.

The officer recommendation was proposed by Councillor Phil Smith, seconded by Councillor Jon Hesketh, and it was subsequently

**Resolved: (Unanimously)**

That the application be approved subject to conditions outlined in the report.

Chair

Date

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# Agenda Item 6

**Application Number** 07/2021/00966/REM

**Address** Land West Of Lancashire Business Park  
Centurion Way  
Farington  
Preston  
PR26 6TS

**Applicant** Caddick Developments Ltd

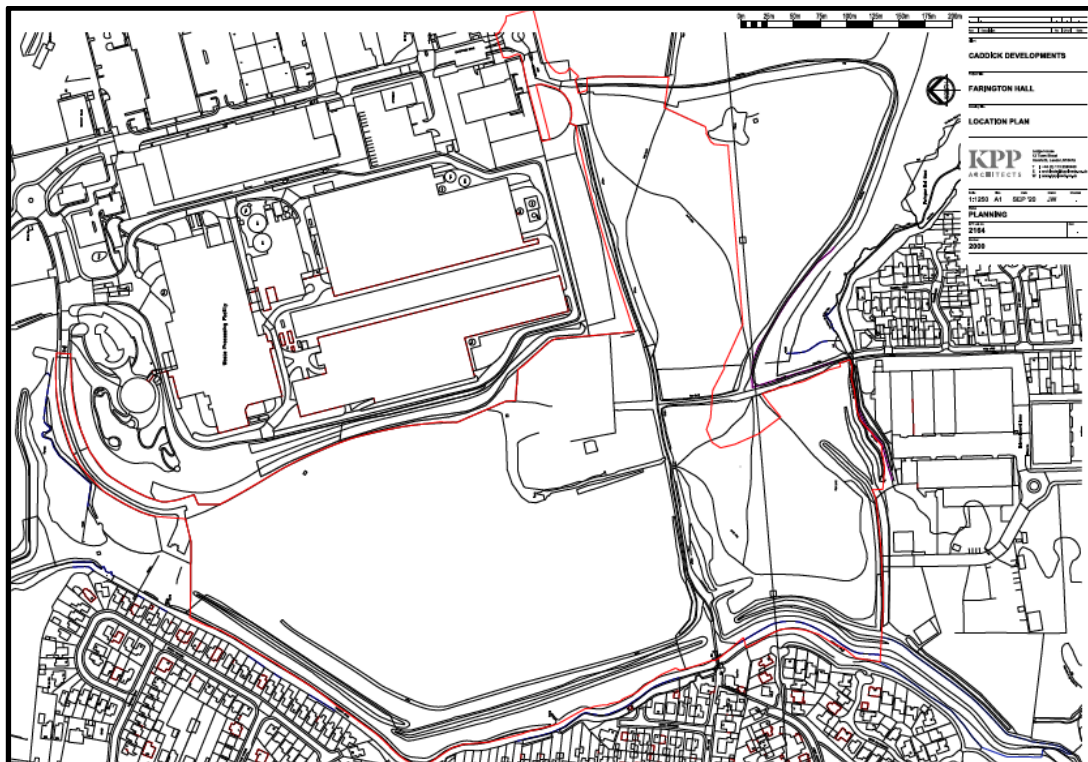
**Agent** Mr Nick Pleasant  
NJL Consulting  
Origin, 6th Floor  
70 Spring Gardens  
Manchester  
M2 2BQ

**Development** Application for Reserved Matters of Scale, Layout Appearance and Landscaping following outline approval 07/2020/00781/OUT for up to 51,794 sq m building (Use Class B8) with ancillary office space and associated works

**Officer Recommendation** Members be minded to approve the application with the decision being delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon the successful agreement on the technical details of the de-culverting of the watercourse with the Environment Agency.

Date application valid 08.09.2021  
Target Determination Date 08.12.2021  
Extension of Time

## Location Plan



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## **1. Report Summary**

1.1 The application is for a substantial employment generating development on land west of Lancashire Business Park which is allocated under Local Plan Policy E1 as Employment Site (g). The application is for the Reserved Matters of Scale, Layout Appearance and Landscaping for a 51,793.40 sq m building (Use Class B8) with ancillary office space and associated works. Outline approval 07/2020/00781/OUT was granted in January 2021 which established the principle of development of this site together with its access.

1.2 A large number of objections have been received to this Reserved Matters application with the main points being the size and scale of the development; noise; pollution; impact on wildlife; and flooding. The points of objection are summarised in the Summary of Publicity section of this report and covered in the body of the report.

1.3 Many comments relate to the access road and the potential for noise and light pollution from vehicles. However, as indicated above, mean of access was agreed as part of the outline approval. The applicant has however provided some additional screening in the form of acoustic fencing along part of the access road and the car park.

1.4 Statutory Consultees have provided bespoke responses and, although initially concerns were raised in respect of noise, air quality, foul drainage and the surface water drainage strategy, these matters have been subject to further discussions. Environmental Health have advised they now are reasonably satisfied with the air quality mitigation measures and noise concerns have been largely addressed through additional acoustic measures; United Utilities have provided helpful advice for the detail design process for the foul drainage for Phase 2 of the development; and the Environment Agency are continuing to review the hydraulic modelling for the surface water drainage strategy in relation to conditions imposed on the outline approval.

1.5 It is acknowledged that there have been a number of neighbour objections to the scheme. Of particular concern to residents is the height and proximity of the building to their residential properties. However, the application proposal brings a number of benefits in that it re-uses brownfield and contaminated land; provides substantial tree planting and landscaping; substantial ecological enhancement, which includes a de-culverted and diverted watercourse, sustainable drainage, and significant new ecologically diverse landscaping; and is consistent with the aims of Policy E1 to ensure local job opportunities, providing the creation of circa 1,000 job roles. On that basis and on balance, the application is recommended for approval subject to the imposition of conditions with the decision to be delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee on the successful agreement on the technical details of the de-culverting of the watercourse with the Environment Agency.

## **2. Site and Surrounding Area**

2.1 The application relates to the allocated Employment Site, Site g: Farington Hall Estate, West of Lancashire Business Park, Farington. The Farington Hall Estate site measures approximately 21 ha and is roughly 'L' shaped. The site is a derelict brownfield site and contaminated, having been used as a landfill site for inert foundry waste. The land is relatively flat scrubland with areas of trees, including areas protected by Tree Preservation Orders.

2.2 An earth bund visually separates the site from the adjacent River Lostock to the western boundary. Residential properties are located beyond the River Lostock and also to the south/south-east. To the north-east and east is the Lancashire Waste Technology Park and the Lancashire Business Park beyond with the Leyland Truck factory to the north. Further commercial and industrial uses are to the south-west within the Tomlinson Road Industrial Estate.

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2.3 There is a protected woodland at Farington Hall Wood to part of the southern boundary. The land to the west, formerly part of the Farington Hall Estate site, is a residential development site, nearing completion, accessed off Grasmere Avenue.

2.4 Within the application site is the site of the former Lower Farington Hall and associated buildings and moat which is located towards the eastern boundary and may be of archaeological interest.

2.5 The site is in private ownership but due to its lack of perimeter fencing, has been accessed by the public as informal amenity space. A public right of way crosses the centre of the site, running from east to west from the adjacent residential development to Centurion Way.

2.6 The site is in a highly sustainable location within walking distance of residential areas in Leyland, Farington and Farington Moss. There are nearby bus stops served by local bus routes and Leyland railway station is within walking distance. Leyland town centre is approximately 900m to the south-east. The main M6 / M65 junction is approximately 2 miles to the north-west.

### **3. Planning History**

07/1979/1138 Tipping of Factory and Foundry Waste – Approved

07/2019/12549/SCE Request for Screening Opinion (Environmental Impact Assessment) Regulations (2017) – EIA not required

07/2020/00672/SCE Request for Screening Opinion for Proposed employment use led development at Farington Hall Estate – EIA not required

07/2020/00782/SCE Request for a Screening Opinion for Proposed employment use led development at Farington Hall Estate, Farington – EIA not required

07/2020/00781/OUT Outline planning application (all matters reserved apart from access from the public highway) for up to 612,500sqft (56,904sqm) of light industrial (E(g) Use), general industrial (B2 Use), storage and distribution (B8 Use) and ancillary office (E(g) Use) floorspace was considered by planning committee at its 14<sup>th</sup> January 2021 meeting. Member unanimously resolved to approve the application with the decision being delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon the successful resolution and removal of an outstanding objection by the Environment Agency.

Following a period of discussion between the applicant and the Environment Agency and further to additional details and plans being submitted, agreement on conditions was reached and the decision notice issued on 28<sup>th</sup> May 2021 with a number of conditions being imposed. Some required details to be submitted as part of the Reserved Matters with others being subject of separate Discharge of Conditions applications, as follows:

07/2021/00928/DIS Discharge of conditions 3, 16, 19, 21, 25 and 36 of planning approval 07/2020/00781/OUT – conditions discharged on 20/10/2021 although part 4 of condition 36 requires the submission of a verification report on completion of the development.

07/2021/00935/DIS Discharge of conditions 6, 26 and 27 of planning approval 07/2020/00781/OUT – conditions discharged on 02/12/2021 although condition 26 requires further details in order for it to be fully discharged, as follows:

- Analysis of the site investigation records and finds;

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- Production of a final report on the significance of the archaeological and historical interest represented.
- Deposition of the final report with the Lancashire Historic Environment Record.
- A scheme to disseminate the results of the archaeological investigations for the benefit of the local and wider community.
- Provision for archive deposition of the report and records of the site investigation.

07/2021/01040 Discharge of conditions 9, 10 and 34 of planning approval  
07/2020/00781/OUT – pending, awaiting confirmation from the Environment Agency once their hydraulic model review is complete.

## **4. Proposal**

4.1 The application is for the Reserved Matters of Scale, Layout Appearance and Landscaping following outline approval 07/2019/00781/OUT for a building of up to 51,794 sq m within Use Class B8 with ancillary office space and associated works. The proposed building measures 295.50m long by 160m deep with pitch roofs over to a maximum height of 22m. There is a side projecting section of 15m by 85m with ground, first and second floor offices.

4.2 The building would be constructed in metal cladding in a palette of greys, namely in Albatross Grey and Anthracite Grey.

4.3 A staff car parking area is located off the new access road together with a cycle parking area and mobility spaces. A 'Gatehouse' building is proposed to the north-east of the car park. A further parking area for 62 trucks is located between the building and the waste technology plant. To the eastern end of this truck park is a bin store.

4.4 To part of the access road, a 2.5m high acoustic fence will be formed which will also run along the northern edge of the staff car park and a 2.4m high close boarded fence will run along the north-western boundary of the car park.

4.5 The existing bund and landscaping along the river Lostock is to be retained and supplemented with additional native tree and hedgerow planting.

4.6 The scheme has been amended since it was originally submitted with the amendments summarised as follows:

- Move the proposed unit to the east, further away from adjacent residential properties;
- Step back the northern elevation to further increase the separation distance between the unit and nearby properties, to a minimum distance of 50m;
- Increase the amount of landscaping along the western site boundary, including the addition of mature trees to provide more immediate screening;
- Introduce an acoustic fence along the southern length of the northern access road where it enters the main site area (in response to local comments);
- Introduce an acoustic fence along the western edge of the proposed car park (in response to local comments);
- Revise the eastern boundary fence line to retain public access along the eastern boundary, thereby creating a usable and formal north-south link through the site.

## **5. Supporting Documents**

5.1 The application is supported by the following and documents and plans:

Planning Statement  
Design & Access Statement

Unit 1 Building Plan  
Unit 1 Building Elevations

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LVA Addendum	Unit 1 Roof Plan
Flood Risk Assessment (relating to blockage scenarios)	Plant Store
Remediation Strategy (including gas protection measures)	Cycle Store Details
Landscape & Ecology Management Plan	Fencing Details
Water Vole Survey Report	Bin Store Details
Noise Impact Assessment	External Materials
Employment and Skills Training Plans	Site Levels
Masterplan (submitted for indicative purposes)	Gatehouse Plans and Elevations
Unit 1 Site Plan	Site Sections
	Ecological Enhancements Plan
	Hard Landscape Plan
	Soft Landscape Plans

## **6. Summary of Publicity**

6.1 Four hundred and forty-three neighbour notification letters were sent out, nine site notices posted in the area and a press notice published with 45 letters of representation initially being received. Following submission of amended plans, neighbouring residents were reconsulted with a further 5 letters being received. The main points of objection are on the following grounds:

- **Scale and Design**

Vague details about the plans to build an obscenely large industrial unit next to our housing estate.

The eaves height will be 15 metres, so it will be seen from the estate. It would take decades for trees to grow tall enough to obstruct the view of this.

The waste park is visible from Croston road and was built over 10 years ago, so no amount of trees can hide this.

The building itself looks ugly. It's just a massive white corrugated steel block. In a few years this will be rusty and covered in moss. Think the leisure centre, but 10 x bigger.

The height/size of this development is excessive for the neighbourhood, at over 20m in height

Building is higher than the Waste technology park and it is nearer to residential properties.

A development of this size/height will be significantly overbearing, will cause overshadowing and will cause harm to the residents across from the River Lostock.

The Pylon on the development is visible from Morley Croft and Meadowland Close, no visual impact assessment has been performed in these areas and I believe the development will be visible from these areas.

The size of this Application to big and over bearing it will leave the residents in its shadow Crammed this massive overbearing distribution centre which is not in keeping with character or scale of this site

The new plans have completely changed from the initial proposal, in height, use and proposed size.

The height of the building proposed will completely block any views from both our garden and all windows.

The height of the proposal seen from our homes?? A huge monstrous noisy box, 24hours a day! Blocking all sunlight.

The height will literally dwarf homes that are close to the proposed building.

3 1/2 times the size of home situated right next to it.

The height and the huge area it will cover should not be sited next door to residential homes, it is more fitting for the middle of a huge industrial estate.

Really unhappy with the size of this proposal in relation to the houses opposite, creating noise pollution & blocking sunlight

Accept that there is a need for industrial and commercial builds, but this super unit is an eye sore, which will be visible from my home.

Did not object to plan for smaller units, providing some of the natural area remains which will serve to reduce visual pollution from the neighbouring houses; reduce noise from the build

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and then the work occurring inside and around the units; and provide an ongoing habitat for wildlife

- **Not in keeping with local area**

The area of development borders on a significant residential area of South Ribble

Although Leyland has an industrial heritage and the land is designated as a brownfield, it has not been used as a brownfield for over 40 years.

A distribution hub sandwiched between the centre of a town and a residential area just does not make sense.

This development would be more suited on the land where Ikea was going to be as it has a direct connection to the motorway.

Will ruin what is a beautiful, peaceful place to live.

- **Residential Amenity**

Is there any need to encroach more on nearby residential areas, essentially making it an urban area.

Farington green is a new build estate directly next to the site. This means we will be boxed in by warehouses and industrial units.

Would not have bought here to live with our family's if we'd have known this was the plan.

Who on earth would want to live next to this?

The land being taken is the only green space this side of Leyland.

Where will people go now? The bluebell wood was the other option, but has been fenced off which the council have done nothing about

Loss of privacy due to car park being closest to residents of Bispham Ave

Why now put a road on the side closest to residents where there will be a loss of privacy, an increase light & noise pollution which is unnecessary. This has never been a road or access point ever. The site can be accessed from the Centurion way and still go through Lancashire Business Park if Caddick Developments put better Design plans forward that are scaled down to fit in with the site and neighbours.

I live in a residential area and have done for 20+ years I do not want to feel I now will be living in the middle of an industrial estate.

I have lived here 27yrs and my view was always of fields, the river Lostock and Winter hill.

Then came along the gigantic waste disposal plant.

My house and most of the street have living rooms and the main bedrooms at the back facing the site

a building of this size will have a significant negative effect on the visual amenity of the local residents and members of the public. it will tower over the tree line and no amount of planting will resolve this.

The impact on residents in the area is far too great and will cause a great deal of stress and anxiety.

The sheer size of this building will create shadow far beyond the limits of the plot, taking away natural sunshine from several houses, and possibly including mine.

- **Access Road**

The unadopted road should be screened to give residents privacy

A 2m high acoustic fence will not screen or stop noise from a 16 ft 44 ton vehicle

Global Renewables had a bund and screen to get their planning application passed so why should it be any different for Caddick

Caddick road in front of bund

Changing a single track that went to an old pumping station to full on road and footpath for 24 hr HGV and cars

The current plans show a road entering the site, this is currently planned on our side of the Noise and Visual bunding with a gate will get sent back in the direction of the houses no screening apart from a small fence

Allowing this road to be built in the current location or without effective screening cannot be a justifiable decision taking into account the lengths Lancashire County Council went to build the access road to the recycling centre behind bunding in order to reduce noise impact. How

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can it be allowed that Caddick Developments ignore this fact and be permitted to build a road on this side of the bunding and therefore closer to resident's houses?

- **Traffic**

The traffic nearby will be absolutely horrendous.

Wheulton lane is already very busy with a constant flow of wagons and delivery vans (Amazon) speeding up and down day and night.

Always long queues around the traffic lights at the top of Golden Hill Lane

The extra traffic generated from this gigantic site, will make travel around the area unbearable

Traffic generated as Farington Moss is at gridlock already especially at the two roundabouts at Croston Road

Development would have a significant increase in traffic both on the A582 to J29 of the M6 and through Leyland to J28 of the M6.

No amount of encouragement will stop traffic from taking the shortest route.

The development has provision for 50 HGVs to unload and this is not counting any that will be waiting.

The A582 is extremely congested and is operating way above its design. The widening of this road will improve the current situation, however, there is no guarantee that this will ever happen.

There is going to be a road going through the field and a huge development with lots of traffic.

Putting a warehouse in this location will increase traffic on the A582 and through Leyland town centre, both of which are extremely congested.

- **Hours of Operation**

Planning application for Lancashire waste park LCC 07/06/0821 part 2 section 4 imposed restrictions on hours of working. This condition was applied to safeguard the amenity of local residents and adjacent properties and to conform with policy. As this development is nearer to the residents of Bispham Ave, Riverside Ave and Brookside Close I would expect the same condition to apply.

24/7 access and vehicle movement from a Distribution Centre 30 meters away from residents

Road and industrial estate close to houses so must have restrictions put on to control hours of use

Sleep with windows open and do not want to be woken up at weekend

- **Noise and Odour**

No mention about what businesses will occupy the units once built.

How can we be sure that there won't be excess noise coming from these businesses?

If intended as distribution there'll be noise of HGV's that will be heard by residents due to the close proximity. Will these businesses be able to operate into the night?

Rear garden backs onto the river Lostock so extremely concerned about the noise and light pollution that will no doubt be emitted from the huge warehouse.

both work from home from an office in the garden which with 24 hour noise will severely effect productivity and therefore income.

suffered for years since the waste plant was opened with disgusting smells and noise waste plant is approximately 400 metres away house so building a monstrous warehouse a 100metres or less would have a serious and significant effect on our lives and human rights Residents on Bispham Ave that back onto the river and site have their main living quarters and bedrooms to the rear of their properties, the current plans do not show any bunding or screening to protect neighbours from this planned disturbance.

No room to bund a road at this location.

Acoustic fencing won't work because of the height of the Global Renewables bund, all the noise generated will bounce back to the residents on Bispham Ave.

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The current plans show a road entering the site, this is currently planned on residential side of the Noise and Visual bunding that was put in place. to reduce noise and visual disturbance from the Waste Technology site.

Because there is no room to bund a road at this location) Acoustic fencing won't work because of the height of the Global Renewables So all the noise and lights will bounce back to the residents on Bispham Ave.

All bedrooms, living rooms, offices and gardens are at the rear of the property. A distribution centre will have so much noise pollution, so much HGV traffic, loading bays, FLT movement, car movement from shift work all day and night. This noise will disrupt my children sleeping, my work from home, and peaceful nature surroundings of the river and wildlife at the rear of the property?

This is insanity to build a huge distribution centre within 50m of residential properties that have been there since the 70's.

How can you stop the noise nuisance? I do not see a way you can achieve that?

Global renewables had noise complaints from all the residents and that is further away.

The submitted noise impact assessment predicts that noise levels from the proposed northern access road will only be marginally below the recommended guidance from WHO for outdoor amenity space and daytime internal noise. If these predicted levels prove to be incorrect by even a minimal percentage, they would then exceed the recommended levels. In addition to this, 50db is considered by the WHO to be the maximum levels of noise. At 48db (outdoor amenity space) and 49db (at first floor height) the predicted noise from the proposed road is only just under the maximum level.

I cannot locate where the noise impact assessment accounts for the noise that will be experienced by residents from the proposed access road during the night

The WHO suggest that at night time, outside levels should not exceed 45db so that people can sleep comfortably with the window open.

The predicted level of outside noise in the statement is 49db which clearly exceeds the WHO recommendations

The baseline for the noise impact survey was completed in August 2020. As this was during the Covid 19 pandemic, how can this information validly be used as a baseline to form the outcomes of the noise impact assessment?

The noise impact from the road has been predicted upon a 20mph road limit. We would like to know how the developers and South Ribble Borough Council would propose to monitor this speed limit?

Very important to get noise impact assessments right.

It would be prudent to reconsider the proposed route that HGVs will use to access the site and plan for this activity away from residential housing.

This could be achieved through relocating access via the eastern part of the site from Centurion Way with better design plans.

At the very least, screening should be put in place to reduce any noise impact.

Why have no noise receptors been put in this area it will cause the most noise and should be done before any decisions are made.

Noise from construction

- **Light and Air Pollution**

This building will not doubt have to have flood lights situated all round it, which will cause light pollution.

What about the air pollution from HGV Lorries?

How can South Ribble be committed to reducing pollution in the area if this development is allowed to proceed especially when we have the second-largest AQMA in Lancashire on Golden Hill lane/Turpin Green.

Car park lit up with no visual screening for 800 cars when the industrial estate is already grid-locked at 7.00am and 5.00pm

Light pollution – Site / car park / Vehicle lights

Car park lit up with no visual screening for 800 cars when the industrial estate is already grid-locked at 7.00am

The nature of the proposed development of the site will require lighting 24 hours a day.



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The proposed development has not taken into consideration the effect that lighting will have upon resident from the first floor of neighbouring properties

Over the years, we have had similar issues with lighting at the recycling centre, who we have negotiated with to reduce their lighting during the evening and night times.

Caddick Developments should be asked to consider how they can reduce the impact that lighting will have upon our property with low level lighting rather than high level flood/street lighting and increased shielding from planting.

The pollution and fumes that will come from this proposed development will severely affect the health of ourselves and our children who spend a lot of time in our garden.

It will affect the river and the nature surrounding the river. Surface run off from the development already behind the proposed development dump fuel and dirt into the river monthly, the extra strain from your development will likely destroy the nature that we have left.

Fuel Pollution – hundreds of cars, vans HGV's FLT's, right on the doorstep of our back garden, how will you protect myself and my family from the harmful emissions?

Concerned of the impact it will have on natural light as well as the noise pollution

Will jeopardise future health

Noise and light pollution will increase as it did with the waste plant and required postconstruction remediation.

The number of Goods vehicles will increase in the local area, which is counter to SRBC's air quality management plan to actually reduce the number of HGVs and therefore will increase air pollution.

- **Flooding and Drainage**

The effect of flooding on our house from this will be imminent as the surface run off already increases the river level to the lower level of our garden therefore the extra water run-off from your peppered development will damage our property as soon as a large rainfall hits.

River Flooding / pollution – The extra tarmacked areas and lack of absorbing land have increased the surface run off to the river, each development increases the stress on the river and our homes are on the banks. The instant surface run off from your new proposal will flood my property! How would you propose to compensate this? How will you protect our homes? The oil from the vehicles will run off into the river and damage the fish and wildlife in there.

River Lostock has been breaking its banks more since Global Renewables water has been diverted into it

Doing this again for this application will only cause more catastrophic flooding.

Pond installed to hold back the water does not work

Once its full it overflows straight into the river Lostock

This application will only cause more catastrophic flooding

Flooding gets behind my house, further downstream it floods the gardens.

Totally against this development due to the drainage from these buildings increasing river levels and flood risk in the area downstream as I have voiced in the past.

- **Trees**

Loss of trees covered by TPOs at the northern end of Hall Lane

The trees put in place to cover the sore sight of global renewables have only just grown tall enough to hide the building and dampen HGV movement.

They spent hundreds of thousands planting trees to protect the residents and now you propose building on this side of the barrier and even closer to residential homes

Several Oak trees are too old to be felled on this land, they have been removed on the drawing

Loss of carbon eating trees (replanting will not level this up for 20-30 years).

- **Public Right of Ways and Cycle Path**

Diversion of the public footpath south of its current location between Hall Lane and Mill Lane bridge.

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Size and design should be altered so as to retain the area of woodland to the north of Hall Lane and maintain the existing position of the footpath  
Additional footpath be established that links the Mill Lane bridge with the entrance to the Lancashire Business park along the western edge of the development  
Need to replace the loss of dog walking opportunity that the proposed development impacts.  
extremely concerned where the proposed cycle path will be located  
Loss of space for walking dogs exercise

- **Wildlife**

the building of any units at all will decimate the habitats of local wildlife  
We understand that Caddick Developments have stated that they will periodically maintain the vegetation around the banks of the River Lostock, however, as riparian owners, it is also essential that they show commitment to maintaining the river bank which has shown increased erosion over recent years. Furthermore, have they completed a survey for Otters? Otters have been frequently sighted along the river between Riverside Avenue and Bispham Avenue over recent months.  
The wildlife behind on the fields as well as the river Bank will be severely affected including otters, birds of prey, kingfishers, rabbits, owls to name just a few.  
This field and river are the only part left of the small nature reserve in the local area, we have Buzzards, 2 Local Barn Owls, Local Tawny owls, Several Otters, Mink, foxes, rabbits and hares and much more beautiful wildlife flourishing in this field alongside the river. Your proposal will destroy this habitat. How do you protect the wildlife and nature?  
Impact on moss that grows in the fields  
Will destroy habitats  
Significant loss of habitat for protected species including bats, badgers, hedgehogs, and otters.  
Additionally, it is near to a biological heritage site which is home to a variety of species that could be dependent on this site.

- **Other comments**

It all boils down to money for the council and probably don't really care about the residents in the area,  
Will make Farington a grim place to bring up a family and will bring Leyland down and make it a really undesirable place to live.  
What about putting a park here, or even more houses? Surely, anything would be better than an industrial unit!  
why have you not sent the letter to a large number of residents who will also be affected by this development  
Proposal will affect peaceful garden setting which will significantly reduce the appeal for our property when we come to sell, as the garden is the main selling point and the reason for the price of our house when purchased  
Compensation – This will dramatically reduce the value of my property,  
Low level small employment land was approved initially. Proposal now is not what was initially approved! This is not acceptable.  
If this is to go ahead, I would expect the full value of my property in compensation.  
No communication from Caddick and not shown anything in this application to help alleviate any of residents' concerns on landscaping, bunding, access road, noise, lighting etc  
Caddick never replied  
Worry about safety of children if they were to venture onto the site.  
Is this in the best interests of Leyland?  
I do not want to see this eyesore of a building from my house. It is ridiculous how close it is to hundreds of homes. I will not be polluted even more.  
Do we need another AMAZON BUILDING so close to housing?  
This is becoming another Town Planning Design disaster.  
Would anyone in Planning LIKE IT NEXT TO THEIR HOME!! I think NOT

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Do we get any financial compensation for the devaluation it will most definitely have on our home if you decide to pass this unit? It seems there is no thought for us residents like there was when the waste plant was passed, and this is much nearer our homes.

Upset and disappointed that South Ribble council would even consider giving this the go ahead.

This monstrosity of a building will have an impact on the value of people's properties in the area, and not in a good way!!!!

Why does Leyland need more industrial units?

Will keep emailing until I know for a fact that this is not happening

Already we have lost space to walk and play since moving here due to builds in the local area

- **Comments following Amendments**

Essentially, residents do not consider that the amendments have address the concerns raised following the first consultation, with further point of objection summarised below:

House is as close as you can get to this monster

The height is ridiculous and will tower over homes

Original application was for single storey light commercial use with restriction on working hours

Under the impression it would be daytime use only not 24 hours

Where will all the rainwater go once the land is concreted over

Will lose the natural and pleasant outlook

No amount of objection will stop these things when the power that be decide they are going ahead

Care and respect residents' rights to a decent outlook

Would never have bought a house that was dwarfed by and overlooked by an industrial building

Waste plant is 15m high and set back from the residential area, this warehouse will be 22m high, nearly as high as the pylon on the site

Will be significantly overbearing

Planting hundreds of trees to mitigate – these trees will never grow tall enough to screen this warehouse and will take years to grow to a decent size

Fails to address the height, the noise pollution, the increase in traffic and pollution

Although marginally smaller it is still a monstrosity

Impact on house prices

Would be better suited to site near the motorway

South Ribble is trying its hardest to build on every field in Farington Moss. I have never seen so much building going on in such a small area

Do we really need another industrial site in the area?

Bispham Avenue is situated much lower than the application site

Building will block tv signal from Winter Hill

Vehicle reversing alarms cannot be mitigated with the acoustic barriers

Increase of traffic on A582

Loss of wildlife habitat

Biodiversity gain will only be achieved following the destruction of a significantly large habitat and all the wildlife will be killed or driven away

Amendments state the number of vehicle journeys generated is lower than the outline permission. This statement is wrong as the figures relate to the whole site and this RM is for just one phase

What is the point of consultation if Caddick is just going to ignore it!

- **Community Consultation**

Prior to submission of the outline application, the applicant undertook a consultation exercise with the local community. The public consultation was undertaken through the delivery of 1,500 leaflets to local residents and businesses in August 2020 which provided details of the development and contact details for the project team. Separate ward councillor engagement

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was also undertaken in August and September 2020. These measures gave residents, businesses, and local stakeholders an opportunity to make comments.

In advance of the submission of this Reserved Matters Caddick developments undertook pre-application consultation and stakeholder engagement. This included an update meeting with South Ribble Council; Engagement with stakeholders and members at South Ribble Council; A letter to local residents advising of the proposals and seeking comments; An updated development website providing further details of the proposals; Engagement with the Environment Agency regarding the remediation; and Engagement with the Environment Agency regarding flood risk and drainage strategy, and watercourse de-culverting and realignment in particular.

## **7. Summary of Consultations**

7.1 **Environmental Health** reviewed the application and submission documents and initially advised the following:

Contaminated Land –They related the remediation plan to the proposed acceptable levels of contaminants as set out in the original ground investigation reports for this site and consider that the detailed remediation, and site investigation summary document is appropriate, up to date and suitable for the proposed end use of this development. However, EH will expect a suitable detailed Validation Plan for soils and Verification Plan for proprietary gas protection measures, as suggested in the remediation strategy, to be supplied detailing all the actions taken, with suitable summative reporting from specialist verification reports regarding the gas protection and soils replacement (Materials Management plan). These reports will need to be submitted and approved prior to the installation of these elements of the development.

It must be noted that the remediation strategy was secured by condition 36 of the outline approval 07/2020/00781/OUT and is subject to a separate Discharge of Conditions application 07/2021/00928/DIS, as reported above in the Planning History section of this report. The Verification report will need to be submitted in order for condition 36 to be fully discharged and there is no requirement to impose a further condition requiring the submission of the verification report.

Air Quality – EH advise that this RM application divides the previously submitted outline into two phases, bringing forward the larger section of the site. This is significantly different to the outline application incorporating one very large distribution centre. EH therefore considered that the transport assessment and air quality assessment are no longer valid, as substantially more trips could potentially be generated from the site. Given the significant change to the layout and potential use of the site, EH considered it appropriate to reconfirm the findings of both the transport and air quality reports based on the design submitted. They required that LCC Highways reconsider the traffic flows from the transport assessment.

LCC Highways confirm they have no objections, advising the outline was for a quantum of development and not for a specific number of vehicle trips. Therefore, if the quantum of development is in accordance with the outline permission, they have no objections to the traffic for the proposed development. For clarity, this RM is in line with the outline approval in respect of the quantum of development. Additionally, the layout at outline stage was indicative only with only the access being applied for at that stage.

As a result, EH confirmed that, further to the correspondence from LCC Highways that the development consists of a quantum of the outline development and therefore are satisfied that the traffic flows are acceptable. EH's have confirmed that they consider the use of these flows is appropriate for the air quality assessment and this issue is therefore resolved.

However, EH also advised that, during a recent meeting with the developer's air quality consultants, the matter of mitigation was raised. The emissions assessment has identified a

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damage cost of £183,423. The submitted information refers to the provision of charging points, cycle storage and a travel plan with no indication of costs associated with these against the damage cost.

EH go on to advise that there was also mention of the improved cycle track with some associated costs. EH understand that these improvements were required following consultation with the PROW team at LCC and not in relation to air quality. As such EH require details on mitigation measures to be included within the scheme specifically linked to the air quality damage costs. This information has now been provided and passed onto EH. However, it must be recognised that the AQA and Addendum were agreed at outline stage with Condition 12 being imposed to ensure that the development be carried out in accordance with those documents and the mitigation measure identified be implemented.

Noise – the noise assessment has considered the noise from inside the proposed buildings, HGV movements and use of the car park. The car park assessment has been based on 160 events in any hour, with the report identifying that the majority of movements will occur at the beginning and end of each day. The car park facilitates 573 car park spaces with additional motorbike parking. The figure of 160 is therefore considered to be under representative of the actual use of the site and therefore the assessment is not considered to be acceptable.

The assessment of HGV movements and loading/unloading operations has also been undertaken. Night-time hourly movements have been divided by four to fit the 15minute averaging time. However, with a 46minute unloading/loading operation these times would overlap, and this is not considered to be a robust approach to the assessment. The assessment has also been based on previously obtained traffic movements presumably for the whole site undertaken at the outline stage as no further transport assessment has been submitted and may therefore be inaccurate given the above comments. The sound levels used for loading/unloading appear low, some further information on these levels would be appreciated. EH consider the proposals would result in an 'adverse' impact on residents at weekends only with 2db above background during the day and 3db at night. This is within the relevant guidance for noise.

Plant Noise – Details of external plant are currently unknown and as such a design sound level figure has been identified. This has been set to achieve the background sound level at the nearest property in line with BS4142:2014 methodology. The Council's standard criteria is 10dB the background level. As such the proposed design criteria is considered to be unacceptable. In conclusion Environmental Health consider that additional work is required to the noise assessment, ideally after the traffic movements have been reviewed.

Following confirmation by LCC Highways on the traffic flows and the submission of the amended plans which included acoustic fencing to the access road and car park, and a technical note by the noise consultants, Environmental Health were reconsulted and confirmed they had no objections in respect of noise, advising that residents will experience adverse impact from site operation at weekends but in line with the relevant guidance document this is not significant and therefore EH cannot object to the proposals in terms of noise.

Climate Change – Comments regarding the impact of the scheme on the climate change had previously been made at the outline stage. Given the new design and single use of this part of the site, the provision of rain water harvesting, solar PV or ground source heat pumps would offer a greater business case for one occupant. It is disappointing that none of these measures have been included within the design. Especially as the large roof area would be ideal for solar PV.

Lighting – A draft External Lighting Strategy has been shared with Environmental Health who advise that, should permission be granted, they would require a condition be imposed in

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respect of the submission a final lighting scheme. Condition 20 of the outline approval required the submission of a lighting design strategy.

7.2 **County Highways** confirm that there are no highway objections to the reserved matters application as submitted. The submission appears to accord with the approved plans Dwg 2371-F01 Rev J 'Proposed Access Points' and UG\_35\_UD\_DRG\_PP\_02 Rev.C 'Parameters Plan' under the outline approval. However, as stated previously it should be noted that the new access roads would not be considered for adoption by LCC as they would not connect to an existing adopted highway. Both Sustainability Way and Centurion Way are currently privately maintained roads.

With regard to the proposed gate house, its location after the staff car park is acceptable, and the scheme appears to include a wide path (as on the outline masterplan) that would function as an emergency access link from the south.

With regard to the car parking, the total provision seems to be broadly in accordance with the adopted standards. The car park layout is functional and the number of EV charging points is noted. However, unless there are special charging rates, it is unlikely that the majority of staff would use the facilities, preferring to charge at home off-peak.

Following the amendments and consultation response from Environmental Health, County Highways were re-consulted and advised that the outline approval was for a quantum of development and not for a specific number of vehicle trips. Therefore, providing the quantum of development is in accordance with the outline permission, they have no objections to the traffic to the proposed development.

7.3 **National Highways** advise that the site is in the vicinity of the M65 motorway that forms part of the Strategic Road Network. However, National Highways have no objection.

7.4 **United Utilities** advise that they previously commented on the Outline Application 07/2019/00781/OUT and those comments still apply. Essentially, they required that, in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Further to UU's review of the submitted plans, they advise that the surface water proposals should be reviewed by the Lead Local Flood Authority and/or Environment Agency where required as surface water emanating from the development is not proposed to communicate with the public sewer network. To clarify, both the EA and LLFA have been consulted on this RM application.

With regard to the foul drainage proposals, UU comment that the proposed foul discharge points differ from those previously discussed and therefore these should be revised in line with the previous discussions held with United Utilities prior to determination.

UU advised that they are concerned with foul drainage as *"the previously agreed strategy was to drain foul from the whole site to the 450mm combined sewer in the north west corner of the site but the applicant is now looking to split foul discharges where the northern parcel continues to drain into the 450mm combined sewer to the north and the southern parcel drains to the 375mm combined sewer to the east.*

*The issue that UU has is that, although a gravity connection may be feasible to the 375mm combined sewer, surcharge levels in this sewer exceed proposed ground levels and finished floor levels on the southern parcel. This will introduce a new low spot on the network and the scheme will be exposed to a significant flood risk. Therefore, they recommend continuing to drain to the 450mm combined sewer to the north for the whole site even if this means pumping foul flows to the northern phase of development."*

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In response, the applicant advised that, as UU's concerns are in relation to foul drainage from what will be Phase 2 of the site's development, a drainage strategy for Phase 2 would be required as part of the RM application for that parcel. At this stage the foul drainage routes shown on the southern parcel are indicative. Foul drainage for Phase 2 will be considered in due course, and UU's comments are helpful for the detail design process.

UU requested a condition be imposed for the submission of a scheme for the Management and Maintenance of Sustainable Drainage Systems. However, condition 9 of the outline approval included this requirement and UU have confirmed that condition 9 can be discharged as part of Discharge of Conditions application 07/2021/01040/DIS.

Finally, UU also provide advice on wastewater; Section 104 agreement; water supply; property, assets and infrastructure; which can be included as informative notes on the decision notice.

**7.5 Local Lead Flood Authority (LLFA)** advise that they have no further comments to make above those made on the outline application. For clarity they had no objections at outline stage but required a condition be imposed requiring the submission of a final sustainable drainage scheme. This became condition 9 of the outline approval. The LLFA are satisfied with what has been submitted and have confirmed that condition 9 can be discharged under discharge of condition application 07/2021/01040/DIS.

**7.6 Environment Agency** have no objection to the development. However, the proposals have changed substantially since the outline planning approval was granted. To reflect the change in approach, the proposed development will only be acceptable if new planning conditions are imposed in respect of the submission of a detailed scheme for the de-culverting and diversion of Watercourse 1 (M6 to Stansfield Lane); and for the submission of a hydraulic model which reflects the proposed development and de-culverting scheme on site which includes a blockage scenario for the new section of culvert during the 1% AEP plus climate change allowance flood event. The requested conditions are:

*'1. The development hereby permitted must not be commenced until such time as a detailed scheme for the de-culverting and diversion of Watercourse 1 (M6 to Stansfield Lane) has been submitted to, and approved in writing by, the local planning authority.*

*The scheme shall include full details of the proposed route, size, depth, morphological features, levels, crossings, planting, landscaping and method of construction of the new channel and culvert. The scheme shall be implemented and completed in full prior to the commencement of any development over or within 8 metres of the edge of the existing culverted watercourse and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

*2. No development approved by this planning permission shall commence until such time as a hydraulic model which reflects the proposed development and de-culverting scheme on site, which includes a blockage scenario for the new section of culvert during the 1% AEP plus climate change allowance flood event, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and completed in full prior to the commencement of any development over or within 8m of the edge of the existing culverted watercourse, and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

It is noted that hydraulic modelling has been carried out and submitted to the EA who initially advised the modelling will need further work before they can accept it but this is fairly standard, and models often need amendments before being brought back for second and third reviews with their Evidence and Risk team. The revised modelling information has been submitted to the EA for review in respect of the discharge of conditions imposed on the

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outline approval however, it must be noted that the principle of the watercourse is agreed and the revised modelling essentially verifies the watercourse will generally function as expected. Further modelling is currently being considered by the EA.

The EA also advise on the outline conditions 32, 33, 34 and 35 regarding the Main River culvert and fluvial flood risk.

Condition 32 requires the submission of information as part of this Reserved Matters application. However, the applicant has now altered the proposal and the channel of Watercourse 1 will now be re-routed. Therefore, the EA consider that it is not necessary to provide ground level information at this stage, as levels around the new culvert and new open watercourse will be determined at detailed design stage. Determination of acceptable ground levels associated with the re-routed watercourse will be covered by the new condition requested above.

Condition 33 also required the submission of information as part of the Reserved Matters application. The need for condition 33 related to the requirement to understand overland flow routes from the existing culvert during a blockage scenario. As the watercourse will now be diverted around the development site, the existing culvert will ultimately become redundant, so there is no longer a need to understand the impacts of a blockage in the existing culvert. However, there will be a need to consider blockage of the new section of culvert linking to the open channel and route of potential overland flows and this can be secured through the new condition requested above.

Should flood modelling of the proposed watercourse diversion reveal that compensatory storage will be required, this can be addressed through condition 34, imposed on the outline approval.

Condition 35 required a CCTV survey be carried out of the existing culvert. As the proposed de-culverting and diversion would result in the abandonment of the existing culvert, a CCTV survey of the existing structure is no longer required. However, the EA ask that the applicant surveys the culvert where the new connection is going to be made from the existing culvert to the new channel.

The EA provide advice to the applicant on Environmental Permitting and this can be included as an informative note on the decision note.

In respect of Contaminated Land, the EA have reviewed the documentation relating to the previous polluting use of the site as a landfill and its proposed remediation. They confirm that parts 1-3 of condition 36 imposed on the outline approval can be discharged but require the verification report upon completion of the site remediation works to satisfy part 4 of this condition. This is subject to a separate Discharge of Condition application.

Finally, the EA provide advice to applicant on the Processing of Waste and this can be included as an informative note on the decision notice.

**7.7 Greater Manchester Ecology Unit (GMEU)** have considered the proposals and the supporting documents and provide advice on Badgers; Water Vole; Soft Landscaping; and Landscape and Ecology Management. Essentially, they have no issues but require a number of conditions be imposed in respect of Badgers, if works do not commence until February 2022; the requirement for an updated survey; that the development is carried out in accordance with the Landscape & Ecological Management Plan and for the transfer of the management regime to an appropriate estate management team.

GMEU also advise the applicant makes some adjustment to the planting specifications to include more suitable planting species for Lancashire County and its landscape character areas. As such, amended plans were submitted which were further considered by GMEU



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who confirmed that the adjustments to the planting scheme as demonstrated on the drawings UG\_35\_LAN\_SL\_DRW\_O3; 04; 05; 06 and 07 REV P06 are satisfactory from an ecological perspective with a condition to ensure the landscaping is implemented as shown.

Following confirmation from the applicant that the absence of badgers means the sett has now been closed in accordance with best practice, GMEU confirmed that the letter (12.11.2021 Maisie McKenzie, Urban Green) is sufficient to conclude that at the current time no badger setts are present on the site and the identified sett has been closed appropriately.

However, there are still other conditional matters and practices associated with the site's outline permission and, as a reminder, the developer should be aware that if other evidence of badger digging/setts is observed or suspected at any stage then work should cease until advice has been sought and implemented from their consulting ecologists (Urban Green). Or, if greater than a year passes before commencement of works on the remainder of the site then updated surveys may be required to ensure that there is no inadvertent damage to any setts that badgers may try to re-establish on other parts of the site. Again, advisement from their consulting ecologist would be helpful to the developers in this instance. The CEMP associated with the site will detail Reasonable Avoidance Measures etc to cover this.

7.8 **Arboriculturist** initially advised that the tree works schedule identifies trees to be removed to facilitate development, including woodland TPO trees within G19 (Alder 30 stems CAT C), G22 (mixed broadleaf woodland) Cat B, G42 (Mix of part protected oak and willow CAT B) and G28A (mixed broadleaf trees CAT B). There are other tree groups of non-protected trees to be removed as well as 14 individual specimen trees.

However, the mitigation plan identifies over 400 individual trees of mixed broadleaf species to be planted within the site as well as 334 meters of deciduous native hedging resulting in a net gain of trees and hedging within the development. Sections of TPO woodland are to be retained during development, predominantly on the western boundary within W1 of TPO 2010 No 2.

Given the amount of proposed planting and the retention of protected woodland as identified on the proposal, the Arboriculturist has no objections in this instance to the removal of trees, including CAT B and C TPO trees, given the significant net gain of trees and hedges identified on the application.

Should permission be granted, the Arboriculturist recommends a number of conditions are imposed in respect of protective fencing for trees identified for retention; signage; no access into the RPAs; ground levels; and soil compaction. The Arboriculturist also advised that all newly planted trees should have a replacement condition attached for replanting on a like for like basis for a minimum of five years. Condition 17 imposed on the outline approval covers this requirement and condition 16 required the submission of an Arboricultural Impact Assessment and Arboricultural Method Statement which cover these requirements. Both documents have been duly submitted and agreed with the Arboriculturist so there is no need to impose these conditions

Following the amended plans, including additional landscaping, the Arboriculturist again advised that the removal of trees is mitigated by an increase in planting and increases biodiversity in the immediate areas.

7.9 **Lancashire County Council Archaeology** confirm that the proposal does not materially affect previous advice at outline stage on the archaeological implications of the proposed development or on the proposed archaeological response and appropriate condition which should remain in place. Condition 26 was imposed on the outline approval and required a scheme of archaeological works be submitted. This condition is subject to discharge of conditions application 07/2021/00935/DIS and LCC Archaeology

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have confirmed the submitted Written Scheme of Investigation for the further investigation of the development site is appropriate and can be approved.

7.10 **Employment Skills and Training Partnership (Calico/CStep)** initially advised that the submitted employment and skills plan did not include a measurable commitment. South Ribble Council have National Skills Academy for Construction (NSAFC) accreditation and use NSAFC KPIs and benchmarks to measure and monitor employment and skills commitments on both residential and commercial developments that meet the threshold for an Employment & Skills Plan. The NSAFC benchmarks are project specific and have been developed in collaboration with the construction industry to ensure that they are relevant, proportionate and importantly with KPIs that are measurable. Therefore, to assist, the NSAFC Client Guidance document along with KPI guidance notes were forwarded to the applicant.

Following submission of an updated Employment and Skills plan, a further response was received with the view that it is clear that the applicant is working towards making a positive local impact and provides for a *“clear and inclusive commitment to work experience that reaches out to young people and those harder to reach individuals, along with a broader scope regarding career options within the industry.*

*In respect of apprenticeships the applicant refers to working closely with the colleges to support apprentices. However, apprentices are usually already employed and attend college on day release, therefore would the applicant consider making a commitment to a group educational site visit for these individuals? Additionally, will the applicant make a firm commitment to creating any apprenticeship positions either directly or through their supply chain on this development? In respect of any concerns regarding the build timescale, I have attached for reference information relating to the shared apprenticeship scheme which can be utilised for situations whereby employment continuity may be a concern.*

*In respect of upskilling, the applicant offers internal training opportunities and the option for apprentices or full time students to benefit from this training which is great. However, we would be looking for the applicant to work with their supply chain too in order to identify skills gaps through the completion of a site training plan enabling individuals to be upskilled with both accredited and non-accredited training. Support is available for this if required.*

*Finally, it would be great to have a positive case study from the development that showcases the impact the applicant has made during the build process.”*

In response, email correspondence took place and the applicant provided a further updated Employment Skills Training Plan which offers firmer commitments in line with the requirements with Calico/CStep confirming the shared apprenticeship scheme does lend itself to short term construction opportunities and helps by ensuring local apprentices are not displaced once a development is complete and the contractors move on.

7.11 **National Grid** confirm there are no National Grid assets affected in this area.

7.12 **Electricity North West** did not respond to the consultation request.

## **8. Policy Background**

### **8.1 National Planning Policy Framework**

#### **Chapter 6. Building a strong, competitive economy**

81. 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

82. Planning policies should:

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- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

83. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

## 8.2 Central Lancashire Core Strategy

### Policy 2: Infrastructure

Work with infrastructure providers to establish works and/or service requirements that will arise from or be made worse by development proposals and determine what could be met through developer contributions, having taken account of other likely funding sources.

If a funding shortfall in needed infrastructure provision is identified, secure, through developer contributions, that new development meets the on and off-site infrastructure requirements necessary to support development and mitigate any impact of that development on existing community interests as determined by the local planning authority. In such circumstances developer contributions in the form of actual provision of infrastructure, works or facilities and/or financial contributions will be sought through one off negotiation and/or by applying a levy as appropriate. This will ensure that all such development makes an appropriate and reasonable contribution to the costs of provision after taking account of economic viability considerations.

The levy to be charged on a specific development will take account of cases where actual provision of infrastructure, works or facilities normally covered by the levy is provided as part of the development proposals.

The local planning authorities will set broad priorities on the provision of infrastructure, which will be linked directly to the commencement and phasing of Development. This will ensure that appropriate enabling infrastructure is delivered in line with future growth, although some monies will be specifically collected and spent on the provision of more localised infrastructure. The infrastructure provision will be coordinated and delivered in partnership with other authorities and agencies.

### Policy 3: Travel

The best approach to planning for travel will involve a series of measures, including a) Reducing the need to travel; (b) Improving pedestrian facilities; (c) Improving opportunities for cycling; (d) Improving public transport; (e) Enabling travellers to change their mode of travel on trips; (f) Encouraging car sharing; (g) Managing car use; (h) Improving the road network; and (i) Enabling the use of alternative fuels for transport purposes

**Policy 9: Economic Growth and Employment** seeks to identify 454 hectares of land for employment development between 2010 and 2026. At criterion (c) it advises that other major developments for employment will be located in the Preston/South Ribble urban area, Leyland and Farington, and Chorley.

### Policy 10: Employment Premises and Sites

All existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that 'Best Urban' and 'Good Urban' sites will be retained for B use class employment use. Proposals on all employment sites/premises for re-use or redevelopment other than B use class employment uses will be assessed under the following criteria:

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- (a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;
- (b) the provision and need for the proposed use;
- (c) the relative suitability of the site for employment and for the alternative use;
- (d) the location of the site and its relationship to other uses;
- (e) whether the ability to accommodate smaller scale requirements would be compromised;
- (f) there would be a net improvement in amenity.

Any proposals for housing use on all employment sites/premises will need to accommodate criteria (a)-(f) above and also be subject to:

- (g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;
- (h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

## **Policy 15: Skills and Economic Inclusion**

Improve Skills and Economic Inclusion by:

- (a) Working with existing and incoming employers to identify skills shortages.
- (b) Liaising with colleges, training agencies and major local employers to develop courses and life-long learning and increase access to training, particularly in local communities that are the most deprived in this respect.
- (c) Encouraging knowledge based businesses and creative industries associated with the University of Central Lancashire to enable graduate retention.

## **Policy 16: Heritage Assets**

Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:

- a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
- b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
- c) Identifying and adopting a local list of heritage assets for each Authority.

## **Policy 17: Design of New Buildings**

The design of new buildings will be expected to take account of the character and appearance of the local area, including the following:

- (a) siting, layout, massing, scale, design, materials, building to plot ratio and landscaping.
- (b) safeguarding and enhancing the built and historic environment.
- (c) being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the local area.
- (d) ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.
- (e) linking in with surrounding movement patterns and not prejudicing the development of neighbouring land, including the creation of landlocked sites.
- (f) minimising opportunity for crime and maximising natural surveillance.
- (g) providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm.
- (h) including public art in appropriate circumstances.
- (i) demonstrating, through the Design and Access Statement, the appropriateness of the proposal.
- (j) making provision for the needs of special groups in the community such as the elderly and those with disabilities.
- (k) promoting designs that will be adaptable to climate change, and adopting principles of sustainable construction including Sustainable Drainage Systems (SuDS); and
- (l) achieving Building for Life rating of 'Silver' or 'Gold' for new residential developments.

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(m) ensuring that contaminated land, land stability and other risks associated with coal mining are considered and, where necessary, addressed through appropriate remediation and mitigation measures.

## **Policy 21: Landscape Character Areas**

New Development will be required to be well integrated into existing settlement patterns, appropriate to the landscape character type and designation within which it is situated and contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features.

## **Policy 22: Biodiversity and Geodiversity**

Conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area, through the following measures:

- (a) Promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, restoration and re-establishment of priority habitats and species populations;
- (b) Seeking opportunities to conserve, enhance and expand ecological networks;
- (c) Safeguarding geological assets that are of strategic and local importance.

## **Policy 27: Sustainable Resources and New Developments**

Incorporate sustainable resources into new development through the following measures:

All new dwellings will be required to meet Level 3 (or where economically viable, Level 4) of the Code for Sustainable Homes. This minimum requirement will increase to Level 4 from January 2013 and Level 6 from January 2016. Minimum energy efficiency standards for all other new buildings will be 'Very Good' (or where possible, in urban areas, 'Excellent') according to the Building Research Establishment's Environmental Assessment Method (BREEAM). Subject to other planning policies, planning permission for new built development will only be granted on proposals for 5 or more dwellings or non-residential units of 500 sq metres or more floorspace where all of the following criteria are satisfied:

- (a) Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;
- (b) Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures, or appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;
- (c) Appropriate storage space is to be provided for recyclable waste materials and composting;
- (d) If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment. The integration of the principles above into other types of development will also be encouraged.

## **Policy 29: Water Management**

Improve water quality, water management and reduce the risk of flooding by:

- (a) Minimising the use of potable mains water in new developments;
- (b) Working with the regional water company and other partners to promote investment in sewage water treatment works to reduce the risk of river pollution from sewage discharges;
- (c) Working with farmers to reduce run-off polluted with agricultural residues into watercourses;
- (d) Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham, Walton-le-Dale and southwest Preston;

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- (e) Pursuing opportunities to improve the sewer infrastructure, particularly in Grimsargh, Walton-le-Dale and Euxton, due to the risk of sewer flooding;
- (f) Managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity;
- (g) Encouraging the adoption of Sustainable Drainage Systems;
- (h) Seeking to maximise the potential of Green Infrastructure to contribute to flood relief.

## **Policy 30: Air Quality**

Improve air quality through delivery of Green Infrastructure initiatives and through taking account of air quality when prioritising measures to reduce road traffic congestion.

## **8.3 South Ribble Local Plan**

**Policy E1: Allocation of Employment Land** for the provision of new employment uses to meet the borough's employment land supply from 2010/11 to 2025/26 in line with Core Strategy Policies 9 and 10 and to ensure a range of local job opportunities:

### **Site g: Farington Hall Estate, West of Lancashire Business Park, Farington**

*'The Farington Hall Estate site, measuring 22.2 ha is identified for comprehensive redevelopment. It lies immediately west of the Waste Technology Park on Lancashire Business Park and is owned by Brackenhous Properties.*

*Brackenhous Properties are looking at the redevelopment of the land for a mixture of employment and residential uses. Negotiations have also taken place between the developer and the owners of Lancashire Business Park over the access to the employment site from Centurion Way. The County Council – the Highways Authority – does not support a route running through the site and would wish to see traffic movements controlled. There are two potential access points, one from the north and one from the south. If controlled, by means of a barrier, there could be a route to the employment site through Lancashire Business Park. This site has been split into two sites to enable separate parts of the site to be allocated for both employment and housing.*

*A Design Code has also been prepared for the site by the developer, which was subject to a public consultation programme in 2009 and was received positively by local residents and elected Members. The Design Code, which involved the development of the site for economic uses, includes the provision of a substantial and continuous landscaped open space area, including new footpaths and cycleway access throughout the site.*

*Much of the site is relatively flat and featureless and the Design Code highlights the retention of as many of the landscape features as possible within the redevelopment proposals. The site of Lower Farington Hall is within the designated area and may be of archaeological interest. Its retention has been accounted for in the Design Code and the layout plans for the site. The area of woodland at Farington Hall Wood, on the southern boundary and the land to the west of the proposed housing west of Grasmere Avenue, which is subject to Policy HP1(c): "Allocation of Housing Land site" of the South Ribble Local Plan (2000), is to be enhanced and protected as an amenity in the Design Code.*

*The site is derelict and potentially contaminated, having been used as a landfill site for inert foundry waste, and it needs to be remediated and reclaimed before it can be developed for employment use'.*

## **Policy G8: Green Infrastructure and Networks – Future Provision**

All developments should provide:

- a) Appropriate landscape enhancements;
- b) Conservation of important environmental assets, natural resources, biodiversity and geodiversity;
- c) For the long-term use and management of these areas; and

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- d) Access to well-designed cycleways, bridleways and footways (both off and on road), to help link local services and facilities.

## **Policy G12: Green Corridors/Green Wedges**

New development should provide new green corridors to the existing/neighbouring communities and built-up area. Green corridors can be in the form of linear areas of Green Infrastructure, such as footpaths and cycleways, with the appropriate landscaping features such as trees, hedges and woodland.

## **Policy G13: Trees, Woodlands and Development**

- a) Planning permission will not be permitted where the proposal adversely affects trees, woodlands and hedgerows which are:
  - i Protected by a Tree Preservation Order (TPO);
  - ii Ancient Woodlands including individual ancient and veteran trees and those defined in Natural England's inventory of ancient woodlands;
  - iii In a Conservation Area; or
  - iv Within a recognised Nature Conservation Site.
- b) There will be a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover on site;
- c) Where there is an unavoidable loss of trees on site, replacement trees will be required to be planted on site where appropriate at a rate of two new trees for each tree lost;
- d) Tree survey information should be submitted with all planning applications, where trees are present on site. The tree survey information should include protection, mitigation and management measures;
- e) Appropriate management measures will be required to be implemented to protect newly planted and existing trees, woodlands and/or hedgerows.

## **Policy G14: Unstable or Contaminated Land**

There will be a presumption in favour of the redevelopment of previously developed land. Previously developed land can be unstable and subject to contamination. However, development will be encouraged on unstable or contaminated brownfield land subject to the following:

- a) Applicants will be required to provide evidence of a satisfactory site investigation and show that any proposed remedial works are adequate to deal with any identified hazards;
- b) Development should not have an adverse impact on the stability of surrounding areas;
- c) Applicants should address the physical capability of the land, the adverse effects of instability on the development, or of adjoining development on unstable land, and the effects on (amongst other things) local amenities and conservation interests of the development and any remedial measures.

## **Policy G15: Derelict Land Reclamation**

Development will be encouraged on derelict land where the reclamation of land is required and appropriate. Schemes on derelict sites should:

- a) Provide employment and residential land in the urban areas thereby reducing pressure on greenfield sites;
- b) Maintain and improve the environment and include landscape enhancement measures.

## **Policy G16: Biodiversity and Nature Conservation**

The borough's Biodiversity and Ecological Network resources will be protected, conserved and enhanced. The level of protection will be commensurate with the site's status and proposals will be assessed having regard to the site's importance and the contribution it makes to wider ecological networks:

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Regard will be had to:

- Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar, Special Protection Areas, Special Areas of Conservation, national nature reserves, Sites of Special Scientific Interest and Biological Heritage Sites, Geological Heritage Sites, Local Nature Reserves, wildlife corridors together with any ecological network approved by the Council;
- Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;
- When considering applications for planning permission, protecting, conserving and enhancing the borough's ecological network and providing links to the network from and/or through a proposed development site.

In addition, development should have regard to the provisions set out below:

- a) The need to minimise impacts on biodiversity and providing net gains in biodiversity where possible by designing in wildlife and by ensuring that significant harm is avoided or, if unavoidable, is reduced or appropriately mitigated and/or-, as a last resort, compensated;
- b) The need to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations;
- c) Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, planning applications must be accompanied by a survey undertaken by an appropriate qualified professional;
- d) Where the benefits for development in social or economic terms are considered to outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

## **Policy G17: Design Criteria for New Development**

Planning permission will be granted for new development, including extensions and free standing structures, provided that, where relevant to the development:

- a) The proposal does not 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, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect;
- b) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area;
- c) The development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard;
- d) The proposal would sustain, conserve and where appropriate enhance the significance, appearance, character and setting of a heritage asset itself and the surrounding historic environment. Where a proposed development would lead to substantial harm or loss of significance of a designated heritage asset, planning permission will only be granted where it can be demonstrated that the substantial public benefits of the proposal outweigh the harm or loss to the asset; and
- e) The proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

## **9. Material Considerations**



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## 9.1 Background/Principle of Development

9.1.1 The site is a derelict brownfield site and was used as a landfill site for inert foundry waste. It was allocated for employment uses under Policy EMP1 site D in the Local Plan 2000 and this allocation was brought forward in under Policy E1 site g) in the Local Plan 2015. The justification to Policy E1 advises that sites allocated as employment sites ensure that there are the necessary employment and skills opportunities in local areas. These sites have been allocated based on their appropriate and sustainable locations.

9.1.2 Within the description of Site g) in the Local Plan, it refers to the site having been split into two sites to enable separate parts of the site to be allocated for both employment and housing. The housing element is allocated under Policy D1 Site L: Land West of Grasmere Avenue, Farington. The Policy advises that the residential development would be expected to act as an enabling development to assist the delivery of the adjoining employment allocation. Planning consent was granted for the construction of 160 dwellings on Site L and development is nearing completion. As part of the planning permission for Site L, a Section 106 was entered into to secure a commuted sum of £454,400.00 *“to be expended on measures which facilitate the development and use of the Employment Land for purposes which are likely to result in the growth of employment prospects within the South Ribble area such measures may include but are not limited to the provision of infrastructure access roadways footpaths sewers drains telecommunications equipment the provision of utilities and civil engineering works”*. It is understood that the money paid to facilitate the access has meant this financial obligation is fulfilled.

9.1.3 Development proposals for the site were subject to formal pre-application discussions between the applicant, the local planning authority and highways authority, along with local community consultation. The proposals have also been subject to Environmental Impact Assessment ‘Screening’ which confirmed the proposals are not EIA development for the purposes of the relevant legislation.

9.1.4 Outline application 07/2020/00781/OUT established the principle of development of the site for up to 56,904sqm of light industrial (E(g) Use), general industrial (B2 Use), storage and distribution (B8 Use) and ancillary office (E(g) Use) floorspace together with the means of access to the site. A number of planning conditions were imposed, some of which required details to be submitted at Reserved Matters stage and others are subject to separate Discharge of Conditions applications (see ‘Planning History’ section of this report).

9.1.5 The conditions which require approval of details at Reserved Matters stage are:

Condition 11 - Scheme for blockage of Watercourse;  
Condition 13 and 15 - Noise Impact Assessment; (condition duplicated in error)  
Condition 14 - Gas protection measures;  
Condition 17 - Details of Landscaping;  
Condition 18 - Landscape and Ecological Management Plan;  
Condition 30 - Employment and Skills Training Plan;  
Condition 32 - Details of Ground Levels; and  
Condition 33 - Details of Overland Flood Flows.

## 9.2 Reserved Matters Submission

9.2.1 Following the outline approval, this Reserved Matters submission is for the scale, layout, appearance and landscaping of the site and provides a different scheme to that demonstrated in the indicative Masterplan submitted with the outline application. The application relates to just part of the site, representing Phase 1 of the development, and proposes a single large scale building. The supporting Design and Access statement indicates that the Key Principles of this development are:

- The redevelopment of an allocated employment site in a highly sustainable area

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- A new vehicular access point from Enterprise Drive and a second access point off Centurion Way – as secured through the outline planning approval
- Enhancements to the existing public right of way network to improve pedestrian connectivity and encourage pedestrian movement
- Provision of enhanced cycle routes, including completion of a section of the Leyland Loop
- Provision of a bespoke flood risk solution to divert and de-culvert an existing culverted watercourse
- Preservation of areas of ecological importance and creation of valuable biodiversity connections and a specific ecological enhancement area around the new watercourse and sustainable drainage area
- Maintaining and enhancing the buffer along the River Lostock, respecting and enhancing the existing BHS and Wildlife Corridor designations

9.2.2 An assessment of each of the Reserved Matters is carried out below.

## 9.3 Access

9.3.1 The outline permission 07/2020/00781/OUT established the means of access. The scheme proposed two vehicular access points to the site to connect to Centurion Way to the south-east of the site and to Enterprise Drive to the north of the site. The access road comprises of a 7.3 metre wide road with a 2 metre wide footpath on one side and a 3 metre wide footpath/cycleway on the other. A Transport Assessment produced by Croft Eddisons, considered the accesses to the site, including pedestrian and cycle access and the accesses were shown on the approved plan Dwg 2371-F01 Rev J.

9.3.2 County Highways considered the accesses and confirmed they were acceptable, although they did advise that both new access roads would not be considered for adoption by County Highways as they would not connect to an existing adopted highway. Both Sustainability Way and Centurion Way are currently privately maintained roads.

9.3.3 As the matter of access to the site has been established with the outline approval, this Reserved Matters application deals only with the matters of Scale, Layout Appearance and Landscaping. However, County Highways were consulted on this RM application and as part of their response, they have reiterated their earlier comments. They advise that the submission appears to accord with the approved plans Dwg 2371-F01 Rev J 'Proposed Access Points' and UG\_35\_UD\_DRG\_PP\_02 Rev.C 'Parameters Plan' under the outline.

9.3.4 It is noted that a number of the objections received to this RM application relate to the approved access. Although the access has already been approved, in response to the concerns raised, the applicant has made some amendments. A closed boarded fence is now proposed at the southern edge of the northern access road. The fence will also extend along the car park perimeter, thereby providing further visual and acoustic screening, notwithstanding that further screening is not necessary on a technical basis.

9.3.5 Additionally, they will introduce a solid structure fence along the southern extent of the site access where it enters the site. This will provide further visual and acoustic screening for those residents to the north-west of the site.

9.3.6 It must be re-iterated that the means of access has already been approved and therefore the proposal are acceptable with this aspect of the development.

## 9.4 Layout

9.4.1 This Reserved Matter application proposes a single large scale building, located to the west of the existing Waste Technology plant and to the east of the River Lostock. A car park will be located adjacent to the building's northern elevation with further parking and servicing to the east of the building.

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9.4.2 To the west of the building is a landscaped area and to the south is a further landscaped area which includes flood attenuation/SUDS. These are described more fully in the Landscaping section of this report.

9.4.3 In terms of the internal layout of the site, County Highways have advised that there are no highway objections. The proposed gate house is located after the staff car park and is acceptable. Additionally, the scheme appears to include a wide path (as on the outline indicative masterplan) that would function as an emergency access link from the south.

9.4.4. With regard to the car parking, County Highways confirm the total provision seems to be broadly in accordance with the adopted standards. The car park layout is functional and the number of EV charging points is noted.

9.4.5 Neighbouring residents have commented on the layout in terms of proximity to residential properties and the location of the car park. Residents consider that the masterplan submitted at outline stage demonstrated 4 small units on this parcel of the site, not one large building. However, the masterplan was indicative and demonstrated how the site could be development but did not fix the layout of the development which was 'reserved'.

9.4.6 In response to points of objection, the applicant has amended the site layout to move the unit to the east, further from existing properties on the opposite side of the river Lostock and has stepped back the northern elevation to further increase the separation distance between the unit and nearby properties, to a distance of 50m. The amendments also increase the landscaping along the western site boundary with the inclusion of additional mature trees to provide more immediate screening.

9.4.7 The applicant advises that any potential adverse effects on a small number of properties closest to the north west corner of the unit are significantly outweighed by the overriding benefits of the current layout compared to the indicative Outline consent layout to the vast majority of other nearby residents. In particular, by removing buildings in the more open and visually sensitive northern area of the site as previously shown in the indicative Outline masterplan, and replacing them with car parking, substantial landscaping, and tree planting, those properties to the north west will have an improved outlook compared to that that considered acceptable at Outline stage.

9.4.8 On balance, it is officers view that the amended proposal is acceptable in terms of its layout. It achieves a reasonable spatial separation distance to residential properties and the site is separated from neighbouring residential properties by a mature landscaping belt which is to be substantially enhanced.

## 9.5 Scale

9.5.1 The outline permission established the principle of development with the building heights plan demonstrating development of 15m to 25m in general with localised building heights of up to 30m. Closest to the river Lostock, the plan demonstrated a maximum of 20m in height. The proposal now is for a single large scale building measuring 295.5m long by 160m deep with shallow pitch roofs over to a maximum height of 22m with a footprint of 48,448.93sq m. Although higher by 2m than the Building Heights plan considered at outline stage, the overall scale is within the overall outline permission's description of development of up to 56,904sqm.

9.5.2 The supporting statement indicates that a larger unit is now proposed to the northern parcel of the site as this enables a more efficient use of space and layout. Additionally, a unit of this scale is likely to be occupied by a major tenant on a long term lease which would create and secure local jobs.

9.5.3 As varied heights from 15m to 30m with 20m adjacent the river Lostock, were considered and approved at outline stage, it is considered that this RM application is

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consistent with the parameters and principles established by the outline approval and are considered acceptable.

9.5.4 It is noted that a number of objections from neighbouring residents relate to the scale of the building. They consider the proposed building is too large and high and will appear overbearing when viewed from their properties. As indicated in the layout section above, a number of amendments have been made which seek to address some of the concerns raised. Particularly the building now achieves a greater spatial separation distance from residential properties, 50m at the closest point.

9.5.5 Given that the outline approval was based on building heights of between 15m and 30m with 20m adjacent the river Lostock, it is officers view that the amendments now make the proposal acceptable in terms of its scale adjacent to residential properties.

## 9.6 Appearance

9.6.1 The proposal is for a large single building in Parcel A with the remainder of the site to be subject of a separate future RM application. The building would be constructed in metal cladding in a palette of greys to reflect adjacent buildings on the Lancashire Business Park.

9.6.2 The submitted supporting statement advises that the: *'building has been designed to incorporate high quality design. The proposed material palette will be simple but effective, reflecting materials sympathetic to the industrial location. Notwithstanding this, the materials utilised will deliver high quality, practical and sustainable working environments recognising the neighbouring residents. The palette would be consistent throughout to produce a harmonious development whilst subtly creating differentiation between the two areas.'*

9.6.3 It goes on to advise that, as part of the outline application, a Landscape Visual Assessment ('LVA') was submitted which assessed the application site and the impact of development on sensitive receptors in the vicinity. In summary, the LVA found the overall impact on the landscape effect was anticipated to be negligible. As a result of the revised development approach for the Northern Parcel, an Addendum LVA has been submitted as part of this RM application. The Addendum LVA demonstrates that this RM scheme will have no greater effects than those already considered acceptable at outline stage. In reality, the revised approach will deliver a betterment when compared to the outline scheme due to the potential for additional boundary planting, new trees, improved landscaping, and revised building appearance.

## 9.7 Landscaping

9.7.1 The application includes hard and soft landscaping proposals with the plans having been amended since originally submitted.

9.7.2 Soft Landscaping includes the existing trees which are to be retained and protected as per Arboricultural Impact Assessment (AIA) and the amendments include *'significantly enhanced landscaping and tree planting in this area to screen the Phase 1 Unit car park'* together with *'significant visual amenity and landscape outlook benefit for in excess of 30 properties close to the north eastern site boundary'*.

9.7.3 The proposals have been considered by the Council's Arboriculturist who initially advised that the tree works schedule identifies trees to be removed to facilitate development, including woodland TPO trees within G19 (Alder 30 stems CAT C), G22 (mixed broadleaf woodland) Cat B, G42 (Mix of part protected oak and willow CAT B) and G28A (mixed broadleaf trees CAT B). There are other tree groups of non-protected trees to be removed as well as 14 individual specimen trees.

9.7.4 The mitigation plan identified over 400 individual trees of mixed broadleaf species to be planted within the site as well as 334 meters of deciduous native hedging resulting in a net gain of trees and hedging within the development. Sections of TPO woodland

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are to be retained during development, predominantly on the western boundary within W1 of TPO 2010 No 2. To clarify 516 trees are to be planted.

9.7.5 Given the amount of proposed planting and the retention of protected woodland as identified on the proposal, the Arboriculturist has no objections in this instance to the removal of trees, including CAT B and C TPO trees, given the significant net gain of trees and hedges identified on the application. However, a condition should be imposed to ensure that protective fencing for trees identified for retention is erected in accordance Figure 2 of BS 5837 – 2012. The recommended condition requires that the site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all construction traffic is removed from site.

9.7.6 The Landscaping plans have also been considered by GMEU who advise the following:

### 'Soft Landscaping – planting specification

- *I am content with the Ecological Design Strategy as discussed under 07/2021/00928/DIS, however I would recommend adjustment to the planting specifications. I attach an annotated plan which shows species that are not locally native and replaced. I also attach a document which details suitable planting species for Lancashire County and its landscape character areas. This may be useful in order that the applicant's team can find substitutions.*
- *I note that some of the tree species are ornamental and may be planted within the built form of the industrial units. However, the trees field maple (*Acer campestre*) and Scots pine (*Pinus sylvestris*) should not be used within the woodland or ecological enhancement area.*
- *The wetland species under 'native reeds' (*Scirpiodes holoschoenus*) should not be used as it is extremely rare in UK only found within Devon and the coast of South Wales. It could be replaced with *Eleocharis palustris* (common spikerush) which has a similar form and habitat along with being much more widespread.*
- *Subject to adjustments a notwithstanding **condition** is recommended to secure the landscape scheme.*

### Landscape & Ecological Management Plan

- *I am satisfied with the content of this Plan, it should be subject to a **condition** on any approval.*
- *The Planning Authority should ensure that they secure a satisfactory **condition/obligation** for the transfer of the management regime to an appropriate estate management team and successor in title, who will be tied to the plans that have been provided within this submission.'*

9.7.7 As part of the amendments, the Landscaping Plans include additional landscaping in certain areas and therefore the Arboriculturist and GMEU were both reconsulted. However, GMEU did not provide a further response.

9.7.8 The Arboriculturist re-iterated that the removal of trees is mitigated by an increase in planting since the primary outline application and increases biodiversity in the immediate area. However, conditions will be required to ensure that protective fencing is erected in accordance Figure 2 of BS 5837 – 2012 comprising a metal framework. Vertical tubes should be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area

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should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site.

9.7.9 It must be noted that condition 16 of the outline approval required the submission of the Arboricultural Impact and Assessment and Arboricultural Method Statement which includes the details of the tree protection measures so there is no need to impose a further condition.

## 9.8 Residential Amenity

9.8.1 There are residential properties to the west on Bispham Avenue, Riverside, Brookside Close, Mill Lane, Meadowland Close and Morley Croft to the west which are all on the opposite side of the River Lostock. There are new properties on the Grasmere Avenue development site, currently under construction to the east. To the south are residential properties on Hall Lane, Bluebell Wood and Summerfield.

9.8.2 A number of objections have been received in respect of the scale of the proposal including issues with the excessive height of the building which will be seen from the Bispham Avenue and surrounding residential streets. Residents also considered that the proposed building is higher than the Waste Technology plant building and will be nearer to residential properties. As a result, the development of this size/height will be significantly overbearing, will cause overshadowing and harm to the residents across from the River Lostock.

9.8.3 Whilst the proposed building is of substantial scale, the outline proposals included a building of up to 30m in height, albeit at a greater distance from neighbouring residential properties. A building heights plan submitted at outline stage, broadly indicated the suitable areas for larger buildings with a height of up to 30m proposed. Given the proximity of a number of tall chimneys on the adjacent site at Global Renewables, building heights on the application site increase towards the eastern boundary and was considered acceptable.

9.8.4 With this RM application the scheme proposes 1 large scale building of 22m in height which is comparable with the parameters approved under the outline permission. The building is located to the west of the existing Waste Technology Plant between it and the river Lostock.

9.8.5 At its closest point is the south-western corner of the building is 50m from the nearest property at 87 Bispham Avenue. As originally submitted, it would have been 32m from this property. Although it is the corner of the building that it is closest to residential properties, it would undoubtedly cause an impact in terms of appearing overbearing due to its proximity. As a result of these concerns and those raised by residents, the building has been moved eastwards and the northern elevation reduced closest to residential properties.

9.8.6 Significant additional planting is also to be provided to the buffer between the building and the river Lostock to enhance the existing landscaping along the river Lostock. Whilst this will not entirely obscure the view of the proposed building, it will soften its appearance and builds on what is already there. This also has the advantage of providing additional biodiversity net gain.

9.8.7 Residents have objected to the proposals in terms of impact on their residential amenity, as reported in the 'Summary of Publicity' section of this report. In terms of the main points of objection, these are considered more fully in the following sections of this report.

## 9.9 Noise and Disturbance

9.9.1 In line with the requirements of Conditions 13 and 15 (duplicated in error), a Noise Impact Assessment report has been submitted as part of this RM application. The report advises that the assessment has been based on the following assumptions:

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- The site will operate for the whole 24-hour period;
- Each event includes the HGV arriving and leaving;
- All the visits would be for loading/unloading purposes; and,
- All of the above operations happen during each of the deliveries/collections to the site, as a worst-case.

9.9.2 The report considers: *'the potential noise impact of the proposed development at existing noise sensitive receptors in the vicinity of the site. The noise assessment includes consideration of noise from deliveries, break-out noise, proposed fixed plant noise sources, car parking and development generated road traffic on the proposed access road.'*

9.9.3 Initially, a consultant Environmental Health Officer considered the document and advised that it had been conducted by the competent company BWB in the report referenced MCA2094-04. The report concluded that the additional structure in the context of the local environment is 'low impact' and the consultant EHO considered this has been correctly assessed in accordance with British Standard (BS) 4142:2014+A1:2019. With appropriate conditions in place to secure noise mitigation measures, the EHO considered that the development was acceptable in terms of noise and disturbance.

9.9.4 However, a further response was then received from another EHO who raised some concerns, as follows:

*The car park assessment has been based on 160 events in any hour, with the report identifying that the majority of movements will occur at the beginning and end of each day. The car park facilitates 573 car park spaces with additional motorbike parking. The figure of 160 is therefore considered to under representative of the actual use of the site and therefore the assessment is not considered to be acceptable.*

*The assessment of HGV movements and loading/unloading operations has also been undertaken. Night-time hourly movements have been divided by four to fit the 15minute averaging time. However, with a 46minute unloading/loading operation these times would overlap, and this is not considered to be a robust approach to the assessment. The assessment has also been based on previously obtained traffic movements presumably for the whole site undertaken at the outline stage as no further transport assessment has been submitted and may therefore be inaccurate given the above comments. The sound levels used for loading / unloading appear low, some further information on these levels would be appreciated.*

*Details of external plant are currently unknown and as such a design sound level figure has been identified. However, this has been set to achieve the background sound level at the nearest property in line with BS4142:2014 methodology. The Council's standard criteria is 10dB the background level. As such the proposed design criteria is considered to be unacceptable.'*

9.9.5 The EHO concluded that additional work was required to the noise assessment. As a result, an addendum to the noise report was submitted following further sensitivity testing and proposals for additional noise mitigation measures, including a 2.5m high acoustic fencing along the north of the car park and adjacent to the access road. The addendum clarifies the number of vehicle movements associated with the staff car park and the effect of the location of proposed plant, with the applicant advising: *'the addendum assumes double the number of peak trips to/from the car park (increased from 160 to 320 movements) than would be expected for a development of this nature and clarifies the operational effects. The increased trip rates are highly unlikely in reality and therefore present a highly robust assessment scenario which still shows there will be no unacceptable effects.*

*Notwithstanding the proposals, as submitted, are entirely acceptable, the applicant has introduced additional noise mitigation including:*

- *Landscaped bund along the western boundary of the site;*
- *Strip of additional landscaping close to the north west corner of the proposed unit;*
- *Acoustic fence, with planting, along the southern extent of the northern access road;*
- *Acoustic fence along the western boundary of the car park; and*

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- *Acoustic fence along the western section of the northern extent of the service yard. These measures further enhance the already acceptable acoustic mitigation as originally submitted, and the Note confirms there is no unacceptable effects in noise terms.*

The addendum was further considered by Environmental Health who verbally responded, advising that the proposals would result in an 'adverse' impact on residents from site operation at weekends only, 2db above background during the day, but this is in line with the relevant guidance document and not to a 'significant' level and therefore EH do not object to the proposals in terms of noise.

## 9.10 Air Quality

9.10.1 An Air Quality Assessment SLR Ref: 410.05342.00006 Version No: Rev2 dated September 2020 was submitted at outline stage and considered by Environmental Health. Following discussion between the AQA consultant and Environmental Health, an Addendum Note and Emissions Assessment was also submitted. Condition 12 was imposed on the outline approval, as follows:

*'The development shall be undertaken in accordance with the approved Air Quality Assessment SLR Ref: 410.05342.00006 Version No: Rev2 September 2020 and Addendum Note 410.05342.00006 December 2020. The mitigation measures shall be fully implemented in accordance with the approved documents.'*

9.10.2 As part of this RM application, Environmental Health have raised concerns. They consider the proposals now divide the previously submitted outline into two phases, bringing forward the larger section of the site. This is significantly different to the outline application incorporating one very large distribution centre. They initially objected, stating that "*due to the potential air quality impact of the development we must at this time object to the application, until such time that a revised transport / air quality assessment has been undertaken*". EH requested that LCC Highways review the TA and confirm the traffic flow figures. LCC Highways have confirmed that the transport assessment at outline stage considered a quantum of development not a specific number of trips and this RM proposal is within that approved quantum.

9.10.3 The applicant advises that Environmental Health have confirmed that if proposed vehicle movements associated with this Reserved Matters application are within the parameters assessed at Outline there is no requirement to assess air quality matters in any further detail. They have demonstrated above the vehicle movements are wholly within the parameters assessed at Outline stage and this has been confirmed by LCC Highways. Therefore, the applicant's view is that *'the only realistic conclusion is the Air Quality Assessment (including damage calculations and mitigation costs) agreed as part of the Outline planning permission remains entirely appropriate. Furthermore, it is materially beneficial that air quality mitigation proposed (through enhanced cycle links, and accessible ecological areas, for example) will be delivered as part of this Phase 1 Reserved Matters (i.e., early in the development) rather than trickle fed on a phase by phase basis or timed for full completion of the development. This means the benefits will be delivered early in the development process.'*

9.10.4 A further response was then received from Environmental Health advising that, further to the correspondence from LCC Highways, the development consists of a quantum of the outline development and the traffic flows are acceptable. Environmental Health now confirm the use of these flows is appropriate for the air quality assessment and this issue is therefore resolved.

9.10.5 However, Environmental Health did also comment in respect of mitigation, advising *"the emissions assessment has identified a damage cost of £183,423. It was concluded that mitigation options would be identified as part of the reserved matters. The submitted information refers to the provision of charging points, cycle storage and a travel plan with no indication of costs associated with these against the damage cost.*



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*There is also mention of the improved cycle track with some associated costs although it is understood that these improvements were required following consultation with the PROW team at LCC and not in relation to air quality. Therefore, we still require details on mitigation measures to be included within the scheme specifically linked to the air quality damage costs.”*

9.10.6 It must be noted that the Air Quality Assessment Addendum did include the costs associated with the provision of the mitigation measures ie. It concluded: *“mitigation to the value of between £242,535 - £309,055 is proposed to be included as part of commensurate mitigation for the Proposed Development. This range is dependent upon whether a 2m wide / 3m wide pathway improvement is provided, and whether it is to be constructed of gravel or DBM.*

*The ‘emissions assessment’ undertaken, as presented in Section 3, has determined a 5-year total NOx and PM10 cost of £183,423. The SRBC Low Emissions and Air Quality Draft PAN references the purpose of the emissions assessment is used to determine “whether the mitigation proposals represent a balanced and proportionate level of mitigation compared to the harm that would be otherwise caused by site emissions”.*

*On the basis that the minimum total cost of mitigation proposed is over and above the calculated emissions mitigation damage costs, the emissions associated with the Proposed Development are considered to be fully mitigated through those measures proposed. Therefore, no additional ‘further mitigation’ contribution is considered to be required.”*

9.10.7 The AQA and Addendum were fully considered and agreed with EH at outline stage and condition 12 was imposed on the outline consent requiring that the development is undertaken in accordance with those documents and neither of those documents suggest that further mitigation measures would be required at Reserved Matters stage. The AQA and Addendum set out mitigation measures that will be delivered and the applicant has provided further damage cost information which has been passed to EH. This includes:

- Public Rights of Way works – approximately £300,000;
- EV charging spaces (58 spaces) – approximately £186,000;
- EV charging infrastructure (to enable an additional 58 EV spaces) – approximately £9,000;
- Cycle parking (minimum 60 spaces within 6 covered stands) – approximately £30,000;
- Enhanced staff amenities including showers and changing areas – approximately £33,000.

9.10.8 The applicant is still awaiting Travel Plan monitoring costs but it is clear that these sums exceed the identified damage cost requirement. However, some of the mitigation measures outlined are standard policy requirements and should not be counted.

9.10.9 As it has been established that this RM application is entirely within the parameters set at Outline stage where the AQA and Addendum were accepted and conditioned, it must be concluded that the mitigation will off-set any potential Air Quality issues that may arise during both the construction and operational stages of the development.

## 9.11 Flood Risk

9.11.1 Flooding was one of the main causes of concern during consideration of the outline application, particularly due to its location adjacent the River Lostock. Neighbouring residents advised that the River Lostock has been breaking its banks more since Global Renewables water has been diverted into it. The effect of flooding on homes from this proposed development will be imminent as the surface run off already increases the river level to the lower level of gardens. The extra tarmac areas and lack of absorbing land have increased the surface run off to the river, each development increases the stress on the river and our homes are on the banks. Residents consider this application will only cause more catastrophic flooding.

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9.11.2 At outline stage, the Environment Agency also had concerns in respect of flooding, particularly due to the culverted watercourse that crosses the site. There was a great deal of protracted discussion between the applicant and the EA and the issuing of the decision notice was delayed by some months. A position was reached where the EA was comfortable providing a number of conditions were imposed.

9.11.3 The LLFA also raised concerns and required conditions to be imposed on the outline approval. The relevant conditions were quite specific and required substantial detail to be submitted. The details for conditions 9, 10 and 34 have been submitted as part of discharge of conditions application 07/2021/01040/DIS. Conditions 11, 32 and 33 are to be addressed through the RM submission(s) and Condition 35 within a period of 3 months following completion of the proposed development.

9.11.4 However, the proposals have changed substantially since the outline planning approval was granted. The proposal now is to de-culvert the existing watercourse that runs through the site. The EA initially advised that the development would only be acceptable if new planning conditions are imposed, as follows:

*'1. The development hereby permitted must not be commenced until such time as a detailed scheme for the de-culverting and diversion of Watercourse 1 (M6 to Stansfield Lane) has been submitted to, and approved in writing by, the local planning authority.*

*The scheme shall include full details of the proposed route, size, depth, morphological features, levels, crossings, planting, landscaping and method of construction of the new channel and culvert. The scheme shall be implemented and completed in full prior to the commencement of any development over or within 8 metres of the edge of the existing culverted watercourse and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

*2. No development approved by this planning permission shall commence until such time as a hydraulic model which reflects the proposed development and de-culverting scheme on site, which includes a blockage scenario for the new section of culvert during the 1% AEP plus climate change allowance flood event, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and completed in full prior to the commencement of any development over or within 8m of the edge of the existing culverted watercourse, and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.*

9.11.5 The applicant initially put forward two options for the watercourse diversion, highlighting one preferred option. The EA have no objection in principle to the preferred option but advised that the alternative option would not be acceptable. The preferred option proposes the de-culverting and diversion route of the main river (Watercourse 1) through the site, subject to detailed design being submitted alongside the full hydraulic model for review.

9.11.6 The EA had provided advice when the full detailed design had not yet been undertaken and therefore requested the conditions as outlined above. However, since their initial response, the hydraulic modelling has been submitted and reviewed by the EA. The EA are supportive of the new watercourse and the general principles are agreed. The applicant advises the following:

1. An open watercourse (de-culverting) is supported by the EA.
2. There are no in principle objections to the proposed new watercourse at Farington.
3. The open watercourse could create additional flood mitigation / storage, thereby reducing flood risk compared to the current culverted watercourse.
4. It is simply a case that in order to not require the planning conditions the EA need to be satisfied the model is accurate.
5. The model review is ongoing, and it is hoped the review (and sign off on the model) could be achieved in the next 3-4 weeks.

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6. At that stage the EA will be able to confirm there are no additional conditions required.

9.11.7 The EA confirm that they agree that the first 5 points are accurate however, the final point about no additional conditions is something that cannot be confirmed at the moment, commenting:

*“If the model is considered to be an accurate reflection of the flood risk on site post development, then it should show no increased risk to areas both on and off site and hopefully it will show an improvement to the overall flood risk. As we discussed, the remaining issues then are likely to be when/how the old culvert is sealed off and the new channel takes the flow of watercourse 1. My water quality, biodiversity and geomorphology colleagues will then need to have a view on how “complete” the new channel needs to be in terms of the proposed river bed structure and landscaping before the connection can be made. I will also need to check with land and water colleagues about whether or not any water quality monitoring is required at the point where the new channel discharges into the River Lostock. If we have no concerns, then there shouldn’t need to be any additional conditions requested. If they do require additional reassurances, then these could be conditioned. It is possible that the reassurances they require regarding the new channel could form part of an addendum to the FRA which would be included in the planning documentation and form part of the suite of documents the developer must adhere to if the reserved matters application is granted. This would then mean that we wouldn’t need to request additional conditions at reserved matters. I will also check with my permitting colleagues as these are issues that may be governed by the flood risk activity permit and do not need to be addressed through planning.”*

9.11.8 The applicant is keen to avoid the imposition of new conditions relating to the hydraulic modelling and de-culverting of the watercourse, not least as the ongoing modelling work will address these points. Additionally, Planning Practice Guidance is clear that RM consents should not be subject to the imposition of new pre-commencement conditions. In view of this, it is considered appropriate to recommend that, should members be minded to approve this application, the decision be delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon the successful agreement on the technical details of the de-culverting of the watercourse with the Environment Agency.

9.11.9 In respect of the Outline planning conditions, the EA advise as follows:

9.11.10 Condition 32 - requires the submission of information as part of this Reserved Matters application. However, the applicant has now altered the proposal and the channel of Watercourse 1 will now be re-routed. Therefore, we consider that it is not necessary to provide ground level information at this stage, as levels around the new culvert and new open watercourse will be determined at detailed design stage. Determination of acceptable ground levels associated with the re-routed watercourse will be covered by the condition requested above.

9.11.11 Condition 33 also required the submission of information as part of the Reserved Matters application. The need for condition 33 related to the requirement to understand overland flow routes from the existing culvert during a blockage scenario. As the watercourse will now be diverted around the development site, the existing culvert will ultimately become redundant, so there is no longer a need to understand the impacts of a blockage in the existing culvert. However, there will be a need to consider blockage of the new section of culvert linking to the open channel and route of potential overland flows and this can be secured through the condition requested above.

9.11.12 In respect of Condition 34, should flood modelling of the proposed watercourse diversion reveal that compensatory storage will be required, this can be addressed through condition 34 and therefore it remains relevant.

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9.11.13 In respect of Condition 35, as the proposed de-culverting and diversion would result in the abandonment of the existing culvert, a CCTV survey of the existing structure is no longer required. However, we would ask that the applicant surveys the culvert where the new connection is going to be made from the existing culvert to the new channel.

9.11.14 The EA also provide advice to the application on Environmental Permitting. The proposed development includes significant alterations to a designated main river. Under Environmental Permitting Regulations 2016 a permit will be required for this work. The applicant is strongly advised to ensure that any works on site do not start until such time a permit has been applied for and granted by the Environment Agency. This is a separate permission from the planning permission being sought for however the two are closely linked. For more information on Environmental Permits, the applicant should visit the EA's website: <https://www.gov.uk/guidance/flood-risk-activities-environmentalpermits>. This can be included on the decision notice as an informative note.

## 9.12 Ecology

9.12.1 A number of documents has been submitted as part of this Reserved Matters application relating to ecology. GMEU have considered the proposals and the following documents:

- Landscape and Ecology Management Plan (Urban Green, August 2021, issue no 01)
- Soft Landscaping Plans (five sheets – sheet 1 supporting planting specifications, Urban Green, dwg UG\_35\_LAN\_SL\_DRW\_03 rev P05)
- Water vole Survey Report (Urban Green, May 2021 issue no 01)
- Updated Badger Walkover (Urban Green letter dated 12.8.2021) This contains confidential information

9.12.2 GMEU made the following comments:

***Badgers** - The updated survey found the presence of a badger sett, which will require closure to implement the approved outline and the RM details and therefore a licence will be required to be issued from Natural England.*

- *The outline details contained within the Report are adequate to indicate the approach to be adopted.*
- *I concur with the assessment and recommend that a **condition** requiring submission of evidence of the closure of the sett is provided to the LPA prior to the start on site including any enabling earthworks, vegetation clearance or soil strip.*
- *It should be noted that the survey is only valid for a limited period and if the sett has not been closed and/or works are not planned to commence until February 2022 then an updated survey will be necessary. This can be secured via a **condition** on the RM should it receive approval.*

9.12.3 The applicant responded to the points raised in respect of Badgers and initially advised they were progressing additional sett monitoring to confirm presence/absence of badgers. Following this, a letter was provided dated 12.11.2021 by Maisie McKenzie, Urban Green confirming that, at the current time no badger setts are present on the site and the identified sett has been closed appropriately.

9.12.4 GMEU confirmed this was sufficient but advised that there are still other conditional matters and practices associated with the site's outline permission. To emphasise this, a reminding note should be included on the decision notice to the effect; *the developer should be aware that if other evidence of badger digging/setts is observed or suspected at any stage then work should cease until advice has been sought and implemented from their consulting ecologists (Urban Green). Or, if greater than a year passes before commencement of works on the remainder of the site then updated surveys may be required to ensure that there is no inadvertent damage to any setts that badgers may try to re-establish on other parts of the site. Again, advisement from their consulting ecologist would be helpful to the developers in*

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*this instance. The CEMP associated with the site will detail Reasonable Avoidance Measures etc to cover this.”*

Water Vole – GMEU consider the submitted survey is sufficient and together with the protection of the river corridor provided by the CEMP (biodiversity) and agree that no more work or conditions are necessary for this species.

## 9.13 Sustainability and Climate Change

9.13.1 The site is considered to be in a highly sustainable location and is well located in terms of access to the motorway network. It is linked to the A6, M65 and M6 with the main M6 / M65 junction is approximately 2 miles to the north west.

9.13.2 Leyland town centre is approximately 900m to the south east with the main settlement area to the south and south east. The site is just 5.4 miles south of Preston City Centre

9.13.3 An existing bus route on Centurion Way links the site to Leyland, Preston and other intermediated destinations. Further bus routes from Leyland town centre within walking distance. Leyland Railway station is 1.7m to the east

9.13.3 Additionally, the site is in an established commercial location with industrial and commercial uses to the north east and east on the Lancashire Waste Technology Park and Lancashire Business Park. To the north, beyond the adjacent Business Park, is the Leyland Trucks factory. Further commercial and industrial uses are to the south at the Tomlinson Road Industrial Estate and beyond is the Moss Side Industrial Estate.

9.13.4 In terms of the building itself, this will be constructed to BREEAM standards with the Supporting Statement advising: *“The development is founded on principles of seeking high quality design and creating a genuine sense of place, whilst promoting high levels of sustainability (through BREEAM ‘Very Good’ as a minimum and by maximising existing sustainable access opportunities). These core items link the various aspects of the scheme. Fundamentally the proposals are wholly in line with the indicative parameters secured through the outline planning permission. The submitted details secure a number of significant benefits above and beyond those envisaged in the outline application. For example, the delivery of a single large unit in the northern parcel (compared to three smaller units shown in the outline application) enables a shorter construction programme, more extensive boundary and tree planting and improved noise attenuation to the benefit of local residents. The Reserved Matters proposals also secure enhanced landscaping opportunities, greater levels of biodiversity net gain, improved flood risk and drainage management, and higher levels of sustainability (in seeking to achieve BREEAM ‘Very Good’ as a minimum)”*

9.13.5 It must be noted that Core Strategy Policy 27 requires ‘Excellent’ where possible in urban areas and conditions 27, 28 and 29 were imposed on the outline approval to ensure the development is registered, certified and reviewed to achieve the BREEAM accreditation. Condition 27 has been discharged under discharge of conditions application 07/2021/00935/DIS

9.13.6 Environmental Health commented on the scheme at outline stage in terms of impacts on climate change. They consider that, given the new design and single use of this part of the site, the provision of rain water harvesting, solar PV or ground source heat pumps would offer a greater business case for one occupant. Environmental Health considered that it is disappointing that none of these measures have been included within the design. Especially as the large roof area would be ideal for solar PV.

9.13.7 The applicant has considered the points raised by EH, advising that there is no policy basis for the EHO to request these items. Nevertheless, they have reviewed them and advise that: *“Fundamentally, we are already going above and beyond policy expectations by seeking pushing for BREEAM Excellent (we will achieve Very Good as per recent conditions*

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*details approvals). This includes the use of more sustainable materials and fittings, and other such items.*

*A highly sustainable development is proposed, and it should be noted we are also providing significant ecological enhancements, improved walking routes, upgraded public rights of way and part of the Leyland Loop, for example.”*

## 9.14 Public Rights of Way/Cycleways

9.14.1 As part of the outline approval, the existing PROW's through the site are to be upgraded to cycleways and this was secured by condition 6 imposed on the outline permission. The existing footpath from the end of Mill Lane to Centurion Way will become a 3m wide shared footpath and cycleway. There will be a slight diversion to the PROW at the Mill Lane end and a further slight diversion at the Centurion Way end which will be carried out through a footpath diversion application under Section 257 of the Town & Country Planning Act.

9.14.2 The details of the footpath were subject to discharge of conditions application 07/2021/00935/DIS and has been discharged following confirmation for the PROW team at LCC that the details were acceptable.

## 9.15 Contaminated Land

9.15.1 Condition 14 required that full details of gas protection measures be submitted as part of the Reserved Matters application as the application site was subject to historic landfill tipping. Additionally, Condition 36 of the Outline approval required the submission of a Remediation Strategy, including gas protection measures. This has been submitted as part of a Discharge of Conditions application and also as part of this Reserved Matters application.

9.15.2 In respect of Gas Protection measures, the Remediation Strategy advises:  
*In order to mitigate the potential risk from hazardous ground gases/soil vapours, it is required that gas protection measures in accordance with Characteristic Situation 2 are incorporated into the development. The measures should also include a hydrocarbon vapour resistant barrier and shall be compliant with BS8485:2015 + A1:2019 with the office areas assessed as a type C building type requiring a minimum gas protection scope of 2.5 points and the warehouse areas assessed as a type D building type requiring a minimum gas protection scope of 1.5 points. [Table 4, BS8485:2015 + A1:2019].*

*In both building zones 2.5 gas protection points shall be provided by the provision of a cast in-situ ground-bearing floor slab (with only nominal mesh reinforcement), providing 0.5 points [Table 5, BS8485:2015 + A1:2019], plus a gas resistant membrane providing 2.0 points [Table 7, BS8485:2015 + A1:2019].*

*The gas resistant membrane shall be GP Titan Flex or similar product compliant with Table 7 of BS8485:2015 + A1:2019 and shall be fixed by an approved specialist in accordance with the manufacturer's details.*

*As required by BS8485, the construction shall be validated and reported in accordance with Ciria C735.*

*On completion of the earthworks, it is recommended that 600mm of clean cover is placed in landscaped areas in order isolate the potential contaminants in the underlying made ground.*

9.15.3 Both the Environment Agency and Environmental Health have considered the Remediation Strategy. The Environment Agency confirm that parts 1-3 of condition 36 imposed on the outline approval can be discharged but require the verification report upon completion of the site remediation works to satisfy part 4 of this condition. This is subject to a separate Discharge of Condition application.

9.15.4 Environmental Health have reviewed the remedial plan and related it to the proposed acceptable levels of contaminants as set out in the original ground investigation reports for this site and consider that the detailed remediation, and site investigation summary

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document is appropriate, up to date and suitable for the proposed end use of this development.

9.15.5 Environmental Health also expect a suitable detailed Validation Plan for soils and Verification Plan for proprietary gas protection measures, as suggested in the remediation strategy, to be supplied detailing all the actions taken, with in addition suitable summative reporting from specialist verification reports regarding the gas protection and soils replacement (Materials Management plan). These reports will need to be submitted and approved prior to the installation of these elements of the development.

9.15.6 Therefore, the proposal is considered acceptable in terms of land contamination and once complete, the Verification Report will need to be submitted and agreed by both the EA and EH. Once verified, this will provide assurances that the contamination of the site has been address to such an extent as to ensure there will be no impacts on future employees of the site or surrounding residential properties.

## 10. Employment

10.1 Policy 15 seeks to improve skills and economic inclusion for borough and the proposed development is for an employment generating use with the proposal providing for circa 1000 job opportunities.

10.2 Condition 30 was imposed on the outline approval requiring that an Employment and Skills Training Plan, tailored to the development, is submitted as part of the RM application. The Employment and Skills Training Plan has been considered by Calico/CStep who advise the Council on such matters. They initially advised that that the submitted employment and skills plan did not include a measurable commitment. They also advised that South Ribble Council have National Skills Academy for Construction (NSAfC) accreditation and use NSAfC KPIs and benchmarks to measure and monitor employment and skills commitments on both residential and commercial developments that meet the threshold for an Employment & Skills Plan. The NSAfC benchmarks are project specific and have been developed in collaboration with the construction industry to ensure that they are relevant, proportionate and importantly with KPIs that are measurable.

10.3 Following submission of an updated Employment and Skills plan, a further response was received with the view that it is clear that the applicant is working towards making a positive local impact and provides for a *“clear and inclusive commitment to work experience that reaches out to young people and those harder to reach individuals, along with a broader scope regarding career options within the industry.*

*In respect of apprenticeships the applicant refers to working closely with the colleges to support apprentices. However, apprentices are usually already employed and attend college on day release, therefore would the applicant consider making a commitment to a group educational site visit for these individuals? Additionally, will the applicant make a firm commitment to creating any apprenticeship positions either directly or through their supply chain on this development? In respect of any concerns regarding the build timescale, I have attached for reference information relating to the shared apprenticeship scheme which can be utilised for situations whereby employment continuity may be a concern.*

*In respect of upskilling, the applicant offers internal training opportunities and the option for apprentices or full time students to benefit from this training which is great. However, we would be looking for the applicant to work with their supply chain too in order to identify skills gaps through the completion of a site training plan enabling individuals to be upskilled with both accredited and non-accredited training. Support is available for this if required.*

*Finally, it would be great to have a positive case study from the development that showcases the impact the applicant has made during the build process.”*

10.4 In response, email correspondence took place and the applicant provided a further updated Employment Skills Training Plan which offers firmer commitments in line with the requirements with Calico/CStep confirming the shared apprenticeship scheme lends itself to

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short term construction opportunities and helps by ensuring local apprentices are not displaced once a development is complete and the contractors move on. The Plan advises that the applicants will “offer 5 apprenticeships or work placements for the duration of the contract. We will aim to recruit these through local colleges with the support of CSTEP. The apprenticeships can be in a range of different site roles and if we are unable to offer these directly we will work with our supply chain to seek to maximise placement and apprenticeship opportunities. We will write into our supply chain orders that they need to assist us with offering the apprenticeship/work placements “

10.5 Ultimately the applicants are committing to a range of measures and are looking to implement these measures almost immediately subject to Reserved Matters consent. Therefore, it is considered that the proposals meeting the requirements of Policy 15 in the Central Lancashire Core Strategy.

## **11. Conclusion**

11.1 This Reserved Matter application provides details of the scale, layout, appearance and landscaping for a large storage and distribution warehouse within Use Class B8. A number of objections have been received to the application and this report has duly considered the points of objection and amendments have been made to the proposal to address some of those objections.

11.2 Whilst it is recognised that the proposed building is substantial in scale, this is to accommodate the intended end use. It must be recognised that it is on an allocated employment site in a highly sustainable location where such uses are promoted. The benefits of the scheme in terms of re-using a brownfield site; clearing the existing contaminated land; substantial tree planting and landscaping; substantial ecological enhancement, which includes a de-culverted and diverting a watercourse, sustainable drainage, and significant new ecologically diverse landscaping; employment opportunities; and the upgrading of the PROW to a combined footpath/cycleway with macadam finish are considered to outweigh the impact on residential amenity.

11.3 The proposal is consistent with the aims of Policy E1 to ensure local job opportunities, providing the creation of upwards of 1,000 job roles. On that basis and on balance, the application is recommended for approval subject to the imposition of conditions with the decision to be delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee on the successful agreement on the technical details of the de-culverting of the watercourse with the Environment Agency.

## **12. RECOMMENDATION:**

11.1 Members be minded to approve the application with the decision being delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon the successful agreement on the technical details of the de-culverting of the watercourse with the Environment Agency.

## **13. RECOMMENDED CONDITIONS:**

1. The development hereby approved shall be begun either before the expiration of 5 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
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans:  
Unit 1 Proposed Site Plan 2164 - 2002 Rev P05  
Unit 1 Building Plan 2164 - 2003 Rev P01



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Unit 1 Building Elevations 2164 - 2004 Rev P02

Unit 1 Roof Plan 2164 - 2005 Rev P01

Plant Store 2164 - 2006

Cycle Store Details 2164 - 2007

Fencing Details 2164 - 2008 Rev P02

Bin Store Details 2164 - 2009

External Materials 2164 - 2010 Rev P01

Site Levels 2164 - 2011 Rev P01

Footpath Plan 2164 - 2012

Gatehouse Plans & Elevations 2164 - 2013

Site Sections 2164 - 2014 Rev P02

Ecological Enhancements Plan UG35\_ECO\_EEP\_01 Rev P03

Hard Landscape Plan UG35\_LAN\_HL\_DRW\_02 Rev P05

Soft Landscape Plan Sheet 1 of 5 UG35\_LAN\_SL\_DRW\_03 Rev P08

Soft Landscape Plan Sheet 2 of 5 UG35\_LAN\_SL\_DRW\_04 Rev P07

Soft Landscape Plan Sheet 3 of 5 UG35\_LAN\_SL\_DRW\_05 Rev P07

Soft Landscape Plan Sheet 4 of 5 UG35\_LAN\_SL\_DRW\_06 Rev P08

Soft Landscape Plan Sheet 5 of 5 UG35\_LAN\_SL\_DRW\_07 Rev P07

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. The development hereby approved shall be carried out fully in accordance with the Landscape and Ecology Management Plan by Urban Green dated August 2021. On completion of the development, details of the management company/estate management team responsible for the on-going management and maintenance of the Landscaping shall be submitted to the Local Planning Authority.

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

4. The development hereby approved shall be carried out fully in accordance with the Arboricultural Impact Assessment and Arboricultural method Strategy by Urban Green dated August 2021. Particularly, the protective fencing shall be erected in accordance with Figure 2 of BS 5837-2012 and shall remain in place until completion of all site works and only removed once all construction traffic is removed from site.

REASON: To protect trees from damage during construction in accordance with BS 5837 2012

5. Any trees or plants which within a period of 5 years from the completion of the development die or are removed or become significantly damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

## **14. RELEVANT POLICY**

### **National Planning Policy Framework**

#### **Central Lancashire Core Strategy**

- 2 Infrastructure
- 3 Travel
- 9 Economic Growth and Employment
- 10 Employment Premises and Sites
- 15 Skills and Economic Inclusion
- 16 Heritage Assets

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- 17 Design of New Buildings
- 21 Landscape Character Areas
- 22 Biodiversity and Geodiversity
- 27 Sustainable Resources and New Developments
- 29 Water Management
- 30 Air Quality

## **South Ribble Local Plan**

- E1 Allocation of Employment Land
- G8 Green Infrastructure and Networks Future Provision
- G12 Green Corridors/Green Wedges
- G13 Trees, Woodlands and Development
- G14 Unstable or Contaminated Land
- G15 Derelict Land Reclamation
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

## **Informative Notes:**

1. The developer should be aware that if other evidence of badger digging/setts is observed or suspected at any stage then work should cease until advice has been sought and implemented from their consulting ecologists (Urban Green). Or, if greater than a year passes before commencement of works on the remainder of the site then updated surveys may be required to ensure that there is no inadvertent damage to any setts that badgers may try to re-establish on other parts of the site. Again, advisement from their consulting ecologist would be helpful to the developers in this instance. The CEMP associated with the site will detail Reasonable Avoidance Measures etc to cover this.

2. The proposed development includes significant alterations to a designated main river. Under Environmental Permitting Regulations 2016 a permit will be required for this work. The applicant is strongly advised to ensure that any works on site do not start until such time a permit has been applied for and granted by the Environment Agency. This is a separate permission from the planning permission being sought for however the two are closely linked. For more information on Environmental Permits, the applicant should visit the EA's website: <https://www.gov.uk/guidance/flood-risk-activities-environmentalpermits>

3. If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

## **Water supply**

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for. To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

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Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' property, assets and infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams

as follows:

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>.

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further. For any further information regarding Developer Services, including application forms, guides to our services and contact details, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

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# Agenda Item 7

**Application Number** 07/2021/01162/VAR

**Address**  
Unit 7  
The Capitol Centre  
Capitol Way  
Walton-Le-Dale  
Preston  
Lancashire  
PR5 4AW

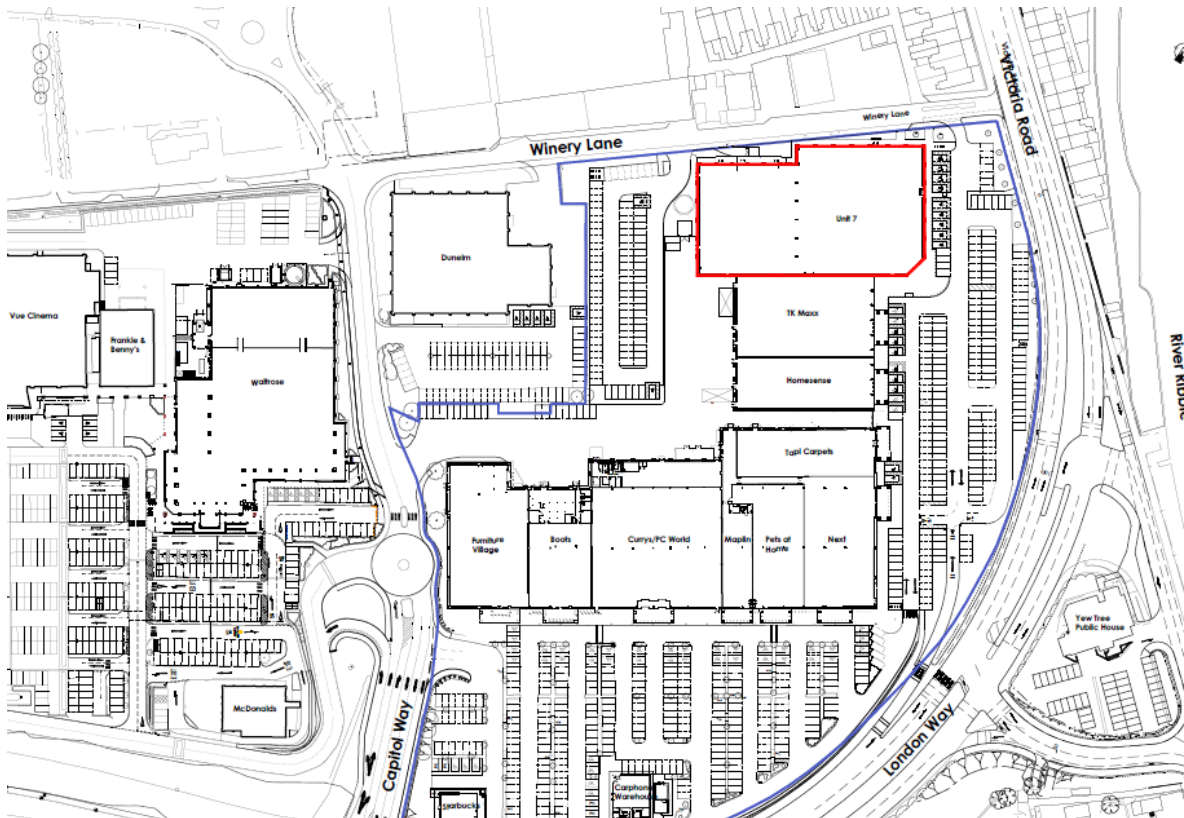
**Applicant** The Royal London UK Real Estate Fund

**Agent**  
Mr Danny Simmonds  
RPS Planning & Development  
20 Farringdon Street  
LONDON  
EC4A 4AB

**Development** Variation of condition 5 of planning approval 07/2007/0923/FUL (food retail restriction) to allow up to 30% of ground floor area to be used for the sale of food

**Officer Recommendation** Approval with Conditions  
**Officer Name** Mr Chris Sowerby

Date application valid 30.11.2021  
Target Determination Date 01.03.2022  
Extension of Time N/A



# Agenda Item 7

## **1. REPORT SUMMARY**

1.1 The application relates to a 3,268sq m unit within The Capitol Centre retail park in Walton-le-Dale. The unit, which is currently vacant, was most recently occupied by FABB Sofas (vacated June 2018).

1.2 The Capitol Centre has its own policy designation under Policy B5 of the South Ribble Local Plan.

1.3 The application seeks to vary an imposed planning condition on the unit which restricts the sale of food retail to no more than 93sq m of the unit's floor area. The proposal seeks to increase the permitted floor area of food retail up to 980sq m to meet the requirements of a prospective operator.

1.4 The nature of business of the prospective operator (Home Bargains), together with other similar discount/value stores, is wholly different to food retail stores. Officers are satisfied that Home Bargains, or any other discount/value store operating with a restriction up to 30% ground floor area for food retail, would not constitute a food retail outlet. As such the proposed variation of condition does not conflict with Policy B5 of the South Ribble Local Plan and would in fact bring a long-term vacant unit back into use adding to the range and variety of uses within the Capitol Centre site.

1.5 The threshold set in the NPPF for requiring the submission of a Retail Impact Assessment is where the proposed floor area exceed 2,500sq m, in this case the proposed change relates to an area of 980sq m which is well below the threshold. As such the submission of a Retail Impact Assessment is not required.

1.6 The submitted Transport Assessment concludes that as a result of the proposed variation there would be six additional vehicles movements on the highway network in the weekday PM peak hour (17.00-18.00) and 25 additional vehicles during the Saturday peak hour. County Highways have agreed that the change on the level of vehicle trip attraction would have a *"negligible impact on the operation of the highway network"*. County Highways have also confirmed that the number of car parking spaces available are more than adequate to accommodate the relatively small number of additional customer cars resulting from the variation of the condition.

1.7 Environmental Health have raised no objections to the proposal.

1.8 The proposal complies with Policies B5, F1 and G17 of the South Ribble Local Plan together with Policy 10 of the Core Strategy and the NPPF. The application is therefore recommended for approval.

## **2. APPLICATION SITE AND SURROUNDING AREA**

2.1 The application relates to a 3,268sq m unit within The Capitol Centre retail park in Walton-le-Dale.

2.2 The unit, which is currently vacant, was most recently occupied by FABB Sofas (vacated June 2018), having previously being occupied by Tesco Home.

2.3 The glazed front entrance to the unit faces Victoria Road with service access to the rear from Captiol Way.

2.4 Winery Lane is present to the north with residential properties on Edward Street beyond.

2.5 The Capitol Centre has its own policy designation under Policy B5 of the South Ribble Local Plan.

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## **3. SITE HISTORY**

07/2003/0752 – Alterations to existing retail building including side and rear extensions to retail store and modification of car parking, servicing and landscaping. Approved

07/2004/0452 – Modification to planning permission 07/2003/0752 for alterations to existing retail building, including side and rear extensions to retail store and modification to car parking, servicing and landscaping with addition of new access off Winery Lane. Approved

07/2004/1127 – Application for Certificate of Lawfulness for a proposed use or development for the installation of a mezzanine floor within an existing retail unit. Certificate Granted

07/2007/0923/FUL – Reconfiguration of unit together with two storey rear extension. Formation of new vehicular and pedestrian access off London Way and other associated modification works. Modifications to car park and landscaping works. Approved

07/2016/1021/FUL - External alterations, re-configuration of existing mezzanine floor and associated works to retail unit. Approved

## **3. PROPOSAL**

3.1 Condition 5 of planning permission 07/2007/0923/FUL states:

*5. That, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order the use of the unit that is the subject of this application shall be restricted to non-food retail with the exception of a 93m<sup>2</sup> area. The location of this area is to be agreed in writing by the Local Planning Authority prior to the first trading of the extended unit and must not be amended without the prior written authority of the Local Planning Authority. The food retail area shall not be increased in size beyond 93m<sup>2</sup>.*

*REASON: To allow the Local Planning Authority to retain an appropriate level of control over the use of the unit in the interests of the sound planning of the area and to comply with Policy FR2 of the South Ribble Local Plan*

3.2 The applicant is seeking to vary this condition in order to increase the area for which food retail is permitted to 30% of the ground floor area in order to meet the requirements of a prospective retailer that wishes to occupy the unit.

3.3 Condition 5 is therefore proposed to read:

*5. That, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order the use of the unit that is the subject of this application shall be restricted to non-food retail with the exception of a 980m<sup>2</sup> area. The location of this area is to be agreed in writing by the Local Planning Authority prior to the first trading of the extended unit and must not be amended without the prior written authority of the Local Planning Authority. The food retail area shall not be increased in size beyond 980m<sup>2</sup>.*

*REASON: To allow the Local Planning Authority to retain an appropriate level of control over the use of the unit in the interests of the sound planning of the area and to comply with Policy B5 of the South Ribble Local Plan*

3.4 The applicant has advised the following within the submitted Planning and Retail Statement:

*“The purpose of the application is to allow an empty unit to be occupied by Home Bargains. Home Bargains is a mixed goods national discount (or value) retailer. Home Bargains does sell a range of food and drink. However, Home Bargains does not fulfil the same role and*

# Agenda Item 7

*function as a food store / supermarket. However, it requires the flexibility to set aside 30% of its ground floor area for the sale of food. Accordingly, this application seeks to vary the current goods condition relating to Unit 7, so as to allow up to 30% of the ground floor, which equates to 980sq m, to be used for the sale of food. It is not necessary to amend any of the other conditions of the November 2007 permission.”*

3.5 In regards to retail impact, the applicant states:

*“Highly relevant to the matter of retail impact is Government advice, as set out in the NPPF.*

*Paragraph 90 of the NPPF explains that when assessing retail applications outside town centres, not in accordance with an up to date plan, local planning authorities should require an impact assessment if the development is over a proportionate locally set floorspace threshold. In this case, neither the Central Lancashire Core Strategy nor the South Ribble Local Plan set a floorspace threshold for the purpose of assessing retail impact. Paragraph 90 goes on to state if there is no locally set threshold, the default threshold is 2,500sqm of gross floorspace.”*

3.6 The application is accompanied by a Planning and Retail Statement and a Transport Statement.

## **4. REPRESENTATIONS**

None received.

## **5. CONSULTATION REPLIES**

**County Highways** have raised no objections to the proposal, stating:

*“The application is supported by a transport statement that provided estimated traffic generation for the proposed change and a carpark accumulation study.*

*The transport statement indicates that if 30% of Unit 7 was to be used for food retail instead of non-food retail, it is estimated that there will be six additional vehicle movements on the highway network in the weekday PM peak hour (17:00-18:00) which equates to one additional vehicle movement every 10 minutes. On a Saturday, there is estimated to be up to 25 additional vehicle movements on the highway network, which is one additional movement every two to three minutes. The statement concludes that this change on the level of vehicle trip attraction would be expected to have a negligible impact on the operation of the highway network. I have no reason to question the traffic generation and the conclusion is not unreasonable.*

*With regard to car park accumulation the Transport Statement summarises that, there is estimated*

*to be a peak car parking demand of 576 spaces for a weekday and 884 spaces on a Saturday, which represents an occupancy of 42% and 64% respectively within the Capitol Centre car parking provision. The statement concludes that this demonstrates that there is sufficient car parking capacity within the Capitol Centre to accommodate the proposed change of use at Unit 7. Again this is not an unreasonable conclusion.*

*The unit is currently vacant and the proposed development will result in the increase traffic attraction to the site, however, the site access junction is of a good standard and there would appear to be adequate parking to accommodate any increased level of traffic attraction. I am therefore of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.”*

**Environmental Health** have raised no objections to the proposal.



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**Preston City Council** have raised no objections to the proposal, having considered that the proposal *“would not have a significant adverse impact on any particular store in the City Centre or on the vitality and viability of or investment within the City Centre as a whole”*. Preston City Council have recommended conditions to restrict the floor area of food retail to that applied for and to prevent Unit 7 from being amalgamated with other units or sub-divided to form separate units (this is already covered by Condition 6 on the previous permission which is to be carried forward).

## **MATERIAL CONSIDERATIONS**

6.1 As the application is only for the variation of a condition on the previously approved planning application, the principle of the development and any other matters not relevant to Condition 5 of planning approval 07/2007/0923/FUL, cannot be reconsidered. The Local Planning Authority can only consider any impact relevant to the variation of Condition 5.

### **Policy Considerations**

#### **6.2 i) NPPF**

6.2.1 In regards to retail impact the NPPF advises:

*“When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:*

*a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*

*b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).” (para. 90)*

6.2.2 In regards to highway impact the NPPF advises *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” (para. 111)*

#### **6.3 ii) Core Strategy Policy Considerations**

6.3.1 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.

6.3.2 Policy 10 of the Core Strategy is entitled ‘Employment Premises and Sites’ and highlights the need to protect sites last used and allocated for employment for future employments use.

#### **6.4 iii) South Ribble Local Plan**

6.4.1 The unit is within the policy designation of The Capitol Centre, Walton-le-Dale (Policy B5) in the South Ribble Local Plan.

6.4.2 Policy B5 seeks to the protect the vitality and viability of nearby existing centres, stating:

*“Within the area defined on the Policies Map at the Capitol Centre, Walton-le-Dale, but excluding the land at the Park and Ride facility, new development, re-development or change*

# Agenda Item 7

*of use will be permitted to provide non-food retail, leisure, recreation and tourism facilities, provided that the development would not:*

- A) Individually or together, with other recent or proposed development, harm the vitality and viability of any existing town or district centre; and*
- B) Significantly reduce the range and variety of uses on the site.*

*Conditions may be imposed to restrict the range of goods sold from retail outlets to prevent changes which could have an adverse impact on the vitality and viability of existing centres.*

*There is an existing food retail outlet on the Capitol Centre site. However the Council does not encourage further food retail outlets on this site”.*

6.4.3 The proposed variation of condition would allow up to 30% of the ground floor area of the unit to be used for food retail, with intended end user being Home Bargains. The nature of business of Home Bargains, together with other similar discount/value stores, is wholly different to food retail stores. Officers are satisfied that Home Bargains, or any other discount/value store operating with a restriction up to 30% ground floor area for food retail, would not constitute a food retail outlet. As such the proposed variation of condition does not conflict with Policy B5 of the South Ribble Local Plan and would in fact bring a long-term vacant unit back into use adding to the range and variety of uses within the Capitol Centre site.

6.4.4 The threshold set in the NPPF for requiring the submission of a Retail Impact Assessment is where the proposed floor area exceeds 2,500sq m, in this case the proposed change relates to an area of 980sq m which is well below the threshold. As such the submission of a Retail Impact Assessment is not required.

## **6.5 Highway issues**

6.5.1 The submitted Transport Assessment concludes that as a result of the proposed variation there would be six additional vehicles movements on the highway network in the weekday PM peak hour (17.00-18.00) and 25 additional vehicles during the Saturday peak hour. County Highways have agreed that the change on the level of vehicle trip attraction would have a “negligible impact on the operation of the highway network”.

6.5.2 County Highways have confirmed that the number of car parking spaces available are more than adequate to accommodate the relatively small number of additional customer cars resulting from the variation of the condition.

## **6.6 Noise and Disturbance Issues**

6.6.1 Environmental Health have raised no objections to the proposal, with the increase in the area of unit used for food retail not expected to have a material impact in terms of noise and disturbance.

## **7. CONCLUSION**

7.1 The proposed variation of condition 5 falls below the threshold of requiring a Retail Impact Assessment and would bring a long term vacant unit back into use adding to the range and variety of uses within the Capitol Centre site. The proposed variation would not have a detrimental highway or residential amenity impact. There are no objections to the proposal from any statutory consultees. The proposal complies with Policies B5, F1 and G17 of the South Ribble Local Plan together with Policy 10 of the Core Strategy and the NPPF. The application is therefore recommended for approval.

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## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. That, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order the use of the unit that is the subject of this application shall be restricted to non-food retail with the exception of a 980m<sup>2</sup> area. The location of this area is to be agreed in writing by the Local Planning Authority prior to the first trading of the extended unit and must not be amended without the prior written authority of the Local Planning Authority. The food retail area shall not be increased in size beyond 980m<sup>2</sup>.

REASON: To allow the Local Planning Authority to retain an appropriate level of control over the use of the unit in the interests of the sound planning of the area and to comply with Policy B5 of the South Ribble Local Plan

2. That the unit that is the subject of this application shall not be divided or sub-divided without the prior written consent of the Local Planning Authority.

REASON: To allow the Local Planning Authority to retain an appropriate level of control over the use of the unit in the interests of the sound planning of the area and to comply with Policy B5 of the South Ribble Local Plan

## **RELEVANT POLICY**

**10 Employment Premises and Sites (Core Strategy Policy)**

**POLB5 The Capitol Centre, Walton-le-Dale**

**POLF1 Car Parking**

**POLG17 Design Criteria for New Development**

**NPPF National Planning Policy Framework**

## **Note:**

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# Agenda Item 8

<b>Application Number</b>	07/2021/00812/FUL
<b>Address</b>	Dunbia Preston Limited Church Road Bamber Bridge Preston Lancashire PR5 6AL
<b>Applicant</b>	Dunbia Preston Ltd
<b>Agent</b>	Mr Oliver Clawson  Globe Consultants Limited The Tithe Barn Greestone Place Lincoln LN2 1PP
<b>Development</b>	Proposed erection of beef chilling unit and lairage buildings, together with extension to existing building and raising of roof on existing refrigeration building following demolition of existing storage shed and lairage buildings
<b>Officer Recommendation Officer Name</b>	<b>Approval with Conditions Mr Chris Sowerby</b>
Date application valid	23.11.2021
Target Determination Date	22.02.2022
Extension of Time	N/A

# Agenda Item 8



## **1. REPORT SUMMARY**

1.1 The application relates to the Dunbia (Preston) meat processing and distribution facility off Church Road, Bamber Bridge, with the application relating to a cluster of buildings within the eastern section of the wider 7.5 hectare site. The sections of the site subject to this application comprise of areas of hardstanding between existing buildings and plant, an existing lairage which is to be demolished and existing concrete yard areas.

1.2 The developed section of the wider Dunbia site is allocated under Policy E2 of the South Ribble Local Plan as 'Protection of Employment Areas and Sites' which covers the sections of the site subject to this application, with the exception of a relatively small section (a 20m x 15m triangle) of hardstanding that is previously developed land and used for external storage in the south-eastern corner of the site which is allocated as Green Belt under Policy G1 of the South Ribble Local Plan.

1.3 The application seeks planning permission for the erection of a building to be used as a beef chilling unit and the erection lairage buildings, together with the extension to an existing building and the raising of the roof on an existing refrigeration buildings following the demolition of an existing storage shed and lairage buildings. This application marks the third phase in a investment, modernisation and reconfiguration programme which started with planning permission 07/2018/4095/FUL in 2018, with the company having invested £20 million in the site in the last 5 years and a commitment to invest a further £15m as part of this phase of redevelopment.

1.4 Policy E2 seeks to protect land for employment uses to support the local economy "*by ensuring there are jobs for local people and to attract commuters from outside the borough*". The development proposed within the areas of the site subject to Policy E2, which accounts for the vast majority of the proposal, accords with the requirements of Policy E2 with the modernisation and rationalisation programme giving security to the existing 730 jobs at Dunbia

1.5 It is the view of Officers that the small section of development (part of new lairage building) proposed on 'previously developed land' within the Green Belt accords to the requirements of Policy G1 in the South Ribble Local Plan. However should Members be of

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the opinion that section of the proposed replacement lairage building within the Green Belt would have a greater impact on the openness of the Green Belt it is the view of Officers that the economic, environmental and ecological benefits of the proposal detailed within this report clearly outweigh the identified harm to the Green Belt by reason of inappropriateness, and any other harm. 'Very special circumstances' would therefore be considered present to justify the proposed development in the Green Belt (as per Paragraphs 143-144 of the NPPF).

1.6 The proposed development is not considered to be out of character with the surrounding area, with the minimum distance of 240m to the nearest residential properties on Reedfield Place within the Walton Summit Industrial Estate sufficient to safeguard the amenities of residents.

1.7 The proposed development would not result in any additional traffic to and from the site, with County Highways have raised no objections to the proposal confirming that the development should have a *"negligible impact on highway safety and highway capacity within the immediate vicinity of the site."*

1.8 Concern has been raised by an objector as to the potential for noise, smells and additional pollution resulting from the proposed development. The application however is not one of expansion but the modernisation and rationalisation of existing processes on the site. With no additional traffic, modern buildings and streamlined processes on the site a significant reduction in carbon footprint is anticipated. Environmental Health also have raised no objections to the proposal.

1.9 An objector has highlighted a condition on an historic permission on site, which requires all lorries parked on the site to be connected to electric hook-ups, which is alleged to be continually breached. The applicant has previously said this has been necessary for operational reasons due to insufficient refrigeration space present within existing, something that would largely be addressed through the additional chilled space this application proposes. The applicant has also confirmed that Dunbia has signed up to the Science Based Targets in order to increase sustainability of its operations, meaning it will be company policy to ensure that only electric plug in unit on site moving forwards.

1.10 No arboricultural or ecological concerns have been raised in regards to the proposal.

1.11 The proposed development accords with Policies 1, 3, 9, 10, 17, 22 and 29 of the Core Strategy together with Policies E2, G1, G13, G16 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

## **2. APPLICATION SITE AND SURROUNDING AREA**

2.1 Dunbia Preston Ltd. is a large, established meat processing and distribution facility located to the southern side of Church Road, Bamber Bridge. The application relates to a cluster of buildings within the eastern section of the wider 7.5 hectare site.

2.2 The sections of the site subject to this application comprise of areas of hardstanding between existing buildings and plant, an existing lairage which is to be demolished and existing concrete yard areas.

2.3 Beyond the southern boundary of the Dunbia site is substantial mature landscaping on the northern embankment of the M65 Motorway which continues to wrap around to the west and north-west at the Junction 29 of the M6 Motorway.

2.4 The developed area of the Dunbia site is limited to the north-eastern section of the site, with the western and southern areas of the site remaining open. The site accommodates an abattoir, meat processing, packing and distribution facilities. In line with EU regulations,

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buildings, working areas and roadways which run around the southern extent of the developed area are completely segregated into 'dirty' (animals in) and 'clean' (finished product out) areas.

2.5 A pylon is located in the north-western section of the wider Dunbia site with overhead lines dissecting the site in an east-west direction; a 100m electricity network transmission buffer zone sits either side of the overhead wires.

2.6 730 people are currently employed at the site on a continuous shift pattern.

2.7 The developed section of the wider Dunbia site is allocated under Policy E2 of the South Ribble Local Plan as 'Protection of Employment Areas and Sites' which covers the sections of the site subject to this application, with the exception of a relatively small section (a 20m x 15m triangle) of hardstanding that is previously developed land and used for external storage in the south-eastern corner of the site which is allocated as Green Belt under Policy G1 of the South Ribble Local Plan.

### **3. SITE HISTORY**

3.1 In December 2020 planning permission (07/2020/00771/FUL) was granted for a hide shed.

3.2 Prior to this, in November 2018 planning permission (07/2018/4095/FUL) was granted for the erection of roller racking, 2 high bay pallet stores and detached building to provide a workshop, together with the installation of a car park and control barriers following demolition of a vacant bungalow. This permission has since been part implemented.

3.2 Prior to this the following planning application are recorded on the site:

- 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 (CO<sub>2</sub>, O<sub>2</sub>). Approved July 2004
- 07/2007/0749/FUL - Location of CO<sub>2</sub> 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 Planning permission is sought for the erection of a building to be used as a beef chilling unit and the erection lairage buildings, together with the extension to an existing building and the raising of the roof on an existing refrigeration buildings following the demolition of an existing storage shed and lairage buildings.

4.2 This application marks the third phase in a investment, modernisation and reconfiguration programme which started with planning permission 07/2018/4095/FUL in 2018.



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4.3 The proposed new lairage building takes a rectangular form, measuring 28.5m (width) x 28.5m (depth) x 3-5.5m (height) with a pitched roof. Of this 503sq m building, 150sq m is would be sited on an area of hardstanding outside of the employment area policy designation (i.e. within the small pocket of Green Belt flanked by the M6 and M65 motorways. No part of the building would extend into the grassed area beyond the existing hardstanding used for external storage. The lairage would be constructed with timber slatted cladding on the walls and a grey composite roof. The adjacent existing lairage building, which measures 16m x 40m (640sq m) is to be demolished. The applicant states that the erection of the new lairage building *“will enable the current layout of the Site to be arranged (facilitating the erection of the beef chilling unit) and allow Dunbia to improve its animal handling layouts and procedures (to the benefit of its staff’s health and safety and provide a more appropriate flow of livestock on the Site”*.

4.4 The proposed beef chilling unit building would be sited on an existing area of hardstanding located centrally within the site, surrounded by buildings, and measures 14m (depth) x 45m (width) x 7-9m (height) with a saw tooth roof. The building is to be clad in profile sheets to the match the existing grey on existing buildings. The applicant states the new beef chilling unit will *“enable Dunbia to age their beef for longer, adding quality to the end product and avoiding the need to transport the product off-Site for intermediate storage, before then being delivered back to the retail packing plant for further processing”*.

4.5 The proposed extension to the exiting processing building would be sited on an existing area of hardstanding, infilling a gap present between surrounding building, and measures 26m (width) x 27m (depth) x 7-11m (height) with a pitched roof. The extension is to be clad in profile sheets to the match the existing grey on existing buildings. The application states that the additional processing area will allow beef and lamb to be processed more efficiently which *“will reduce the number of movements off-Site and will both shorten the food chain and reduce the carbon footprint”*.

4.6 Along the northern elevation of built development on the site, facing into the Walton Summit Industrial Estate, a roof lift is proposed to an existing flat roof refrigeration building. The existing 17m (width) x 20m (depth) building, which has a flat roof 3m high, would be raised by 3.5-4.8m with a pitched roof added. All materials are to match that of the existing. The applicant advises that the extension is required to provide additional chilling space.

4.7 Supporting information provided by the applicant asserts:

*“Dunbia has invested over “£20m in the last 2 years on this Site.*

*This scheme is part of that commitment and adds another £15m in investment. This investment secures existing jobs on the Site and will create 100 plus construction jobs that may arise from this phase of investment (100 full time construction staff over 12 months).”*

4.8 The applicant also states that Dunbia are actively working on an energy reduction program through the installation of utility meters and an energy management system combined with heat recovery technologies. They have also signed up to the SBTI (Science Based Targets Initiative).

4.8 The applicant continues to assert:

*“Dunbia’s drive towards increasing the sustainability of its operations also allies with the Revised Framework’s environmental objective. As noted above, the development proposals would rationalise and improve product ‘flow’ across the Site – not only in an operational sense (insofar that the layout would better lend itself to produce moving throughout the Site in a more linear pattern from one stage of the operations to the next) – but also in enabling the cattle within the lairage unit a larger space within close proximity to the undeveloped land*

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*further south of the Site, enabling them to exhibit their natural behaviours in a far more suitable location than current.*

*Moreover, the Application would enable Dunbia to significantly reduce the carbon footprint of its product by enabling their meats to be chilled and refrigerated on Site, rather than being transported off-Site for such a purpose and then relocated back to the Site in order to resume the packaging process. Indeed, that desire to minimise the carbon footprint of produce by reducing the number of traffic movements to and from the Site aligns with the Core Strategy's focus on reducing the need to travel (as outlined at paragraphs 7.5-7.6), further demonstrating the Application's compliance with the Government's environmental objective of sustainable development."*

## **5. REPRESENTATIONS**

5.1 One letter of objection has been received from a residential property located on Reedfield Place. A summary of the points raised follows:

- ❑ Potential for additional noise and smells
- ❑ Potential for additional pollution
- ❑ Noise from parked diesel HGVs through continued and prolonged use of refrigeration units

## **6. CONSULTATION REPLIES**

**County Highways** have raised no objections to the proposal, commenting:

*"I note from the application form that the proposed development will not involve any increase in staff numbers and the application is for modernisation and rationalisation works to support the existing processing plant.*

*It would therefore appear the proposed development will not result in any increase traffic attraction to the site, the site access is of a good standard and there does not appear to be any accidents associated with the existing site use. I am therefore of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site".*

**Environmental Health** have raised no objections to the proposal.

The Local Authority's **Arboriculturist** has raised no objections to the proposal.

The **Environment Agency** have raised no objections to the proposal, highlighting that that new refrigeration equipment will require alteration to the site's existing permit with them.

**United Utilities** have raised no objections to the proposal recommending the imposition of a condition relating to the agreement of drainage details.

**Ecology** have raised no objections subject to the imposition of a condition restricting demolition works during bird nesting season.

## **7. MATERIAL CONSIDERATIONS**

### **Policy Considerations**

#### **7.1 i) NPPF**

7.1.1 In regards to the economy, Paragraph 80 states:

*"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*

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*economic growth and productivity, taking into account both local business needs and wider opportunities for development”.*

7.1.2 Regarding development in the Green Belt, Paragraphs 143-145 state:

*“143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

*145. A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - not have a greater impact on the openness of the Green Belt than the existing development; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”*

## **7.2 ii) Core Strategy Policy Considerations**

7.2.1 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.

7.2.2 Policy 3 is entitled ‘Travel’ and seeks to plan to reduce the need to travel.

7.2.3 Policy 10 of the Core Strategy is entitled ‘Employment Premises and Sites’ and highlights the need to protect sites last used and allocated for employment for future employments use.

7.2.4 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 Policy G17 in the South Ribble Local Plan.

## **7.3 iii) South Ribble Local Plan (2012-2026)**

7.3.1 The developed section of the wider Dunbia site is allocated under Policy E2 of the South Ribble Local Plan as ‘Protection of Employment Areas and Sites’ which covers the sections of the site subject to this application, with the exception of a relatively small section (a 20m x 15m triangle) of hardstanding that is previously developed land and used for

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external storage in the south-eastern corner of the site which is allocated as Green Belt under Policy G1 of the South Ribble Local Plan.

7.3.2 Policy E2 seeks to protect land for employment uses to support the local economy “*by ensuring there are jobs for local people and to attract commuters from outside the borough*”. The development proposed within the areas of the site subject to Policy E2, which accounts for the vast majority of the proposal, accords with the requirements of Policy E2 with the modernisation and rationalisation programme giving security to the existing 730 jobs at Dunbia.

7.3.3 The policy relating to development in the Green Belt, Policy G1, confirms that inappropriate development within the Green Belt is, by definition, harmful to the Green Belt with planning permission only to be given if certain criteria are met or unless very special circumstances exist. The list of exceptions is broadly the same as stated previously in Paragraph 145 of the NPPF.

7.3.4 The development would be seen against the backdrop of the large buildings that make-up the Dunbia site, with the section of Green Belt trapped between the M6 and M65 Motorways with no views into the site as a consequent of dense, mature landscaping on the embankments along the Motorways. It could be argued, and is the view of Officers, that the proposed replacement lairage building which would, in part, be sited on an area of hardstanding used for external storage (i.e. previously developed land) that is allocated as Green Belt would not have a greater impact on the openness of the Green Belt given the relatively small area of land in question (a 20m x 15m triangle piece of land) and the context of the site and surroundings. However if the Planning Committee are of the opinion that section of the proposed replacement lairage building within the Green Belt would have a greater impact on the openness of the Green Belt arguments for ‘very special circumstances’ exist for why the proposed development is acceptable as per Paragraphs 143-144 of the NPPF, namely:

1. The proposed building is a form of development that would be expected to receive support for enhancing the livestock accommodation associated with an important business and an important local employer
2. There is no scope for the whole building to be accommodated within the built-up area of the site that is allocated as an employment site
3. To pursue an off-site option would lead to additional costs that would impact on the profitability of the business and would increase local traffic movements and pollution to the detriment of local residents and the wider community

7.3.5 It is acknowledged that the Dunbia Preston Ltd is big local employer, with 730 people employed on site and many more jobs supported indirectly in other businesses off-site. It is also acknowledged that the company has invested very heavily in the site (£20 million in the last 5 years and the commitment to invest a further £15m as part of this phase of redevelopment). The proposed development retains the current business efficiency of having all processes on-site, which in turns safeguards jobs. This would need to be afforded weight in the planning balance.

7.3.6 It would also need to be considered that the refusal of this application as a consequence of the small section of the lairage building within the Green Belt would force the applicant to explore off-site options to satisfy elements of the process. Should the applicant be required to proceed with an off-site premises this would inevitably result in an increase in heavy goods traffic on the local highway network as unfinished product would be required to be transported from the Dunbia together with the return traffic to the Dunbia site. The resultant highway and air quality impacts would need to be given consideration by Members.

7.3.7 The dense screening and embankments along the sides of the M65 and M6 Motorways, together with the existing woodland on site adjacent to Junction 29 of the M6

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Motorway, means that the proposed development would not be visible from anywhere outside of the site, with the planting of a further 400-800 trees secured through planning permission 07/2020/00771/FUL on the 0.3 hectare parcel of land immediately to the south.

7.3.8 It is the Officers view should Members be of the opinion that section of the proposed replacement lairage building within the Green Belt would have a greater impact on the openness of the Green Belt the aforementioned economic, environmental and ecological benefits of the proposal clearly outweigh the identified harm to the Green Belt by reason of inappropriateness, and any other harm. 'Very special circumstances' would therefore be considered present to justify the proposed development in the Green Belt (as per Paragraphs 143-144 of the NPPF).

## **7.4 Character / Appearance**

7.4.1 Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan, sets out design criteria for new development and requires development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity (plot coverage).

7.4.2 In consideration of the above, the local distinctiveness and character of the local area have been assessed. The site and land to the north are industrial in character, with the Walton Summit Industrial Estate extending northwards. A small pocket of grassland is present to the south which is bounded by the M6 and M65 Motorways. The proposed development within central sections of the build development has been designed to replicate surrounding buildings. The proposed new lairage buildings, which is in part to be sited on a section of previously development land within the Green Belt, would be of an appearance indistinguishable from agricultural buildings commonly found on farms in the Green Belt and other semi-rural/rural areas.

7.4.3 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, with the proposed buildings and extensions on the site are not considered to be out of character with the surrounding area. The proposed development will also not result in the overdevelopment of the site.

## **7.5 Relationship to Neighbours**

7.5.1 A minimum distance of 240m would be present from the proposed development to residential properties on Reedfield Place to the north-west, with the A6 (Church Road) intervening.

7.5.2 This distances is considered to be acceptable, with the proposed development not considered to result in undue overlooking / loss of privacy or overdominance / overshadowing.

## **7.6 Highway Issues**

7.6.1 The proposed development would not result in any additional traffic to and from the site, other than during construction traffic, with the processes already taking place on the site.

7.6.2 County Highways have raised no objections to the proposal confirming that the development should have a *"negligible impact on highway safety and highway capacity within the immediate vicinity of the site."*

## **7.7 Noise / Disturbance / Pollution**

7.7.1 Concern has been raised by an objector as to the potential for noise, smells and additional pollution resulting from the proposed development. The application however is not one of expansion but the modernisation and rationalisation of existing processes on the site. With no additional traffic, modern buildings and streamlined processes on the site a

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significant reduction in carbon footprint is anticipated. Environmental Health also have raised no objections to the proposal.

7.7.2 An objector has highlighted a condition on an historic permission on site, which requires all lorries parked on the site to be connected to electric hook-ups, which is alleged to be continually breached. The applicant has previously said this has been necessary for operational reasons due to insufficient refrigeration space present within existing, something that would largely be addressed through the additional chilled space this application proposes. The applicant has also confirmed that Dunbia has signed up to the Science Based Targets in order to increase sustainability of its operations, meaning it will be company policy to ensure that only electric plug in unit on site moving forwards.

## **7.8 Trees / Ecology**

7.8.1 No arboricultural or ecological concerns have been raised in regards to the proposal.

## **8. CONCLUSION**

8.1 The proposed development accords with the requirements of Policy E2, with Officers also being of the view that the small section of development proposed on 'previously developed land' within the Green Belt also according to the requirements of Policy G1 in the South Ribble Local Plan. However should Members be of the opinion that section of the proposed replacement lairage building within the Green Belt would have a greater impact on the openness of the Green Belt it is the view of Officers that the aforementioned economic, environmental and ecological benefits of the proposal clearly outweigh the identified harm to the Green Belt by reason of inappropriateness, and any other harm. 'Very special circumstances' would therefore be considered present to justify the proposed development in the Green Belt (as per Paragraphs 143-144 of the NPPF).

8.2 The proposed development will not have a detrimental impact on the character and appearance of the area or the amenity of residential properties, the closest of which are 240m from the sections of the site to which the proposal relates. There are no highway safety or, arboricultural ecological concerns.

8.3 The proposed development accords with Policies 1, 3, 9, 10, 17, 22 and 29 of the Core Strategy together with Policies E2, G1, G13, G16 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans ref. 'Preston2021-DMG-P-002' (Site Plan), 'Preston2021-DMG-P-003' (Site Phase Plan), 'Preston2021-DMG-P-005' (Proposed Ground Floor Plan), 'Preston2021-DMG-P-006' (Propose First Floor Plan), 'Preston2021-DMG-P-007' (Proposed Roof Plan) and 'Preston2021-DMG-P-008' (Proposed Lairage Plan).

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REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G1 of the South Ribble Local Plan (2012-2026).

3. 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: 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

4. 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

5. 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

6. 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

7. Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.

Reason: In the interests of the amenity and to safeguard the living conditions of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

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## **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)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 29 Water Management (Core Strategy Policy)**
  
- POLE2 Protection of Employment Areas and Sites**
- POLG1 Green Belt**
- POLG13 Trees, Woodlands and Development**
- POLG16 Biodiversity and Nature Conservation**
- POLG17 Design Criteria for New Development**

**NPPF National Planning Policy Framework**

### **Note:**

1. The current permit EPR reference WP3338UP already includes refrigeration activities (see Schedule 1 Table 1.1 Activity AR6). The proposed new development will require alterations to the existing permit. The new refrigeration equipment should be operated in accordance with the Safe Management of Ammonia Refrigeration Systems (SMARS) and will require the site permit plan in Schedule 7 to be updated. The applicant should liaise with the Environment Agency with regards to this administrative variation.

The applicant should also utilise the lowest noise level refrigeration equipment possible such as; compressors, condensers and cooling towers to minimise noise transmission to sensitive receptors. Suitable mitigation should be placed around compressors and condensers to prevent noise becoming an issue at sensitive receptors close to the proposed alterations on site. The applicant should also complete a noise monitoring assessment in accordance with BS4142 following completion of the new building. This is to ensure that the noise modelling they have already completed is correct once the alterations are made.



# Agenda Item 9

**Application Number** 07/2021/01246/FUL

**Applicant** AB Inbev UK Ltd  
Cuerdale Lane  
Samlesbury  
Preston  
Lancashire  
PR5 0XD

**Agent** Mr Dominic Page  
Gerald Eve LLP

**Development** Erection of tented warehouse comprising 2,560 m<sup>2</sup> for the storage and distribution of drinks products (Use Class B8), canopy over loading bay (434 m<sup>2</sup>) and associated works.

**Officer Recommendation** **Approval with Conditions**

**Officer Name** **Mrs Debbie Roberts**

Date application valid 10.12.2021  
Target Determination Date 11.03.2022  
Extension of Time None



# Agenda Item 9

## 1. Report Summary

1.1. AB Inbev is an established commercial facility (2.25ha) located north of Cuerdale Lane, Samlesbury. The application refers to an area of land in the south-western site corner.

1.2. This application seeks permission to erect a tented storage warehouse (use class B8), canopy over loading bay and associated works.

1.3. Following full consultation neighbour representation has not been made. Statutory consultee comments are addressed either by amendment of the proposal, or by condition.

1.4. There should be no undue impact on residential amenity, the character and appearance of the area, highways safety or the free flow of traffic. The site is allocated in the Local Plan as Green Belt (Policy G1), and the proposal is considered policy compliant – see detailed policy discussion below. On balance therefore the proposal is recommended for approval subject to imposition of conditions.

## 2. Application Site and Surrounding Area

2.1. AB Inbev is an established, 2.25ha commercial facility located on Cuerdale Lane, Samlesbury, and bound on all sides by deep tracts of open land. The frontage is currently under construction as a HGV holding facility, but otherwise views into the site are screened by woodland.

2.2. The site was previously allocated as a major developed site (Whitbread Brewery) which presumed towards development. In the current Local Plan it is designated as Green Belt (Policy G1).

## 3. Site Context / Planning History

3.1. There are around 85 planning applications on the sites history; of most relevance are:

- ② 07/2012/0106/FUL - Two storage units either side of current storage building (total 4,350 sq m), formation of hardstanding, realignment of security boundary fencing and formation of re-profiled bunds. Approved 3<sup>rd</sup> May 2012.
- ② 07/2012/0515/NMA - Amendment to 07/2012/0106/FUL – widened internal access road and landscape bund, and associated works. Approved September 2012
- ② 07/2016/0782/FUL – New HGV holding area, main access, new staff car park access, additional car parking and associated works. App October 2016
- ② 07/2020/01062/FUL - Tented storage warehouse (Class B8), HGV hardstanding, widened internal site road, yard areas, and associated works. Approved April 2021

## 4. Proposal

4.1. The application is for erection of tented warehouse (2,560 m<sup>2</sup>) for storage/distribution of drink products (Use Class B8), canopy over loading bay (434 m<sup>2</sup>) and associated works.

4.2. The building would be constructed in brown profiled steel with a white PVC roof. It would be 84.4m long x 30m wide, with a pitched roof measuring 10.4m high; eaves would stand at 6.4m. On the eastern side alongside the existing roadway would be a 28m x 15m open sided canopied loading bay. Both structures would be constructed to match existing tented stores

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5. An Armco barrier would be installed between the road and loading bay. Existing tanks and lampposts would be relocated, and adjacent hardstanding extended by 43m..

5.1. The proposal would not disrupt traffic flow but does reduce parking by 20 HGV spaces. These however have been relocated to the HGV parking facility which is under construction.

5.2. Wider site landscaping already has approval but would be supplemented to account for minor grass verge loss on the south-west corner.

## 6. Summary of Supporting Documents

6.1. The application is accompanied by the suite of documents noted as condition 2

## 7. Representations

### 7.1. Summary of Publicity

7.1.1. One site notice has been posted, and eleven neighbouring properties consulted. Ward Councillors Yates and Mullineaux have also been notified.

### 7.2. Letters of Objection or Support

7.2.1. None received

### 7.3. Town/Parish Council Response

7.3.1. **Samlesbury and Cuerdale Parish Council** have not commented

## 8. Summary of Responses

8.1. **South Ribble's Ecology Consultant** confirms that accompanying surveys identified no significant ecological issues. Issues relating to bats, amphibians, nesting birds and biodiversity enhancement measures can be resolved via condition and or informative. Biodiversity mitigation proposed is also acceptable.

8.2. **South Ribble Environmental Health** has no comment to make. To ensure consistency across previous applications construction management conditions would be imposed.

8.3. **United Utilities** has no objection subject to condition but offers advice with regards to drainage principles which has been included as an informative note. **LLFA also** has no objection to the proposed development subject to the inclusion of conditions. UU and LLFA conditions have been combined

8.4. **LCC Archaeology** do not consider there to be an archaeology requirement on this part of the site.

8.5. **Arborist** - No objections as tree loss is to be mitigated by woodland planting east of the proposed site in addition to landscape management from a previous permission. A tree protection condition is requested

8.6. **LCC Highways** - no objections to this application which should have a negligible impact on highway safety, will not see increased employment on site or a major impact on the highway network.

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## 9. **Material Considerations**

### 9.1. **Site Allocation Policy**

9.1.1. The site is designated as Green Belt by Local Plan Policy G1. Both National Planning Policy Framework (NPPF) and Policy G1 state a need for strict development control and a general presumption against inappropriate development in green belt areas unless there are very special circumstances. There are exceptions to this however, one of which is *'limited infilling or partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use which would not have a greater impact on the openness of the green belt'*

9.1.2. Policy G1 also includes a caveat which states that *'there are a number of major developed employment sites within the green belt. These sites can be developed within their curtilage and... should continue to secure jobs and prosperity'*

9.1.3. In terms of Green Belt development this proposal benefits from exemption by virtue of its status as previously developed land, and proposed development is unlikely to impact on Green belt openness more than the current situation. The proposed storage building would infill an area already in operational use, within the confines of an established site, and although alterations to landscaped bunding are needed to facilitate the wider development, these also are within the operational boundary.

### 9.2. **Additional Policy Background**

Additional policy of marked relevance is as follows:

#### **9.2.1. Economic Policy**

□ NPPF (Para 11) provides a presumption in favour of sustainable economic growth and development. Chapter 6 (Building a strong and competitive economy) also commits to securing growth, job creation and prosperity in order to meet global challenges whilst Para 81 ensures that the planning system does everything it can to support sustainable economic growth.

□ 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'*

#### **9.2.2. Highways/Transport Policy**

□ NPPF Chapter 9 (Promoting sustainable transport) states that *'developments should allow for the efficient delivery of goods, and access by service and emergency vehicles' ... 'in safe accessible locations'* (Para 110) and should *'provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy (Para 104e)*. Core Strategy

#### **9.2.3. Design Policy**

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

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## **9.2.4. Environmental Protection Policy**

□ NPPF Chapter 15 (Natural Environment), Core Strategy 29 (Water Management) and Local Plan G16 (Biodiversity/Nature Conservation) seek to conserve and enhance the natural environment, reduce flood risk 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.

## **9.3. Other Material Considerations**

### **9.3.1. Area Character and Economic Protection**

□ This proposal relates well to neighbouring buildings and the extended locality, and is of relevant design with appropriate landscaping. Car parking has been relocated to a partially constructed HGV park at the rear, and as such should not impact on the highway or wider site.

□ Adopted national and local planning policy aims to preserve existing employment sites, providing 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, provides significant employment and helps to support the local economy, proposed changes which benefit the business's long-term future should be offered considerable weight in the planning balance.

□ Despite its Green Belt location the proposal does comply with Green belt policy, and although proposed changes would be significant, they would not be excessive in the context of this large industrial site.

### **9.3.2. Impact Upon Neighbouring Properties**

□ The closest residential properties facing are a pair of dwellings on Vicarage Lane, Roacher Hall and Cowells Farm (120m 200m and 160m respectively); more than acceptable separation when taking into account existing and proposed landscape screening and the sites current use. Other properties within similar distance are screened by the brewery buildings and would not be affected.

### **9.3.3. Natural Environment, Ecology and Ground Conditions**

□ Potential impact upon the natural environment is well documented, and subject to conditions none of the relevant consultees object

## **10. Conclusion**

10.1. AB Inbev is an established, but well screened commercial facility with only sporadically placed neighbours of adequate spatial separation. Although the facility is designated as a Green Belt site it has for many years been an employment site.

10.2. Green Belt policy seeks to protect land from inappropriate development, but includes exceptions to the rule, or permits the applicant to demonstrate that very special circumstances exist which allow for non-conforming development. It is considered that this proposal has exemption from Green belt restriction and as such does not need to demonstrate that there are very special circumstances

10.3. Proposed development would not impact negatively on the amenity of neighbouring properties, the character and appearance, water management or nature conservation of the area, or highways safety and the free flow of traffic. It has been fully assessed by the

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Councils statutory consultees as acceptable subject to conditions. On balance therefore, and taking into account the above discussion, the proposal is considered to be policy compliant and is recommended for **approval subject to imposition of conditions**.

## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:  
Covering letter DPA/JFAR/U0017575 (Gerald Eve)  
Drainage strategy layout (Y21038-200/P1: Patrick Parsons)  
Drainage specifications (Y21038/1 Micro Drainage)  
Drainage technical report (20.1.22 Patrick Parsons)  
Storm Sewer Design 1.8.21  
Existing/proposed sections (Y21038-903/P1: Patrick Parsons)  
Existing site plan (Y21038-901/P1: Patrick Parsons)  
Existing site drainage (Y21038-202/P1: Patrick Parsons)  
Heritage assessment (Nov 21: buttress)  
Landscape strategy plan (10217/P34 Tyler Grange)  
Lighting layout ((Y21038-906/P2: Patrick Parsons)  
Preliminary ecological appraisal 910217-R014-NB-CW 18.11.21 Tyler Grange)  
Proposed elevations (Y21038-905/P1: Patrick Parsons)  
Proposed site plan (Y21038-904/P1: Patrick Parsons)  
Phase I site appraisal (Y21038/DTS/Rev 0 Oct 21 Patrick Parsons)  
Phase II site appraisal (Y21038/GIR/Rev 0 Nov 21 Patrick Parsons)  
Location plan (Y21038-900 Rev P1: Patrick Parsons)  
Arboricultural Impact Assessment (10217-R013/JJ/CW Nov 21 Tyler Grange)  
Acoustic Planning Report (Lighthouse Acoustics Ref 0121/APR4 Rev 1 (Lighthouse)  
Planning Statement/Design & Access Statement (DPA/JFAR/U0017575 Nov 21 Gerald Eve)  
Topographical survey ((Y21038-902/P1: Patrick Parsons)  
Transport statement (Nov 21 Peter Evans Partnership)  
Invasive Species Report (IWM Rev B)  
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. For the full period of construction / site clearance facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.  
Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.
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 in the Tree Protection Plan which has been agreed by the local

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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 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

5. 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
6. 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
7. The development shall be carried out in accordance with the details contained in the approved Preliminary Ecological Appraisal, Tyler Grange report (10217\_RO14\_NB\_CW Section 4.14 ) as agreed with the planning application.  
REASON: To ensure adequate provision is made for protected species in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
8. 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
9. 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
10. 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

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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

11. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing Y21038-200, Rev P2 - Dated 27.10.21 which was prepared by Patrick Parsons. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Core Strategy Policy 29

12. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the sustainable drainage strategy drawing Y21038 - 200 Rev.P1 and drainage report summary produced on 20/01/2022.

The measures shall be fully implemented prior to the first use of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance, Policy 17 of the Central Lancashire Core Strategy and Defra Technical Standards for Sustainable Drainage Systems.

13. No development shall commence (except site set-up and tree felling works) until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change) for the whole site, including all existing and proposed surface water drainage systems.

b) Where existing on site surface water drainage systems are to be reused, evidence is required to confirm that these systems are in sufficient condition to accept additional surface water runoff generated from the development.

c) Final sustainable drainage plans appropriately labelled to include, as a minimum:

i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;

ii. Surface water sustainable drainage layout plan showing all pipe and structure references, dimensions and design levels, to include all existing and proposed surface water drainage systems up to and including the final outfall;

iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;



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iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;  
v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;

i vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;

ii vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure before development commences that satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. No development (except site set-up and tree felling works) shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the local planning authority.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure before development commences that the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the NPPF.

15. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

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## **RELEVANT POLICY**

### **NPPF National Planning Policy Framework**

#### **Central Lancashire Core Strategy**

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

#### **South Ribble Local Plan**

- E2 Protection of Employment Areas and Sites
- 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](http://www.southribble.gov.uk)
  2. United Utilities Note 1: Not all public sewers are shown on the statutory utility records. The applicant should be made aware that the proposed development may fall within the required access strip of a public sewer and make contact with a Building Control body at an early stage. South Ribble Building Control can be contacted on 01772 625420
  3. The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, Wild Mammal (Protection) Act 1996 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species, or to inflict unnecessary suffering to wild animals. The work hereby granted does not override the statutory protection afforded to these species or provide defence against prosecution under this act, and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species
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# Agenda Item 10

**Application Number** 07/2021/01163/FUL

**Address** Old Mill Industrial Estates, School Lane, Bamber Bridge

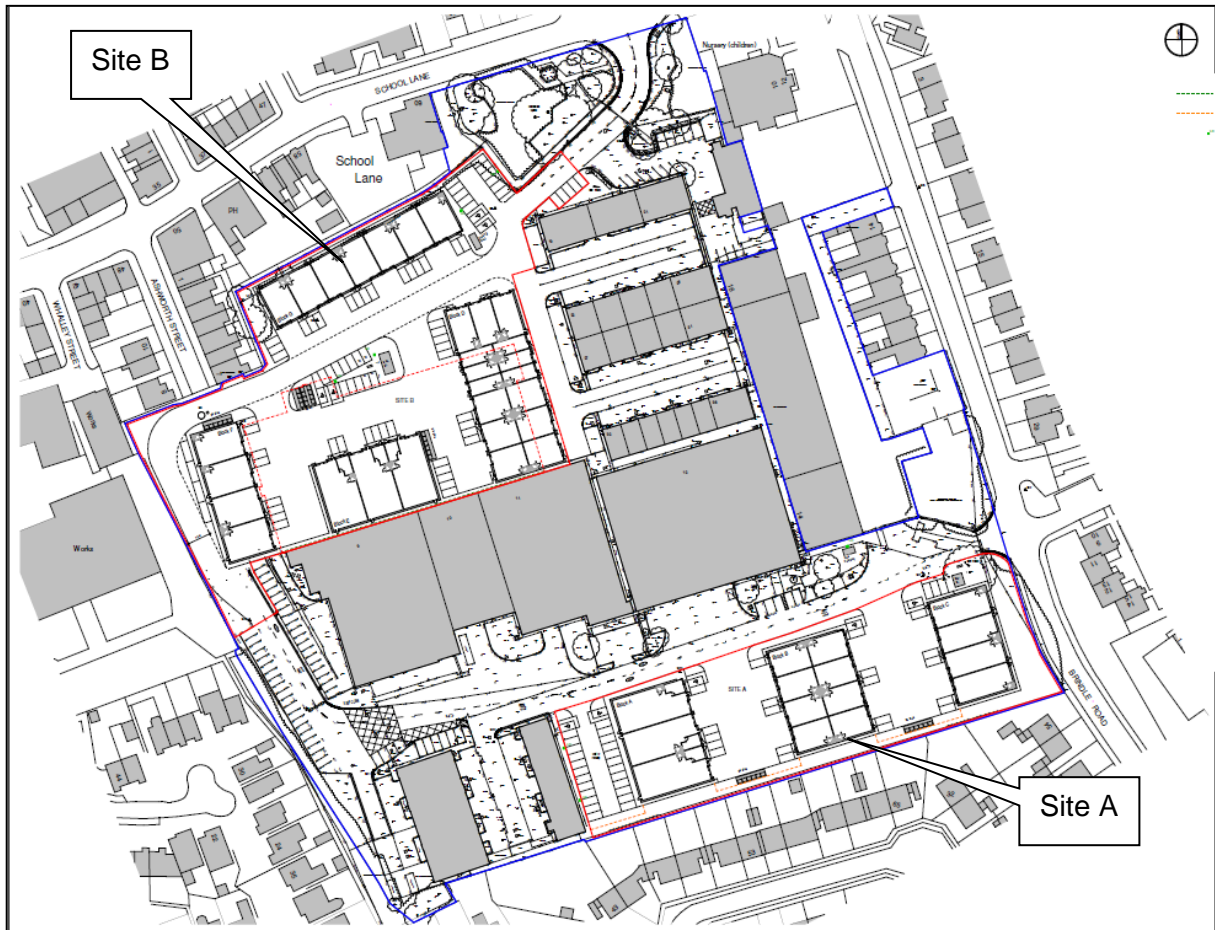
**Applicant** Stenprop Industrials 6 Ltd

**Agent** Mr Mark Aylward  
Aylward Town Planning Ltd  
Unit 16 Tamewater Court  
Dobcross  
Oldham, OL3 5GD

**Development** Erection of 7 blocks for employment use, parking, landscaping, substations and ancillary works following demolition of existing structures.

**Officer Recommendation** That Members are minded to approve the application, and that the decision is delegated to the Director of Planning & Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of statutory consultation and a S106 legal agreement to secure a biodiversity enhancement contribution

Date application valid 15.11.2021  
Target Determination Date 14.02.2021  
Extension of Time None



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## **1. Report Summary**

1.1. The application relates to The Old Mill Industrial Estate off School Lane and Brindle Road, Bamber Bridge. The site is designated as existing employment by Policy E2 of the South Ribble Local Plan.

1.2. The proposal seeks permission to erect 7 blocks for employment use (generic B1, B2 and B8 use class), parking, landscaping, substations and ancillary works following demolition of existing structures. Some loss of hedgerow and low-value habitat (grass verge/bund) would be necessary but a financial contribution to provide off-site mitigation would be secured by legal agreement.

1.3. In response to publicity 1 objection letter has been received. Comments have been taken into account and the scheme adjusted accordingly. Statutory consultee comments have also been dealt with either by amendment of the scheme or by condition

1.4. Measures to secure the southern boundary have been provided for, but specialist staff absence leaves Environmental Health unable to assess the schemes final version relating to acoustic screening. All other measures are acceptable to EH. In policy, design and spatial separation terms however the proposal is otherwise considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the decision is delegated to the Director of Planning & Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of consultation with Environmental Health's noise specialist and a legal agreement to secure a biodiversity enhancement contribution.

## **2. Application Site and Surrounding Area**

2.1. The application refers to the Old Mill Industrial Estate, off School Lane and Brindle Road, Bamber Bridge. The site has been in industrial use since at least the 1940's.

2.2. To the north are residential, commercial and retail properties on School Lane and Ashworth Street, and east are dwellings and a pre-school nursery off Brindle Road. West is Rainsford Timber, its partially constructed building and residential on Skipton Close, and south are dwellings; the closest to the southern site section being Collins Road North and The Crescent. Currently the industrial estate has gated access from priority junctions on both School Lane and Brindle Road

2.3. Within the site are several blocks of commercial/industrial units in a range of sizes. Some are older – units 1-7 along the northern edge is a block of large units in the worst condition – whilst others are more modern, smaller and more uniform in size; the latter are set to remain. Along the southern edge is a deep, grass mound – the subject of previous approval for storage of 166 self-storage units (ref 07/2008/0460), and there are a number of communal parking areas around the site. The outer site boundary is secured by metal fencing.

2.4. The site is within flood zone 1 (least likely to flood), and there are no public rights of way or tree preservation orders on or surrounding the site. An Air Quality Management Area lies 600m south west on Station Road

2.5. The site is designated as existing employment area by Local Plan Policy E2.

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## 3. Site Context / Planning History

3.1. There are around 30 planning applications on the sites history. The ones which relate directly to the two development areas are:

- 07/1982/0214 – 20 Advanced factory units. Approved May 1982
- 07/1983/0235 – Change of use of unit 2 to special industrial class. Approved April 1983
- 07/2004/0394 – Change from carpentry business to play centre. Approved May 2004
- 07/2008/0460 – Siting of 166 self-storage units (Southern section). Approved Nov 2007

## 4. **Proposal**

4.1. The applicant seeks permission for erection of 7 blocks for employment use, parking, landscaping, substations and ancillary works following demolition of existing structures.

4.2. The application site takes two parts; a grass verge along the south-eastern site boundary (Site A for the purposes of this report) and the north-west site section which houses a square block of 7 units, parking and circulatory road space (Site B). Existing units are at least 40m from properties in the north. The south-west, centre and eastern parts of the site (units 9 thru 52) would remain and would not be affected by development.

4.3. The area vacated by demolition of units 1-7 buildings and car park would be approximately 3700m<sup>2</sup>. The proposal as detailed below would result in 1860m<sup>2</sup> including new terraced buildings, yard and parking areas on this area, whilst development of the grass verge would result in an additional 1625m<sup>2</sup> with roughly 50% yard coverage.

4.4. The proposal would provide multi-let industrial units ranging from 45m<sup>2</sup> and 235m<sup>2</sup> floorspace, which maximises the developable area whilst retaining functionality of the existing units which are to be retained

Site A: This area comprises a deep, raised grass verge whose long sides are level with the adjacent road (north) and site boundary (south). 3 no: commercial terraces comprising in total 15 units would be constructed towards the western side with a small car park west of Block A. Allocated parking is also proposed outside each unit.

Block A would measure 31m x 23m and would house 3 separate units. Block B would measure 24m x 32m whilst Block C would have an 18.5m x 22m footprint. Each would be designed as per Block A with 8 and 4 units respectively. The existing estate road would pass between these properties and retained units in the north.

Site B: Units 1 and 7 which form one 'square' of commercial space with service, access and parking areas would be demolished and replaced with 4 commercial terraces comprising 29 units. Independent and communal parking areas are also identified

Block D (3 units) would have a footprint of 22m x 57m and would be located on the eastern side of Site B. Block E would measure 22m x 34m, would have 3 units and backs onto Units 9 and 10 in the site centre, whilst Block F (4 units) would be located on the western side, and would have a footprint of 15m x 50m. Block G (13.5m x 62m - 7 units) would abut the northern site boundary. The estate road from School Lane would run between the blocks to connect to the existing egress onto Brindle Road.

All units would have either pitched or mono-pitched roof measuring between 6.5m and 9m with eaves between 5m and 7m. Walls and rooves would be constructed in Goosewing and Basalt Grey cladding, in addition to yellow door trims and signage. A detailed materials schedule has been provided

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4.5. *Substations/Waste Storage* -two small, green sub stations are proposed – one in the south-eastern corner adjacent Block C, with the second being central to Site B at the corner of the communal parking area. Communal bin stores are also proposed to the side of each terrace of units. Site A' substation would be 3.1m x 3.7m with a 2.5m flat roof. The one proposed for Site B would be 6.6m x 3.3m with a 2.7m

4.6. *Access /Highways* – Access would be retained into the wider site from both School Lane and Brindle Road. Drawings provided show that 16.5m articulated HGV and 10m rigid vehicles can manoeuvre around the site when entering from School Lane and exiting from Brindle Road. 10m rigid vehicles can also reverse closely to proposed buildings for easy loading and unloading.

4.7. *Parking* - 160 spaces would be displaced to allow for development, but 132 would be reinstated; a shortfall of 28 spaces. That being said proposed parking as detailed below would still exceed the average policy requirement for B2 (general industry)/B8 (storage and distribution) uses (1 space per 73m<sup>2</sup> floor area) by offering 1 space per 40m<sup>2</sup> , with 7% DDA compliant spaces (5% is standard). The adopted cycle storage standard for this site would be 12 spaces; this proposal offers 20.

Location	Spaces	Including DDA Compliant	Electric Charging Points	Cycle Spaces
Block A	6	1		
Block B	11	1		8
Block C	9	1		
Block D	9			
Block E	11			
Block F	8			
Block G	16			12
<i>General Use (total 62)</i>				
West of Block A (designated parking for Unit 12)	26	2		
Land between Blocks E & G	14	2	4	
West of Block F	4			
East of Block G	13	2		
Behind Units 19 & 20	5			
	<b>132</b>	<b>9</b>	<b>4</b>	<b>20</b>

4.8. *Landscaping/ Boundary Treatments* - Both Site A and B would include some soft landscaping, with concrete paving and tarmac walkways and car parking. Fencing as existing would be retained, but a short retaining wall is proposed along the south-eastern side between Block C and Brindle Road. A raised, 8m – 10m deep grass verge would be retained between Brindle Road and Block C which is approximately 700mm lower than the elevated but tree lined/screened highway. Acoustic fencing is also proposed to the rear of all units on Site A, but this does not form the entire site boundary with residential properties to the south, and should not be overtly oppressive.

4.9. *Flood Risk/Drainage* – Accompanying Flood Risk Assessments class the site as a Flood Zone 1 'brownfield' site with surface and foul water drainage serving existing and neighbouring sites. A culverted watercourse or highway drain however runs through the northern part of the site and will require diverting.

Site A – CCTV survey finds that drains near to Site A are shallow and mostly in a state of disrepair. It is proposed therefore to collect waste water and discharge via new, below

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ground drainage network which then discharges to the nearest public combined sewer on Brindle Road.

Site B – The existing surface water culvert would be diverted to run parallel to the proposed building. Having regard to the NPPF hierarchy of water management therefore, surface water would be discharged at the pre-developed Greenfield runoff rate via connection to the diverted watercourse. Surface water from hardstanding areas on Site B would be directed to a new drainage system which includes attenuation storage and diverted via permeable paving. Waste water would be diverted to the public sewer on School Lane.

## 5. Summary of Supporting Documents

5.1. The application is accompanied by the suite of documents referenced in condition 2 below

## 6. Representations

### 6.1. Summary of Publicity

6.1.1. Site and newspaper notices have been posted, and 147 neighbouring properties consulted. Ward Councillor Higgins and Hunter have also been notified

### 6.2. Letters of Objection or Support

6.2.1. One letter of objection received.

### 6.3. *In Objection*

#### Residential Amenity

- Existing noise issues exacerbated
- Bin stores adjacent to southern boundary will be too close to residential
- Smells from bins of unknown tenants in close proximity to residential
- Impact on residents mental and physical health
- Loss of living conditions in respect of garden space

#### Other

- Noise impact report has not been done during peak trading hours
- Acoustic barriers won't work – 'management controls' suggested by applicant imply that barriers aren't good enough

## 7. Summary of Responses

7.1. South Ribble **Arborist** – The Arboricultural Impact Assessment (AIA) identified 23 trees, 5 tree groups, 1 hedge and 1 woodland on and around the site. The AIA notes removal of 5 individual and 3 group trees (Cat B & C) and 1 hedge. The removal of G5, which comprises early mature trees plus substantial understory and offers amenity and biodiversity benefits to the local area require mitigation in addition to hedgerow compensation. The original landscape plan only identified 'new soft landscaping to specialist details' as mitigation. As this resulted in a net biodiversity loss a revised landscaping plan has since been provided which identifies replacement trees as requested. The Councils Arborist is now satisfied with this proposal subject to tree protection and installation conditions

7.2. **Cadent Gas** have no objection but requests an informative note re: protection of Cadent Assets

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7.3. **Lancashire County Council Highways** - The application which is supported by Transport Assessment (TA – Curtins 11.11.21) results in 1587sqm of additional gross internal floorspace, but also reduction of on-site parking from 384 to 356 spaces (loss of 28). The TA includes assessment of highway impacts of the proposed development, and indicates a small increase in traffic in both peak hours – an AM increase of 5 two-way vehicular trips and PM increase of 4 two-way trips; equating to one vehicle per 10 minutes (AM peak) and per 15 minutes (PM peak). The TA concludes that the surrounding highway network is sufficient to accommodate this additional traffic and would not experience any adverse traffic impacts resulting from proposed development.

This long-established business park is in a sustainable location close to public transport and with good pedestrian and cycle links to surrounding residential areas for employees. There are no recorded personal injury incidents within the vicinity of either of the site accesses for the last 5 years.

Proposed development will result in a slight increase of traffic to the site, however site access points are of a good standard and there does not appear to be any accidents associated with the existing site use. LCC therefore feels that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. LCC Highways has no objections subject to conditions relating to construction management

7.4. **Lancashire Constabulary** note the applicants Crime Impact Statement (CIS) which includes proposed security measures designed in at the planning stage. The CIS includes details supported by Lancashire Constabulary Designing Out Crime Officers, but the applicant is asked to review and consider the Secured by Design (SBD) Commercial Design Guide and apply for Secured by Design certification for the development. This information has been passed to the applicant but is outside of the remit of this decision.

7.5. **Ecology Consultant** - accompanying surveys note that there are no records of Great Crested Newts within 1km of the site, and as there are no waterbodies within 250m the presence of GCN can be reasonably discounted. The same is true of otter, water vole and other water-based species. Site buildings have moderate bat roost potential but during nocturnal surveys no bats were identified emerging from or re-entering the building. No further surveys therefore are required prior to demolition. Bat boxes would enhance the site. Dense site edge scrub is suitable for hedgehog and breeding birds but could be protected by condition and mitigatory roosts. Cotoneaster (invasive species) was noted along the northern site boundary; a condition for its removal/management is recommended. The Councils ecologist concurs with these findings but recommends precautionary conditions relating to protected species, badger setts, nesting birds, invasive species management, and hedgehog protection. They also request biodiversity gain to be demonstrated prior to determination. The revised landscaping plan shows considerable loss of hedgerow and general habitat, although replacement trees are now provided for. This amounts to a net loss calculated at 2.05 habitat units. It is not feasible for this quantity of additional habitat to be provided on an employment site without compromising the developments ability to deliver new jobs and investment in Bamber Bridge; such a requirement reduces the scheme to an almost unviable level. In addition to tree planting however the applicant has agreed to provide an off-site financial contribution of £20,500 (2.05 habitat units at £10k per unit) towards environmental upgrade of ponds and the natural environment at Withy Grove Park. The Councils ecologist confirms that this amount is sufficient to meet current guidelines, and the amount would be secured by S106 agreement.

7.6. **Economic Development** support development of new units, and as smaller units are in demand ED have no comments to make. ED is happy with a condition to provide the Employment & Skills Plan but ask that the condition notes Employment & Skills plans for both the construction and for the end users. ED also offer their assistance to the applicant in



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implementing the plans. The applicant is willing to provide the forecast for the construction element, but would find it difficult to do so for end users where those end users are as yet unknown. Discussions will be ongoing to this effect.

**7.7. Environment Agency** - the site's previous mill complex use presents a high contamination risk that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a major/principal aquifer. In light of this proposed development will be acceptable if a planning condition is included requiring submission of a remediation strategy. EA have also reviewed accompanying site investigation reports and request that informative notes regarding contamination disposal and handling are included with any decision granted.

**7.8. Environmental Health** – Environmental Health have no objection to the majority of the proposal subject to relevant conditions. Background and ambient noise surveys have been taken to capture baseline noise, and modelling provided to predict day and night-time noise levels. Assessment shows that predicted levels fall below typical background sound levels, and that acceptable internal noise levels can be achieved in respect of suitable sleeping conditions. Exceedances however are noted within rear gardens of dwellings on The Crescent, and as such acoustic barriers are recommended. Revised plans and detail showing acoustic fencing to the rear of units on Site A have been provided but due to specialist staff absence have not been assessed by EH; this being the only outstanding matter.

**7.9. Lead Local Flood Authority** - LLFA originally objected on the basis of an inadequate drainage strategy. Following revision of drainage documents the LLFA has withdrawn its objection subject to inclusion of planning conditions relating to site drainage

**7.10. United Utilities** – UU reviewed original drainage proposals which were unacceptable and lacked robust evidence that the drainage hierarchy had been thoroughly investigated. They did however suggest pre commencement conditions rather than object to the scheme. Since then final drainage drawings have been provided to LLFA as the higher drainage authority, and these are – subject to relevant conditions – now acceptable. UU have not responded to these revisions but the proposed drainage strategy, and conditions from UU's original response and LLFA in combination satisfy the drainage requirement.

## **8. Material Considerations**

### **8.1. Site Allocation Policy**

8.1.1. The site is designated as an existing employment area by Policy E2 of the South Ribble Local Plan. Land within these areas is protected for employment including business, general industry or storage and distribution (use classes B1, B2 and B8). Para: 8.24 of Policy E2 states that '*There are many industrial and business premises within the borough which are essential to its prosperity. The ability for existing firms to expand is a main component of job retention and creation*'. The policy also allows for '*redevelopment of employment and industrial land following closure or rationalisation of existing uses*' but E2 sites will be protected where possible.

### **8.2. Additional Policy Background**

Additional policy of marked relevance is as follows:

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## **8.2.1. Economic Protection**

8.2.1.1. NPPF 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 global competition challenges whilst Para 82 aims to ensure that the planning system does everything it can to support sustainable economic growth.

8.2.1.2. Central Lancashire Policy 10 (Employment premises and sites) offers similar protection to employment sites as Local Plan E2 (Employment Areas and Sites); promoting development to ensure their retention.

8.2.1.3. Old Mill has been an industrial site in one form or another for decades. This most recent proposal seeks to ensure longevity of the estate, its appearance and as a result employment and skills opportunities in the Bamber Bridge area. In policy terms it complies with the Councils economic protection remit

## **8.2.2. Highways/Transport Policy**

8.2.2.1. NPPF Para 111 states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. Within this context, applications for development should facilitate use of alternative transport methods including public transport, allow for efficient delivery of goods, and access by service and emergency vehicles; and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Core Strategy Policy 3 (Travel) also seeks to improve the road network by reducing the need for vehicle journeys

## **8.2.3. Design Policy**

8.2.3.1. 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.

## **8.2.4. Environmental Protection Policy**

8.2.4.1. NPPF Chapter 15 (Natural Environment), Core Strategy 29 (Water Management) and Local Plan G16 (Biodiversity/Nature Conservation) seek to conserve and enhance the natural environment, reduce flood risk 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.

## **8.3. Other Material Considerations**

### **8.3.1. Character and Appearance, and Impact Upon Neighbouring Properties**

8.3.1.1. *Design* – Individual units and the overall site layout have been designed to align with the existing modern buildings whilst upgrading older ones which would be replaced. There would be loss of site biodiversity but coupled with a financial payment for off-site mitigation, the long term benefits seen from enhancement of an established employment site far outweigh this loss. In terms of character and appearance the proposal should see visual benefits rather than detriment from this proposal.

8.3.1.1. *Spatial Separation* - The South Ribble Residential Design SPD requires a minimum of 21m separation between facing habitable room windows, and at least 13m

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between a blank wall or gable and a new window. Although these are primarily to do with residential properties, they are a useful basis for assessment of other development.

8.3.1.2. Facing the northern edge are rear elevations of residential and commercial properties off Ashworth Street and School Lane. The blank rear (fire escape doors only) and side elevations of Block G would be between 13m and 18m from the rear of these buildings and would be partially tree screened. Existing palisade/paladin fencing would be retained on all sides. There is to be no service yard or useable space at the rear of Block G. The side of Block G would be 52m from properties across School Lane

8.3.1.3. Block F would span the western site boundary at approximately 20m from the approved side elevation of an industrial building. A small service area/road is proposed between this block and the palisade fencing which already separates the sites. Properties on Skipton Close would be 40m from Block F

8.3.1.4. The same properties would be 85m from the blank side elevation of Block A; the closest units on the southern edge (Site A). The Crescent and Collins Road North properties (rear and blank side elevations) would be approximately 20m from the blank side elevations of Blocks A to C. This section of the site is currently a grass bund which would be levelled, and as such visual impact to these residents is likely, but at this distance is policy compliant. A small space to the south of each block is also proposed for waste storage although parking and yard space would be between the units rather than adjacent to dwellings. In response to Environmental Health's concerns about increased noise to these residents, the applicant has provided a landscaping plan which includes acoustic fencing between each block to secure the service/car parking areas. Environmental Health have not as yet been able to comment. The side elevation of Block C would face residential properties across Brindle Road at 31m but would be screened by deep woodland.

8.3.1.5. Spatial separation within the site is similar to that which already exists and provides for relevant and useable service and circulation space. In terms of amenity no part of the proposed scheme should impact on neighbouring residents more than the current situation. That impact would be limited on all sides, but it is acknowledged that there would be loss of visual amenity on the southern boundary following removal of the grass bund. Single storey blank elevations and acoustic fencing however will reduce views through into the industrial estate, and noise from the estate into gardens. On balance, loss of amenity would not be so severe as to warrant refusal.

## 8.3.2. **Highways and Access**

8.3.2.1. The application is accompanied by a Framework Travel Plan (FTP) and Transport Assessment (TA).

8.3.2.2. The FTP details the environmental, social, health and financial benefits of encouraging alternative transport modes over single car use, and where possible reduces the need to travel at all. It proposes measures to include walking, cycling and public transport use by way of staff promotion, signage, cycle to work schemes etc and will encourage businesses on the proposed site to work towards the same.

8.3.2.3. Proposed parking provision would exceed that required of adopted standards, whilst spaces to be retained would be acceptable and are reported as not being oversubscribed; this was evident during the Officer site visit. The FTP also proposes that 4 of the car parking spaces would incorporate electric vehicle charging point

8.3.2.4. The NPPF at Para 111 states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*'. The TA which has been assessed by Lancashire County Council states that '*it is reasonable to conclude that*

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*proposed development is in accordance with the NPPF, would not have unacceptable impact on highways safety, nor would there be a severe residual cumulative impact on the surrounding highway network.*

8.3.2.5. From a highways perspective the proposal is considered acceptable.

## **8.3.3. Sustainable Development**

8.3.3.1. In very general terms sustainable developments are easily accessible, contribute to the social and economic value of the area, and protect or support the environment by constructing using sustainable materials and processes. In line with the NPPF (2021) presumption in favour of sustainable development, Chapter 9 also actively promotes the inclusion of sustainable transport in any new development, so as to '*promote walking, cycling and public transport in locations which are or can be made sustainable*' (Para's 102 & 103). As such, the following are relevant:

8.3.3.2. The site is within accessible, walking distance of local shops, services, amenities and residential estates, and is only 600m from Bamber Bridge Retail Centre on Station Road. There are four railway stations within 3 miles; Bamber Bridge railway station is 600m away, and Lostock Hall, Preston and Leyland stations are 1.4m, 2.4m and 2.8m respectively. There are bus stops on Brindle and Station Roads and School Lane, and although there is no dedicated cycle route adjacent the roads are wide and have such low speed limits that cycling is possible.

8.3.3.3. *Construction Standards*- One of the objectives of modern construction is to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources whilst improving the quality of housing by facilitating higher standards of construction. Conditions to ensure appropriate construction standards are recommended in line with adopted policy; in this case to BREEAM 'Excellent' or 'Very Good' levels.

8.3.3.4. A number of low or zero carbon technologies have been considered and photovoltaic cells are considered the most appropriate technology in this case. Each unit would include 3 no: PV panels. Other measures have been discounted as unsuitable or unviable due to the location, space limitations or payback periods

8.3.3.5. In terms of being sustainable development this proposal is considered acceptable.

## **9. Conclusion**

9.1. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that Members be minded to approve the application, and that the decision is delegated to the Director of Planning & Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of statutory consultation and a legal agreement to secure a biodiversity enhancement contribution

### **RECOMMENDATION:**

That Members are minded to approve the application, and that the decision is delegated to the Director of Planning & Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of statutory consultation and a S106 legal agreement to secure a biodiversity enhancement contribution

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## RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:

Cover Letter MA/IND 6/006-1/L001  
Planning Statement MA/IND 6/006-1/R001 (ATP)  
Design and Access Statement MA/IND 6/006-1/R002  
Crime Statement MA/IND 6/006-1/R003 (ATP)  
Statement of Community Involvement MA/IND 6/006-1/R004 (ATP)  
Site Waste Management Plan MA/IND 6/006-1/R005 (ATP)  
Noise Impact Assessment 50368-R1-2 (Nov 21)

### Proposal Drawings (Pozzoni)

Location Plan  
P5794 1000 Rev A  
Existing Site Plan P5794 1100 Rev A  
Proposed Site Layout Plan P5794 1200 Rev B  
Site Sections A P5794 1400 Rev B  
Site Sections B P5794 1410 Rev A  
Unit 9-11 Elevational Treatment P5794 1450 Rev A  
Landscape Plan P5794 1800 Rev B  
Building A Floor Plan P5794 2000 Rev A  
Building A Roof Plan P5794 2100 Rev A  
Building A Elevations P5794 3000 Rev A  
Building A Sections P5794 3600 Rev A  
Building B Floor Plan P5794 2010 Rev A  
Building B Roof Plan P5794 2110 Rev A  
Building B Elevations P5794 3010 Rev A  
Building B Sections P5794 3610 Rev A  
Building C Floor Plan P5794 2020 Rev A  
Building C Roof Plan P5794 2120 Rev A  
Building C Elevations P5794 3020 Rev A  
Building C Sections P5794 3620 Rev A  
Building D Floor Plan P5794 2030 Rev A  
Building D Roof Plan P5794 2130 Rev A  
Building D Elevations P5794 3030 Rev A  
Building D Sections P5794 3630 Rev A  
Building E Floor Plan P5794 2040 Rev A  
Building E Roof Plan P5794 2140 Rev A  
Building E Elevations P5794 3040 Rev A  
Building E Sections P5794 3640 Rev A  
Building F Floor Plan P5794 2050 Rev A  
Building F Roof Plan P5794 2150 Rev A  
Building F Elevations P5794 3050 Rev A  
Building F Sections P5794 3550 Rev A  
Building G Floor Plan P5794 2060 Rev A  
Building G Roof Plan P5794 2160 Rev A  
Building G Elevations P5794 3060 Rev A  
Building G Sections P5794 3660 Rev A  
Sub station Site A  
Sub station Site B

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Noise Impact Statement P5794 1900 Rev A  
P5794 1910 Rev A  
50 368 R1-2 (E3P)  
Part L Compliance Statement 3870-HAN-MEP-004 (in two parts) (Hannan Associates)  
Low Zero Carbon Report 3870-HAN-MEP-003 (Hannan Associates)  
Transport Assessment 79416 CUR RP TP 001 V04 TA (Curtins)  
Framework Travel Plan 79416 CUR RP TP 002 V03 FTP (Curtins)  
Tracking Analyses 79416 05001 P02 (Curtins)  
79416 05002 P02 (Curtins)  
79416 05003 P02 (Curtins)  
79416 05004 P02 (Curtins)  
Location plan (Regional)  
Location Plan (Local)  
Indicative walking catchment  
Indicative cycle catchment  
Indicative public transport catchment  
Flood Risk Assessment 79416-06001 P01 (Curtins)  
79416-6002 P01 (Curtins)  
79416 06003 P01 (Curtins)  
79416 06004 P01 (Curtins)  
79416 06005 P01 Curtins  
9923-WML-RP-1001 P01 (WML)  
Drainage Strategy 9923-WML-RP-1002 P02 (WML)  
Drainage Details 9923-WML-DR-1001 P01 (WML)  
9923-WML-DR-1002 P01 (WML)

## Proposed Drainage General Arrangement

### Surface Water Calculations

Ground Conditions Report (Phase 1)  
9923-WML-ZZ-XX-DR-C-1001-T03  
And C-1002-T003 (WML)  
9923-WML-00-XX-CA-C-0001 Dec 21

9923G-WML-RP-G-001 Rev A (WML)  
Ground Conditions Report (Phase 2) 9923G-WML-RP-G-002 Rev A (WML)

Ground Gas Assessment Report 9923G TPB SCS (WML)  
Arboricultural Assessment  
Preliminary Ecological Appraisal 80-563 R2-2 (E3P)  
80-563-R1-1 (E3P)

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. Prior to commencement of works on site, details of future employment and skills with regard to both construction and end users of the 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.

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

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4. No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from the site during relating to the approved development construction, demolition or clearance of 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
5. The development hereby permitted shall be registered with the Building Research Establishment (BRE) under BREEAM and constructed to achieve a BREEAM rating of 'Very Good' (or where possible in urban areas 'Excellent'). No phase or sub-phase of the development shall commence until a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of 'Very Good' or 'Excellent' has been submitted to and approved by the Local Planning Authority  
REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy
6. Prior to first occupation of the development hereby approved, a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'Very Good' (or where possible in urban areas) 'Excellent' has been submitted to and approved by the Local Planning Authority.  
REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy.
7. On completion of the development hereby approved a Building Research Establishment issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Very Good' (or where possible in urban area) 'Excellent' has been submitted to and approved in writing by the Local Planning Authority.  
REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy
8. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted (in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed) has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
  1. A preliminary risk assessment which has identified:
    - o all previous uses
    - o potential contaminants associated with those uses
    - o a conceptual model of the site indicating sources, pathways and receptors
    - o potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

## Reasons

o To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

o To prevent deterioration of a water quality element to a lower status class in the underlying major aquifer in accordance with Core Strategy policy 29

9. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the flood risk assessment 9923-WML-2 ZZ-XX-RP-C-1001 P01 and sustainable drainage strategy 9923-WML-ZZ-XX-RP-C-1002 P02 produced by WML consulting. The measures shall be fully implemented prior to the first use of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

10. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change).

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;

ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;

iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;

iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;

v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150mm+ difference for FFL;

vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;

vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365 or Falling Head Permeability Test.



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The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

11. Foul and surface water shall be drained on separate systems.  
Reason: To secure proper drainage and to manage the risk of flooding and pollution.
12. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and storm water will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the local planning authority.  
The details of the plan to be submitted for approval shall include for each phase, as a minimum:
  - a) Measures taken to ensure surface water flows are retained on-site during construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
  - b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere during any construction phase in accordance with Paragraph 167 of the NPPF.

13. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.  
The details of the manual to be submitted for approval shall include, as a minimum:
  - a) A timetable for its implementation;
  - b) Details of SuDS components and connecting drainage structures and maintenance, operational and access requirement for each component;
  - c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
  - d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
  - e) Details of financial management and arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
  - f) Details of whom to contact in the event that pollution is seen in the system or if it is not working correctly; and
  - g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters,

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property and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

14. The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.  
The verification report must, as a minimum, demonstrate that the sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets and control structures) and full as built drawings. The scheme shall thereafter be maintained in perpetuity.  
Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.
15. Protective fencing should be erected around all retained trees in accordance with Figure 2 of BS 5837 - 2012 comprising a metal framework. Vertical tubes will be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site.  
REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026
16. Existing ground levels should be retained within the RPA and excavated by hand. Any exposed roots should be immediately wrapped to prevent desiccation. Wrapping should be removed prior to backfilling. Roots smaller than 25mm diameter should be pruned with a suitable sharp tool. Roots over 25mm diameter should only be removed following consultation with an arboricultural consultant. Prior to backfilling roots should be surrounded with topsoil or sharp-sand or inert granular fill before the soil is replaced  
Reason: To ensure damage to tree roots is minimised during development and that the development does not impact the future vitality of trees in proximity to the development.
17. Prior to development commencement, the size, siting and species of replacement trees shall be submitted to and approved in writing by the Local Planning Authority. The replacement trees shall then be planted on site in accordance with the approved details, in the first available planting season. Any tree that within a period of five years after planting, dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective shall be replaced with another of the same species and size as originally approved.  
Reason: To ensure that the visual appearance of the development is satisfactory in accordance with Policy 17 of the Central Lancashire Core Strategy and Policies G13 and G17 of the South Ribble Local Plan 2012 - 2026.

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18. 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

19. Prior to commencement of work on site, details of the landscaping of the site including the retention of existing trees and hedges, or mitigation where trees are removed have been submitted to, and approved in writing by, the local planning authority. The approved scheme which shall include soft landscaping to denote the garden boundaries to all properties 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 and to ensure appropriate levels of landscaping, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026

20. 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

21. If the presence of a badger sett is detected or suspected on the development site at any stage before or during development work must cease immediately, and a suitably experienced ecologist employed to advise on how best to proceed.

REASON: To ensure that adequate provision is made for these protected species in accordance with the Protection of Badgers Act 1992 Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

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22. 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
23. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- o 24 Hour emergency contact number;
  - o Details of the parking of vehicles of site operatives and visitors;
  - o Details of loading and unloading of plant and materials;
  - o Arrangements for turning of vehicles within the site;
  - o Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
  - o Measures to protect vulnerable road users (pedestrians and cyclists);
  - o Wheel washing facilities;
  - o Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
  - o Construction vehicle routing;
  - o Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

Note: Construction Management Plan.

- o There must be no reversing into or from the live highway at any time - all vehicles entering the site must do so in a forward gear, and turn around in the site before exiting in a forward gear onto the operational public highway.
  - o There must be no storage of materials in the public highway at any time.
  - o There must be no standing or waiting of machinery or vehicles in the public highway at any time.
  - o Vehicles must only access the site using a designated vehicular access point.
  - o There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations - all of which must be managed within the confines of the site.
  - o A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk)
  - o All references to public highway include footway, carriageway and verge.
24. For the full period of construction, facilities shall be available on-site for the cleaning of the wheels of vehicles leaving the site. Such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.  
REASON: In the interests of highway safety and other highway users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

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25. No building hereby permitted shall be occupied or the use commenced until the car parking area (including agreed electric vehicle charging points) has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.  
REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026
26. No building hereby permitted shall be occupied or the use commenced until the motorcycle and cycle parking provision shown on the approved plans has been completed. These areas shall thereafter be kept free of obstruction and available for the parking of motorcycles or cycles only at all times. REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026

## **RELEVANT POLICY**

### **NPPF National Planning Policy Framework**

#### **Central Lancashire Core Strategy**

- 3 Travel
- 6 Housing Quality
- 7 Affordable and Special Needs Housing
- 10 Employment Premises and Sites
- 17 Design of New Buildings
- 29 Water Management

#### **South Ribble Local Plan**

- E2 Protection of Employment Areas and Sites
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development
- F1 Car Parking

### **Residential Extensions Supplementary Planning Document**

#### **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](http://www.southribble.gov.uk)
2. 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
3. Cadent Gas Informative Note:  
Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that

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restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions). Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

## Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement. This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications. Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements. If you need any further information or have any questions about the outcome, please contact us at [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) or on 0800 688 588 quoting reference LinesearchbeforeUdig ref: 24031081.

## 4. Lead Local Flood Authority Notes

Note 1: Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to build a culvert or structure (such as a weir) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

As a minimum, the applicant will be expected to:

- o Carry out studies of the existing culvert/watercourse condition and capacity;
- o Undertake an examination of the downstream condition and implications of the development proposal, and;
- o Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

Note 2: As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent to applications which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:

<https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given.

Note 3: The preliminary drainage strategy 9923-WML-ZZ-XX-RP-C-1002 P02 produced by WML consulting (30448/100 - Revision E) proposes to discharge surface water from the site to a culverted watercourse that runs east-west through the northern section of the site. The applicant has not provided any information regarding this culvert other than a

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verbal description of its size and orientation. The applicant must provide evidence (such as a CCTV survey) to demonstrate that the culvert is free flowing and in good condition. If this evidence cannot be provided at this time, then the applicant must include a surcharged outfall in the design criteria of their drainage calculations to account for a receiving watercourse that is not free flowing.

What this response DOES NOT cover

This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority. The applicant is also encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the local highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).

## 5. Environment Agency Contamination Note - Information for applicant

Environment Agency have reviewed the site investigation report by WML entitled Phase 2 Geo-Environmental Investigation & Assessment For Old Mill, Bamber Bridge, Preston dated September 2021, Report No. 9923G-WML-XX-ZZ RP-G-0002a. Further investigation of the in-filled reservoir is necessary and should be undertaken under a watching brief, with any visible ACM encountered being segregated for removal to landfill. Such operations may also need to incorporate specific control measures such as dust suppression, perimeter air monitoring and appropriate Personal Protective Equipment (PPE).

The re-use of site-won materials as engineered fill, where considered appropriate, would be subject to further testing prior to the production of a site-specific Materials Management Plan. Leachate testing has indicated the potential for the mobilisation of arsenic, copper, nickel, lead and zinc from the made ground within the in-filled reservoir to the north and gives us cause for concern and requires assessment. If a piled foundation solution is preferred, it is considered that a piling risk assessment is required to prevent the generation of a preferential pathway for migration of contamination into the underlying Principal aquifer. EA also note that additional investigations are proposed beneath the current structures, once demolished, in order to obtain further samples for chemical analyses to provide an updated GQRA, and require submission of this information once it is obtained.

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**Application Number** 07/2021/00858/FUL

**Address** Green Lane Farm,  
Green Lane,  
Samlesbury

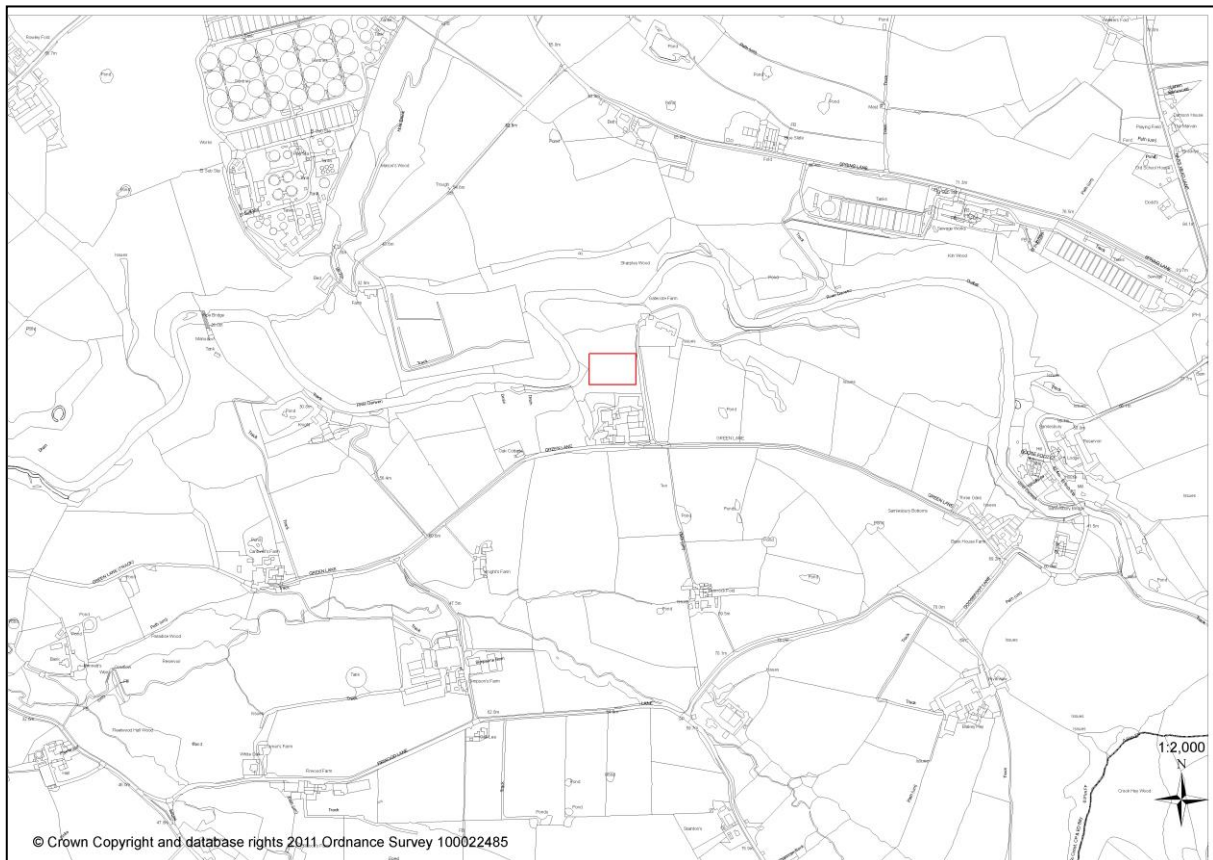
**Applicant** Mr Robert Smith

**Agent** Mrs Melanie Lawrenson  
ML Planning Consultants  
5 Bobbin Mill Cottages  
Stubbins Lane  
Claughton on Brock

**Development** Installation of earth banked slurry lagoon and  
associated engineering works

**Officer Recommendation** **Approval with Conditions**

Date application valid 25.10.2021  
Target Determination Date 24.01.2020  
Extension of Time 14.2.2022



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## 1. Introduction

1.1. This application is brought before committee as it constitutes major development

## 2. Report Summary

2.1. This application relates to a 3300m<sup>2</sup> area of agricultural land located immediately north of Green Lane Farm; an established 70ha dairy farm located within a particularly secluded area of Green Belt land, to which South Ribble Local Plan Policy G1 refers.

2.2. The application seeks permission for installation of a slurry lagoon with associated engineering works as described in full at Section 5 below. Impact upon residential amenity and the Green Belt has been fully assessed, and spatial separation between existing and proposed buildings within and outside of the site is considered acceptable

2.3. In response to publicity one letter of representation has been received. Comments raised by statutory consultees have been dealt with either by amendments to the application or by condition

2.4. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

## 3. Application Site and Surrounding Area

3.1. This application relates to a 3300m<sup>2</sup> area of agricultural land located immediately north of Green Lane Farm; an established 70ha dairy farm with a herd of 360 cows. The wider area is open and secluded, other than for sporadically placed dwellings at some distance to the farm. The site and extended environment are designated as Green Belt by Policy G1 of the South Ribble Local Plan

3.2. The site sits within the crook of the River Darwen which lies 50m west and 80m north of the proposed development. The Sharples Wood and Kiln Wood Biological Heritage Sites also abut the river in the west, and screen properties north beyond the river. There are trees surrounding but none which be affected by the proposal.

## 4. Site Context / Planning History

4.1. There are six applications for development at Green Lane Farm. None relate to the proposal site or are relevant to this proposal.

## 5. Proposal

5.1. The application seeks permission for installation of a slurry lagoon with associated engineering works. The slurry lagoon would be installed approximately 100m from Green Lane and would be hidden by the existing farm complex.

5.2. The lagoon would measure 30m x 46m, with a pit floor level of 5m deep; a 1m clay liner would prevent permeation into adjacent ground. It would be between 50m and 80m from the closest watercourse (it must be 10m minimum) and includes a ramped vehicle access on one side. Perimeter stock proof fencing to a minimum 1.6m is proposed to screen a 10m wide, 2m high raised bund. The farm currently has 2 months of slurry storage, but this lagoon

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which would store 800k gallons is proposed to align the farm with current legislation requiring at least 6 months of slurry storage.

5.3. Soil, air and ground investigation reports have been provided and assessed by the Councils expert consultees.

5.4. A number of similar lagoons are present in the borough without apparent negative impact.

## 6. Representations

### 6.1. Summary of Publicity

6.1.1. A site notice has been posted, and two neighbouring properties were consulted. Ward Councillors Yates and Mullineaux have also been notified. Neighbourhood representation has been made by one resident whose very detailed letter is summarised as follows. This respondent has a large access drive which slopes steeply downwards to extensive gardens on either side. The proposal site sits roughly level with the halfway point of the driveway when viewed from inside the neighbour's garden.

#### Residential Amenity

- ☐ Proposal would be immediately adjacent to the only access into neighbouring property, and only 20ft away from residents' children's play area (hedgerow den)
- ☐ Impact on quality of life of residents - local authorities should protect the living standards of local residents
- ☐ Inability to use outdoor space if the lagoon goes ahead
- ☐ Loss of privacy, noise and light pollution, and visual amenity
- ☐ Right of access down the driveway means that industrial vehicles will use the same area as children use to play

#### Health Concerns

- ☐ Impact on residents mental and physical health, lack of consultation and prospect of living near the slurry lagoon
- ☐ Effect that air borne, reportedly toxic gases will have on the health and amenity of adjacent residents and small children – a *'concentration of toxic gases are building up and being gently blown onto the drive and garden... there is a very real chance that you could be knocked unconscious from toxic gas that could ultimately kill you'*
- ☐ Respondents property is in a land depression, which when factoring wind directions will collect gas and air borne matter into a *'static wall or block of air outside the front door'*. Existing wind prevalence is towards the neighbours dwelling
- ☐ *'Detrimental impact of neighbouring amenity – not being able to play in the garden through fear of death by asphyxiation'*

#### Environmental Issues

- ☐ Impact on wildlife, flora and fauna in the area
- ☐ Existence of protected plant species on the site
- ☐ Potential pollution of waterways and watercourses

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## Other

- ☐ Lack of pre-application consultation by the applicant with neighbouring residents
- ☐ Respondent submits details of people who have died in slurry lagoon related accidents
- ☐ Existing issues from dairy farm smells are expected, but this lagoon would be excessive and on an industrial scale
- ☐ Request that the applicant relocates the proposed lagoon to an alternative location

*Officer Comment:* The impact of the lagoon on physical health, air quality, the natural environment and nearby watercourses has been assessed by the Councils statutory consultees as the experts in their own fields (see below). Whilst nationally there are incidents relating to death and slurry lagoons, there are also several of these facilities throughout the borough which do not appear to cause any issue in terms of complaints received to the Council. This proposal therefore should be taken on its own merits, and determined having regard to the comments in Section 7

## 7. Summary of Responses

7.1. South Ribble **Arborist** has no objections to the development. There are no protected trees on site, nor any trees identified for removal to facilitate development.

**7.2. Ecology Consultant (GMEU)** - has assessed the accompanying ecology surveys and in summary has the following comments:

☐ The nearest Site of Special Scientific Interest (SSSI) to the application site (Darwen River Section SSSI) is located less than 100m away. GMEU notes that neither the Environment Agency nor Lead Local Flood Authority raise any issues in relation to drainage towards this river, and conclude that the proximity of the River Darwen Section SSSI is not a substantive biodiversity issue as it is designated as a geological SSSI.

☐ The proposed lagoon triggers the Natural England Impact Risk Zone for Red Scar & Tun Brook Woods SSSI which relates to atmospheric pollution from “*Livestock & poultry units with floorspace > 500m<sup>2</sup>, slurry lagoons > 750m<sup>2</sup> & manure stores > 3500t.*” The GMEU ecologist does not have the experience without significantly more information regarding emissions from a slurry lagoon of this size, to give a considered opinion at this point but notes that the Red Scar & Tun Brook Woods SSSI is over 4km away to the north west, which is not in the direction of the prevailing winds. GMEU therefore requested that the Council contacts Natural England to seek justification as to why this threshold has been triggered given the distance and direction of the SSSI concerned.

☐ The Environment Agency did not raise atmospheric discharge as an item which needed to be considered in this case.

☐ Darwen River Section Woods (Including Sharples Wood and Kiln Wood) Biological Heritage Site - it is GMEU's view that these woods are unlikely to be adversely affected by the current proposals.

☐ There are no other biodiversity matters to raise given the proposed location of the lagoon within the bounds of the existing yard.

7.3. **Natural England** – the application site is within 1.9km of Beeston Brook Pasture Site of Special Scientific Interest (SSSI). Natural England has reviewed the additional SCAIL Assessment (Simple Calculation of Atmospheric Impact Limits - Redmore Environmental, November 2021) provided, and based on all the submitted information Natural England considers that the proposed development will not impact on the above-mentioned sites and has no objection. NE are content that providing the application is undertaken in strict

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accordance with the details submitted the development is not likely to damage the interest features for which the site has been notified.

7.4. **Environment Agency** – EA has reviewed the information submitted with this application and has no objection to the proposed development. They do offer advice which has been provided as an informative note

7.5. **Environmental Health** has no comment to make. Precautionary construction management conditions are recommended

7.6. **Lead Local Flood Authority** have been consulted but have no comments to make as the scheme falls outside of the LLFA remit.

7.7. **United Utilities** has no comment to make

## 8. **Material Considerations**

### 8.1. **Policy Background**

Policy of marked relevance to this proposal is as follows:

8.1.1. The National Planning Policy Framework provides a presumption in favour of sustainable development (Para 11), supports good design and encourages sustainable economic growth. Design is considered in more detail by Central Lancashire Core Strategy Policy 17 (Design of New Buildings) and Local Plan Policy G17 (Design)

8.1.2. The NPPF also seeks to conserve and enhance the natural environment in line with Core Strategy Policies 22 (Biodiversity & Geodiversity) and 29 (Water Management) and Local Plan Policy G16 (Biodiversity & Nature Conservation)

8.1.3. Core Strategy Policy 31 (Agricultural Land) resists development which causes irreversible damage to, severs or fragments agricultural land. The proposal has been well sited close to existing operations and accords well to this policy.

### 8.2. **Other Material Considerations**

8.2.1. **Site Allocation and Green Belt Development**- The site is designated under Policy G1 (Green Belt) of the South Ribble Local Plan 2012-2026. Policy G1 presumes against inappropriate development with certain exceptions; one of these being agricultural use, which includes '*rearing and management of livestock*'. Although substantial, when taking into account the proposed inter-relationship between existing properties in this very rural community, all parts of this proposal are considered acceptable. Above ground works have been designed in typically agricultural fashion but neither this nor proposed subterranean development will impact adversely on the visual appearance of the area. The proposed lagoon will be well hidden from view of neighbouring properties or Green Lane itself.

8.2.2. **Character and Appearance, and Residential Amenity** - The closest properties to the site are 'Oak cottage' and 'Knight Bottom Farm' (160m and 530m west), 'Gatecote Farm'(80m north-east), 'Knights Farm' (400m south west across Green Lane) and properties on Goosefoot Lane at approximately 800m distance.

8.2.3. Gatecote Farm is the closest and sits at a lower land level than the proposal which would be roughly level with the half way point of the neighbours steeply sloping driveway; Gatecote is very approximately 15m lower than the proposed lagoon. The proposal would be

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located on flat land screened by existing trees and hedgerow which would remain. Whilst there may be some impact on the amenity of this property, the proposal will not be visible from the dwelling which sits well below the level of the lagoon, and the fact remains that Green Lane Farm is a working dairy business which must adhere to current farming guidelines. Air quality, impact on the environment and watercourses is discussed at length above and are considered acceptable subject to conditions by the Councils consultees. Without evidence to the contrary these opinions therefore must be given considerable weight. There are concerns that access from the shared driveway may be used for construction purposes, and a condition to require all construction to access via the farms own yard is felt necessary, but otherwise It is considered that the inter-relationship between existing and proposed structures is adequate, and that impact as a result of the lagoon is not so significant as to warrant refusal.

## **9. Conclusion**

9.1. This determination is a difficult one to balance. In support is the need of an established dairy business to ensure compliance with current legislation which requires 6 months of slurry storage on site. The proposal has been sited to allow for minimal movement between farm buildings and slurry storage – alternative areas would mean a much longer, and more time-consuming arrangement - and there is tree and hedgerow screening between the neighbouring residence and the proposal. There are slurry lagoons throughout the country with no apparent after effects, and the proposal from a health and environmental protection perspective has been fully assessed as acceptable (subject to conditions) by the Councils experts. Green Lane Farm is located immediately south of flood zones 2 and 3 but is in an area with no recorded history of flooding. The banked exterior and construction of the lagoon would protect it from future seepage, but conversely the ability to hold flood waters in an extreme emergency situation may benefit the areas occupants. Whether approved or not, the business must continue to function and slurry must be stored somewhere, and it is considered that a modern, self-contained, purpose built lagoon ensure the long term viability of the business.

9.2. Against the proposal is the perceived and actual impact that the proposal will have on the living conditions and amenity of the neighbouring residents whose property sits at a much lower land level than the lagoon. Residents are genuinely concerned that the proposal would lead to industrial scale farm practices out of keeping with the area, and that their quality of life will suffer as a result.

9.3. Overall, it is considered that there is a justified case for enhancement of the established business, and whilst there is likely to be some loss of residential amenity and residents' concerns are valid, there is no overriding evidence to prove that the lagoon would impact in terms of air quality, or environmental detriment as suggested by neighbours. On balance therefore, and without evidence to the contrary the proposal is considered to be acceptable development in the Green Belt and is recommended for approval subject to the imposition of conditions

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## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the approved plans  
Preliminary Ecological Appraisal (Envirotech 3375/V1)  
Proposal Drawings
  - o Location plan
  - o Proposed plans ML/RS/6002 (ML Planning)Soil Reports (PSL21/5705)  
SCAIL Assessment (Ref 5146r1: Redmore Environmental. 30.11.21)  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. The proposal shall be carried out in strict accordance with the requirements of the approved SCAIL Assessment (Ref 5146r1: Redmore Environmental. 30.11.21)  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
4. No external floodlighting or security lights shall be installed at the development hereby permitted without first obtaining planning permission from the local planning authority. Any proposed external lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site or trees and hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Professionals guidance Bats and Artificial Lighting in the UK 08/18).  
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
5. Any construction works associated with the development shall not take place except between the hours of: 0800 hrs to 1800 hrs Monday to Friday, and 0800 hrs to 1300 hrs Saturday. No construction works shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing with the Local Planning Authority  
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - a) proposed suitable times of construction and delivery.
  - b) parking of vehicles of site operatives and visitors

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- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) location of site compound
- f) suitable wheel washing facilities for vehicles leaving site. Details also to include mechanical sweeping of roads adjacent to the site.
- g) measures to control the emission of dust and dirt during construction
- h) measures to control the emission of noise during construction
- i) details of external lighting to be used during construction
- j) a scheme for recycling/disposing of waste resulting from demolition and construction works
- k) 24 Hour emergency contact number;

REASON: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

7. Access into the approved site for construction purposes shall not at any time be taken from the vehicular access which serves Gatecote Farm.  
REASON: In the interests of pedestrian and highway safety, and to protect the amenity of the occupants of Gatecote Farm in accordance with Policy G17 in the South Ribble Local Plan 2012-2026
8. If the presence of 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 cease and advice sought from a suitably qualified ecologist.  
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
9. Prior to commencement of works on the earth banked slurry lagoon, the local planning authority shall be supplied with, and agree to in writing following consultation with the Environment Agency, information to show that the requirements of the Environment Agency with regards to SSAFO Regulations have been met.  
Reason: To reduce the risk of pollution to the water environment in accordance with Core Strategy Policy 29
10. That any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place during the nesting season, normally between March and August, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.  
REASON: To protect habitats of wildlife in accordance with Policy 22 of the Central Lancashire Core Strategy.
11. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period. Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

## **RELEVANT POLICY**

**NPPF National Planning Policy Framework**

**Central Lancashire Core Strategy**



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- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 29 Water Management
- 31 Agricultural Land

## **South Ribble Local Plan**

- G1 Green Belt
- 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](http://www.southribble.gov.uk)

2. Environment Agency Note 1: The proposed development must fully comply with the terms of the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil)(England)(SSAFO) Regulations 2010 as amended 2013. Environmental good practice is available in The Code of Good Agricultural Practice for the protection of water, soil and air (produced by DEFRA). The applicant is advised to review the existing on-farm, slurry and manure storage and ensure compliance with the SSAFO Regulations. Any agricultural development that will result in an increase in cattle numbers or water usage may adversely affect the storage of waste waters, slurry and other polluting matter.

Environment Agency Note 2: The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. The Environment Agency must be informed of any new, reconstructed or enlarged slurry store, silage clamp or fuel store at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction. Further guidance, including how to calculate capacity, is available at <https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>

and CIRIA have detailed guides on site selection, design and construction <https://www.ciria.org/ItemDetail?iProductCode=C759F&Category=FREEPUBS&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91>

Any proposals for earth-banked slurry lagoons will require an impermeable clay base to a minimum depth of one metre. To ensure compliance with SSAFO, applicants will need to provide the environment Agency with details of percolation tests to demonstrate that the ground conditions at the base of the lagoon are appropriate. Where percolation tests show that the soil or underlying ground is not suitable, it will be necessary to use a synthetic material or import impermeable soils to act as a liner for the lagoon. The earth banked walls will also need sampling as sufficient clay soils (not less than 20% and no more than 30% clay content) are required to make the banks stable. The lagoon should be sited sufficiently far away from any watercourses and land drains. The design of the new slurry store, its location and the results of the submitted percolation tests have been sent to the Environment Agency Agriculture Team. If you would like to discuss the proposed development in relation to

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compliance with the SSAFO regulation, please contact us at  
CLA\_Land\_and\_Water\_MB\_Team@environment-agency.gov.uk

Please note that the new slurry store must not be used until it has been inspected and signed off by an Environment Officer from the Environment Agency.

3. Environmental Health Note: It is recommended that contact details are provided at the front of the construction site and a letter drop made to nearby properties informing them of any unusual construction methods e.g. working outside normal construction times, use of piling machines etc, along with timescales for this work.

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# Agenda Item 12

**Application Number** 07/2021/01194/VAR

**Address** 14A Liverpool Road  
Penwortham  
Preston  
Lancashire  
PR1 0AD

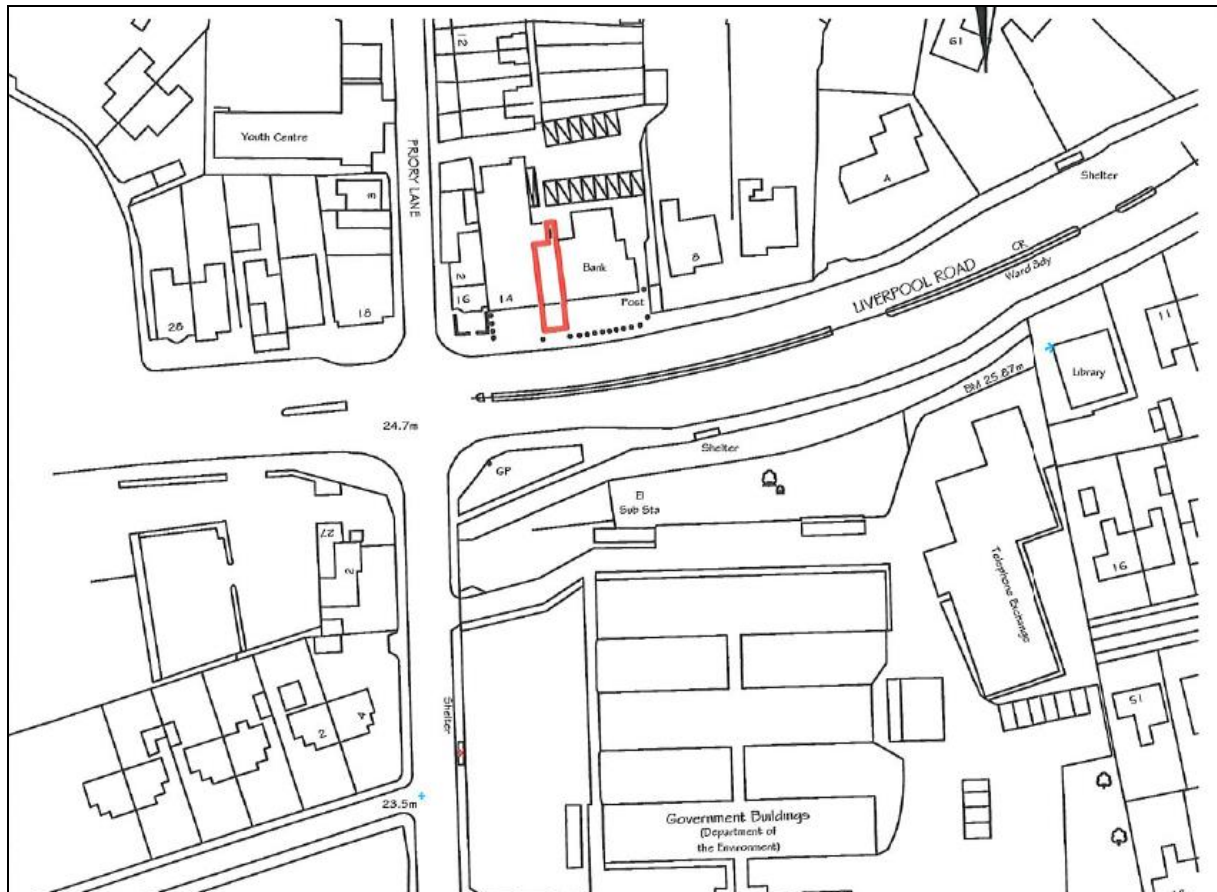
**Applicant** Miss Michelle McKiernan

**Development** Variation of condition 14 of planning approval  
07/2019/7949/FUL to extend the hours of opening

**Officer Recommendation** Approval with Conditions

Date application valid 10.12.2021  
Target Determination Date 04.02.2022  
Extension of Time

## Location Plan



### 1. Report Summary

1.1 The application seeks a variation of condition 14 of planning approval

### 2. Site and Surrounding Area

2.1 The application relates to the drinking establishment known as Gin Jar Ale at 14a Liverpool Road in Penwortham. This is one of 3 units formed from the former Booths supermarket premises which was refurbished and sub-divided

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2.2 The property is close to the crossroads junction of Liverpool Road, Priory Lane and Cop Lane, which is an Air Quality Management Area. The area is predominantly commercial in nature and is within the Penwortham District Centre.

2.3 Residential apartments are above some of the commercial premises with further residential properties located to the north on Priory Lane. Opposite is the newly constructed Tesco supermarket. Diagonally opposite is the locally listed Water Tower, a residential property with the Grade II listed Fleece Inn to its west. Both these properties are within the Penwortham Conservation Area.

## 3. Planning History

3.1 07/2018/8006/FUL Conversion to form 3 units. Change of use from A1 (retail) to A3 (restaurant) for 1 unit and 2 units to remain A1 (retail). New shop front, windows, doors and cladding - approved

3.2 07/2019/7949/FUL Change of use of Unit 1 from A1 (Retail) to A4 (Drinking Establishment - approved

3.3 07/2020/00584/VAR Variation of conditions No. 9 and 10 of planning approval 07/2019/7949/FUL to allow for use of outdoor area until 8pm – approved

## 4. Proposal

4.1 The application seeks to vary condition 14 of planning approval 07/2019/7949/FUL to extend the hours of opening to be in line with the licensing hours.

4.2 Condition 14 required that: *“The use hereby approved shall not be open to the public outside the hours of 11:00 and 23:00 Monday to Friday, 11:00 and Midnight on Saturday and 12:00 and 23:00 on Sundays and Bank Holidays”*

4.3 Licensing allows for the consumption of alcohol at the premises between the hours of 11am to 11pm Sunday to Thursday and 11am to midnight on Friday and Saturday with the hours of opening being 11am to 11.30pm Sunday to Thursday and 11am to 00:30 on Friday and Saturday

4.4 The proposal would therefore allow for an additional half hour opening time.

## 5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with no letters of representation being received. However, a petition was submitted by the applicant containing 116 signatures of customers in support of the variation of condition application.

5.2 Additionally, the applicant contacted the case officer advising that a number of customers had tried to register their support for the application through the Planning Portal but were unable to do so. This matter has been reported to IT for investigation.

## 6. Summary of Consultations

6.1 **Environmental Health** have no comments to make on the proposals.

## 7. Policy Background

7.1 **Policy E4: District Centres** seeks to protect and enhance the district centres to maintain their vitality and viability. Planning permission will be granted for new buildings,

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redevelopment of existing sites, extensions to, or change of use of existing buildings for A1 Retail Use, which will be encouraged to achieve a minimum of 60% of the overall units and A3 Cafe and Restaurant uses. Applications for other district centre uses including A2 Financial and Professional Services, A4 Drinking Establishments and B1 Offices will be permitted where this would not harm the sustainability of the shopping area.

**7.2 Policy G17: Design Criteria for New Development** permits new development, including extensions and free standing structures, provided that, the proposal does not 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. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park.

**7.3 Central Lancashire Core Strategy Policy 17**, among other things, seeks to ensure that new development is (c) sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area and (d) that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.

**7.4 Penwortham Town Plan** advises that *“The Central Lancashire Core Strategy designates in Policy 11 District Centres and the South Ribble Local Plan identifies Liverpool Road, Penwortham, as a District Centre (Policy E4), and sets out its boundary in Appendix 7 of the NDP. The purpose of these policies to prevent an over proliferation of non-retail uses at the expense of retail provision within the centre is supported. It recognises that it is important to the vitality and viability of the District Centre that the retail strength and appearance of these frontages is retained.*

*It is acknowledged that there will be both considerable change, but also opportunities, when the Penwortham By-pass is completed. This will reduce through traffic and allow for improvement to the retail environment. In addition, the former Government Offices site on Cop Lane provides, through the extant planning permission, a potential new retail store with additional parking to serve the centre. It is also recognised that the Borough Council has committed to carrying out initial improvements in the centre.*

*The need for an overall improvement plan for the centre is recognised and the Town Council will work with both the Borough and County Councils to prepare and implement such an Improvement Plan.”*

## **8. Material Considerations**

### **8.1 Background**

**8.1.1** The application property gained permission (07/2018/8006/FUL) for the sub-division of the former Booths supermarket to form two retail units and one restaurant and refurbishment works, including a new shop front, windows, doors and cladding. A subsequent application (07/2019/7949/FUL) was approved by planning committee for a change of use of one of the retail units to provide a drinking establishment, now known as the Gin Jar Ale. A number of conditions were imposed on that permission with condition 14 setting out the hours of use.

**8.1.2** An application was then approved to vary conditions 9 and 10 of 07/2019/7949/FUL to extend the hours of use of the outside area from between the hours of 11:00 to 18:00 to between 11:00 and 20:00 to bring the Gin Jar Ale in line with similar adjacent premises.

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8.1.3 This current application seeks to vary condition 14 of planning approval 07/2019/7949/FUL to extend the hours of opening to be in line with the licensing hours.

8.1.4 Condition 14 required that: *“The use hereby approved shall not be open to the public outside the hours of 11:00 and 23:00 Monday to Friday, 11:00 and Midnight on Saturday and 12:00 and 23:00 on Sundays and Bank Holidays”*

8.1.5 Licensing allows for the consumption of alcohol at the premises between the hours of 11am to 11pm Sunday to Thursday and 11am to midnight on Friday and Saturday with the actual hours of opening being between 11am to 11.30pm Sunday to Thursday and 11am to 00:30 on Friday and Saturday

8.1.6 The proposal would therefore allow for an additional half hour opening time in the evenings on Saturday to Thursday, an additional 1:30 hours on Friday and an additional 1 hour in the mornings on Sunday.

## 8.2 Justification

8.2.1 The Gin Jar Ale were operating to the licensing hours. During investigation by Planning Enforcement into the breach of condition 14 following a complaint, Legal Services advised that the more restrictive hours, ie those imposed by the planning condition, must be complied with. Since this advice, the operators of the Gin Jar Ale premises have complied with the planning hours and seek to vary the hours through this variation of condition application.

8.2.2 The applicant advised that they received two different opening/operating hours from planning and licensing which caused some confusion.

8.2.3 The supporting statement submitted in support of this application outlines that when operating to the licensing hours, *“customers made staggered exists throughout the night, especially from 11pm onwards, which resulted in little to no outside noise, disturbance from congregating customers waiting outside for taxis rather than inside. So now, as No 16 On The Hill (Literally two doors down) also have to comply to these hours we have in effect two establishments at capacity all being made to exit onto the street at 11pm with our doors locked behind them. Surely this isn't in the interests of nearby residents? Before the majority of people left at staggered times, with only a table or two left to be told to leave at the end of the evening. This seems contradictory to the interests of the nearby residents and we feel will lead to complaints regarding street noise etc when we have been nothing be extremely vigilant and worked hard with customers to ensure existing the premises was done so in a quiet and courteous manner. We have never received any complaints regarding closing time noise so have obviously managed this extremely well.”*

8.2.4 It is considered that, as the Gin Jar Ale premises has been operating to the Licensing hours for some time without substantial complaint (just 2 received), the need to bring Planning and Licensing in line with each other to avoid confusion and the limited extended time of opening proposed, it is considered acceptable, particularly as the premises is within the Penwortham District Centre where Policy E4 supports such uses to protect and enhance the district centre to maintain the vitality and viability.

## 8.3 Residential Amenity

8.3.1 There are residential apartments above the application property and its neighbouring properties. There are also a number of residential properties along Priory Lane and Liverpool Road in the vicinity of the application premises. The proposal has the potential to adversely affect the residential amenity of these neighbouring properties in terms of noise and disturbance due to the proposed extension in hours of use.

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8.3.2 Policy 17 seeks to ensure that neighbouring properties are not adversely affect by new development and Policy G17 seeks to protect residential amenity.

8.3.3 It is noted that licensing allows for the premises to be open until midnight and 00:30 on Friday and Saturday. It is understood the premises has been operating to the licensing hours for some time. The licensing hours are just half an hour longer on a Saturday night and therefore not considered unduly detrimental to the amenity of neighbouring residents.

8.3.4 No letters of objection have been received.

8.3.5 Environmental Health have no objections to the proposal, making no comments.

## **9. Conclusion**

9.1 The proposal extends the hours of opening of the Gin Jar Ale premises to be in line with the licensing hours. This is considered acceptable and the application is recommended for approval.

## **10. RECOMMENDATION:**

10.1 Approval with Conditions.

## **11. RECOMMENDED CONDITIONS:**

1. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg PE35/19 Rev A; GF35/19 Rev A;  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
2. There shall be no live or recorded entertainment or music played at the premises, either internally or externally, unless agreed in writing at least 10 working days prior to the event. Low level amplified background music is only permitted internally. Any amplified background music shall be routed and controlled through a sound limiter which shall be set by the Council's Environmental Health Department  
REASON: In the interests of the amenity of nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.
3. There shall be no flood lighting or patio heaters installed in the outside area without prior consent from the Local Planning Authority.  
REASON: In the interests of the amenity of nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.
4. Waste, including empty bottles, shall not be removed from the premises (taken outside the building) between the hours of 20:00 - 08:00 on any day.  
Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy
5. Waste collections shall not occur outside the hours of 19:00 to 08:00 Monday to Friday and 19:00- 10:00 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

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6. No deliveries shall be received by the site between the hours of 19:00 and 09:30 Monday to Sunday. No deliveries shall be received on 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
7. All doors and windows to the property shall remain closed at all times except for access and egress so as not to cause a noise nuisance to nearby properties and residents.  
REASON: In the interests of the amenity of the nearby residents and businesses in accordance with Policy 17 of the Central Lancashire Core Strategy
8. Any outside area to be used by patrons, shall be restricted to the area immediately outside the building facing Liverpool Road. This area shall only be used between the hours of 11:00 hours to 20:00 for the consumption of food and drink.  
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy
9. Table and chairs provided to the outside area shall only be provided between the hours of 11:00 to 20:00. Outside of these hours they must be removed to prevent there unauthorised usage.  
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy
10. Within three months from the date of this permission, a Noise Management Plan shall be submitted for approval to the local planning authority detailing how the applicant intends to control noise from patrons whilst using the facility both internally and externally. The approved plan shall then be implemented and retained thereafter. Any changes to the plan shall first be agreed in writing 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
11. 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
12. There shall be no external storage within the confines of the application site.  
REASON: To safeguard the visual appearance and character of the area in accordance with Policy G17 in the South Ribble Local Plan
13. The use hereby approved shall not be open to the public outside the hours of 11:00 and 23:30 Sunday to Thursday, 11:00 and 00:30 on Friday and Saturday  
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy

## 12. **RELEVANT POLICY**

### 12.1 **South Ribble Local Plan**

- E4 District Centres
- G17 Design Criteria for New Development

### 12.2 **Central Lancashire Core Strategy**

- Policy 17: Design of New Buildings



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## 12.3 Penwortham Neighbourhood Development Plan

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