

Planning Committee

Thursday, 28th April, 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, 7 April 2022 of Planning Committee

(Pages 5 - 10)

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 01/2021/00966/REM - Land west of Lancashire Business Park, Centurion Way, Farington

(Pages 11 - 64)

Report of the Director of Planning and Development attached.

7 07/2022/00052/VAR - Howick Hall Farm, Howick Cross Lane, Penwortham

(Pages 65 - 78)

Report of the Director of Planning and Development attached.

Report of the Director of Planning and Development attached.

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

Forthcoming Meetings

6.00 pm Thursday, 16 June 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 be then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- Anyone wishing to speak on an application must register by email to 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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Minutes of	Planning Committee
Meeting date	Thursday, 7 April 2022
Committee members present:	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 and Gareth Watson
Officers present:	Jonathan Noad (Director of Planning and Development), Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer), Chris Sowerby (Development Planning Team Leader), Emma Sheppard (Planning Consultant) and Charlotte Lynch (Democratic and Member Services Officer)
Other attendees:	Councillors Michael Green (attended virtually), Keith Martin and Margaret Smith (attended virtually)
Public:	3

116 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting and introduced the committee.

The Chair paid tribute to Councillor Bill Evans, former Cabinet Member for Planning, Business Support and Regeneration, who sadly passed away in March 2022.

117 Apologies for Absence

An apology for absence was received from Councillor Barrie Yates.

118 Declarations of Interest

Councillor James Flannery declared a personal interest in item 7 – 5 East Square, Longton.

Councillor Jon Hesketh declared a prejudicial interest in item 7 – 5 East Square, Longton - and would leave the meeting for the duration of the item..

Councillor Chris Lomax declared a prejudicial interest in item 9 – St Aidan’s Church, 46 Station Road, Bamber Bridge – and would leave the meeting for the duration of the item.

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119 Minutes of meeting Thursday, 3 March 2022 of Planning Committee

Resolved: (Unanimously)

That the minutes of the previous meeting of the Planning Committee, held on Thursday, 3 March 2022, be approved as a correct record for signing by the Chair.

120 Appeal Decisions

The Director of Planning and Development advised the committee of three appeals, which had recently been dismissed by the Planning Inspector, relating to

- Newgate Lane, Whitestake
- 9 Wordworth Place, Walton-le-Dale
- Lynbrook, Dob Lane, Little Hoole

121 07/2021/00354/FUL - Titan Business Park, Leyland Test Track, Moss Side, Leyland

Registered speaker(s): Councillor Michael Green (ward councillor) and the Agent

Address: Titan Business Park
Leyland Test Track
Moss Side
Leyland
PR26 7EW

Applicant: Providence Gate Titon Limited and Property Capital Limited

Agent: Mr Graeme Thorpe
2 Lockside Office Park
Lockside Road
Preston
PR2 2YS

Development: Hybrid application for a development of a business park/commercial buildings (Class B1), a petrol filling station (Sui Generis) and restaurant drive thru together with associated roads and landscaping, comprising of:

- a) Outline application for development of a petrol filling station and restaurant drive thru (access applied for)
- b) Reserved matters application for a development of a business park/commercial buildings (Classes B1) pursuant to the parent consent (07/2017/3361/ORM) with access road and landscaping (Lower and Upper Titan)
- c) Full application for additional access to the site from Ashton Way

The officer recommendation was proposed by Councillor James Flannery, seconded by Councillor Phil Smith and subsequently

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Resolved: (Unanimously)

That the application be approved with conditions.

122 07/2022/00063/FUL - 5 East Square, Longton

Councillor Jon Hesketh left the meeting for the duration of this item and did not take part in the vote.

Registered speaker(s): None

Address: 5 East Square
Longton
Lancashire
PR4 5NL

Applicant: Mr Tom Banks

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

Development: Erection of 1 no. detached bungalow with access off Long Croft

The officer recommendation was proposed by Councillor Phil Smith, seconded by Councillor Gareth Watson, and it was subsequently

Resolved: (Unanimously)

That the application be refused on the grounds that the siting of the proposed bungalow will appear overly prominent in the street scene and as such will detract from the character and appearance of the area when viewed from Long Croft. The proposal is therefore contrary to Policy B1 and G17 of the South Ribble Local Plan.

123 07/2021/00671/FUL - Wingnut Ltd., Tomlinson Road, Leyland

Councillor Jon Hesketh returned to the meeting.

Registered speaker(s): None

Address: Wingnut Ltd.
Tomlinson Road
Leyland
Lancashire
PR25 2DY

Applicant: CH Holdings Limited

Agent: MCK Associates
Burnaby Villa

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48 Watling Street Road
Fulwood
Preston
PR2 8BP

Development: Erection of 13 no. industrial units (for use classes B2/B8/E(C)/E (G)) with associated parking and servicing.

The officer recommendation was proposed by Councillor Caroline Moon, seconded by Councillor Jon Hesketh, and it was subsequently

Resolved: (Unanimously)

That the application be approved with conditions.

124 07/2022/00045/FUL - St Aidans Church, 46 Station Road, Bamber Bridge

Councillor Chris Lomax left the meeting for the duration of this item and did not take part in the vote.

Registered speaker(s): None

Address: St Aidan's Church
46 Station Road
Bamber Bridge
Preston
PR5 6QL

Applicant: Brownedge Christian Together Foodbank

Agent: Miss Samantha Jones
Civic Centre
West Paddock
Leyland
PR25 1DH

Development: Provision of a shipping container within the car park to house a foodbank.

The officer recommendation was proposed by Councillor James Flannery, seconded by Councillor Clare Hunter, and it was subsequently

Resolved: (Unanimously)

That the application be approved with conditions.

125 07/2021/000884/FUL - 51 Hough Lane, Leyland

Councillor Chris Lomax returned to the meeting.

Registered speaker(s): None

Address: 51 Hough Lane

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Leyland
Lancashire
PR25 2SA

Applicant: Wine & Beer Co. Ltd.

Agent: Mr David Perry
Extended Design Limited
97 The Farthings
Astley Village
Chorley
PR7 1SH

Development: Change of use to Class E(b) (Sale of food and drink for consumption (mostly) on the premises) incorporating a new shop frontage and outside seating area

The officer recommendation was proposed by Councillor Phil Smith, seconded by Councillor Will Adams, and it was subsequently

Resolved: (Unanimously)

That the application be approved with conditions.

126 South Ribble Annual Monitoring Report 2020/2021

The committee received a report of the Director of Planning and Development which sought approval of the draft 2020/2021 Monitoring Report for the 2015 South Ribble Local Plan, which all local authorities are required to publish on their website.

The report highlighted key achievements, such as

- A total of 414 housing completions
- Completion of 37 affordable dwellings
- Retention of Green Flag status for three parks in the borough

Members requested that the report be updated prior to publication to include information on the total number of units in each local centre, to provide further detail with regards to the number of vacant units.

There was also some confusion over whether the target for affordable housing was 30 dwellings or 30%. The Director of Planning and Development advised that this monitoring report related to the South Ribble Local Plan, which had a target of 30 affordable dwellings being completed per year.

It was acknowledged that the Central Lancashire Core Strategy requests that 30% of a development be affordable houses, where applicable, and that this discrepancy would be addressed in the new Local Plan which was currently under review.

It was requested that paragraph 2.5 of the appendix be rewritten to clarify this position and that the report be recirculated to members of the committee prior to publication.

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Resolved: (Unanimously)

That

1. the draft Monitoring Report be approved for publication on the Council's website, subject to revisions requested at the meeting and
2. authority is delegated to the Director for Planning and Development to make minor text, layout and formatting changes prior to publication, as necessary.

Chair

Date

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Application Number 07/2021/00966/REM

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

Applicant Caddick Developments Ltd

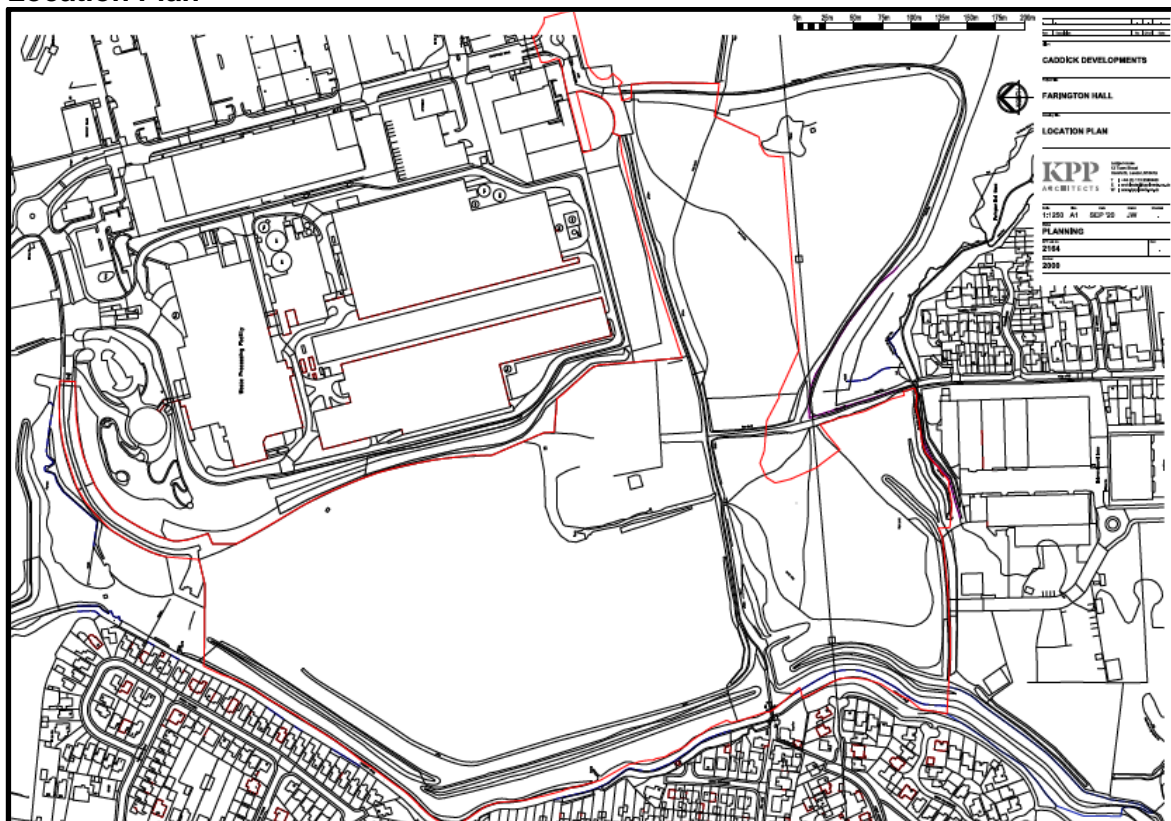
Agent Mr Nick Pleasant
NJL Consulting
Origin, 6th Floor
70 Spring Gardens
Manchester
M2 2BQ

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 That 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 receipt of the formal consultation response from the Environment Agency.

Date application valid 08.09.2021
Target Determination Date 08.12.2021
Extension of Time

Location Plan



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Update following Deferral

Members will recall that this application came before planning committee at its 10th February 2022 meeting. The application was deferred to allow further discussions to take place between the applicant and officers, in consultation with residents, in response to issues raised by the planning committee with regards to the size, scale and position of the proposed building together with issues relating to potential noise effects, air pollution, particularly in respect of the effects on dispersion from the adjacent Global Renewables site, light pollution, hours of operation and impact on resident's TV signals/digital and communication services.

Since the meeting, the applicants have engaged with the local community to explain their proposals in more detail and provide an opportunity for residents to comment. The post-committee engagement has included:

- Review of all comments received and the matters raised at committee;
- An initial email to residents advising them we will be updating the proposals, and would be in contact again in due course;
- Further update email to interested neighbours on general matters and to welcome questions and comments and invite residents to face to face meetings to discuss relevant points;
- Question & Answer style documents for residents and ward councillors, which included a summary on all technical matters raised and provided a visual and non-technical summary of the key points;
- Face to face meeting with ward councillors, to review the detailed points raised;
- Face to face individual meetings with concerned residents, in which the applicant provided summary documents on a range of technical matters, including a Question & Answer type document, and outlined a range of options designed to address their concerns;
- Review of the documents and plans following the meetings to identify areas of the development which can be reviewed, revised and updated in order to respond to the concerns raised;
- Providing draft plans to residents for their information, prior to submission, and to explain the proposed changes and how they address their concerns;
- Offers of follow up meetings as required;
- Meeting with officers.

As a result, the following amendments have been made to the development:

- Reduction in the building height from 22m to 18.5m at ridge and 16.7m at each elevation, by lowering the building height; and providing an alternative roof structure
- Significant additional landscaping between the northern access road and River Lostock and potential additional bunding on adjacent land.
- Full review of landscaping along the western boundary to retain more existing trees whilst providing a substantial landscape buffer.
- Addition of a 2.5m bund along the car park to the northern boundary;
- Additional mature planting along the western boundary, including specimens of 5m in height, the largest commercially available tree size;
- Willingness to monitor and manage the landscaping and screening of the development with the potential to consider further screening, if necessary, post completion of the building;
- Changing the colours of the materials to ensure the building blends into the existing landscape screening as much as possible; and
- A comprehensive mitigation strategy to ensure no impact on residents' television and digital signals, including radio reception.

Amended plans were submitted on 25th March, listed below:

Indicative Masterplan
Unit 1 Proposed Site Plan

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Unit 1 Building Elevations
Unit 1 Roof Plan
Fencing Details
External Materials
Site Levels
Proposed Site Sections
Ecological Enhancements Plan
Hard Landscape Plan
Soft Landscape Plans

Additionally, 4 new documents have been submitted: TV, FM & DAB Reception Survey; indicative Lighting Strategy; Supplementary Air Quality Note and indicative Development CGI.

The applicant has also provided some commentary on the commercial context and need for the proposed building, as follows:

“It is relevant to note the commercial context for the development, and particularly the pace of change in the industrial and logistics market. Since the Outline consent there has been a seismic shift in the industrial and logistics market driven by the global pandemic, Brexit, and significantly changing consumer habits. This has fundamentally reshaped domestic and global demand for space. The principal changes are:

- *Significant increase in online shopping alone meaning current demand for warehousing far outstrips forecast supply over the next five years at least to meet this consumer demand;*
- *Shift from ‘Just in Time’ warehousing which ran lean inventories to ‘Just in Case’ business models whereby retailers (and others requiring warehousing) hold extra stock to minimise the effect of supply chain delay. This means customer demand can be continually met, and result in smoother sales which gives certainty on revenue streams and essential cash flow;*
- *Forward planning – organisations are responding to restricted unit supply and availability of space by requiring larger units with spare capacity, as it is impossible for occupiers to take on additional space through short term leases to cope with surges in demand (as was the traditional model);*
- *Organisations are seeking to combine activities under one roof to drive efficiencies particularly when faced with higher energy and fuel costs, which required larger units closer to a good source of labour;*
- *On-shoring of supply chain, so manufacturers have greater certainty on key components. The UK car industry is a prime example, whereby manufacturers have been unable to complete production lines due to vital components being held in transit or delayed at ports; and*
- *Good quality organisations are seeking to make large investments in single buildings with high quality green credentials as they push towards zero carbon.*

As a result, the demand for and size of industrial units has been increasing. Analysis by Knight Frank shows demand in the North West of England for units of the scale proposed at Farington has increased by 100% in the last 12 – 24 months.

The minimum height, for any market facing distribution unit of greater than 100,000 sqft, is 15m to the underside of the haunch. This 15m height matches that proposed under the Reserved Matters and assessed under the Outline consent.

Furthermore, any development for these types of uses will, regardless of scale, require a 24 hour a day operation to be commercially viable and to meet industry standards.

Therefore, in summary, the pandemic and Brexit have rapidly accelerated previously only emerging structural changes in the market. Successful developments must therefore respond to this change and meet the demands of the market.”

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Neighbouring residents were re-consulted on the proposed amendments by the Council. Responses received are reported in Section 6. Summary of Publicity in the main report. Any additional comments received after agenda closing will be reported either by way of an update sheet and/or verbally at planning committee. Relevant consultees were also re-consulted on the amendments.

The body of this committee report has been updated to reflect the amendments within the relevant sections.

It is considered that, following the amendments since deferral by Planning Committee and subject to the impositions of conditions, the proposed development is policy compliant and acceptable in terms of impact on residential amenity and the application is recommended for approval with the decision being delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon receipt of the formal response from the Environment Agency.

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 were initially received to this Reserved Matters application, with the main points being the size and scale of the development; noise and light 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. Additional point were raised at the planning committee meeting including air pollution, particularly in respect of the effects on dispersion from the adjacent Global Renewables site and the impact on resident's TV signals/digital and communication services

1.3 A number of comments related to the access road and the potential for noise and light pollution from vehicles. It must be recognised that the mean of access was agreed as part of the outline approval. However, the applicant has provided some additional screening in the form of acoustic fencing along part of the access road and the car park.

1.4 Statutory Consultees 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 were subject to further discussions between the relevant consultees and the applicant.

1.5 Environmental Health advised the were reasonably satisfied with the air quality mitigation measures and the noise concerns had been largely addressed through additional acoustic measures; United Utilities provided helpful advice for the detail design process for the foul drainage for Phase 2 of the development; and the Environment Agency have no objection, but subject to receipt of their formal response, the decision be delegated.

1.6 Following the deferral and submission of amended plans, Environmental Health confirmed that they have no concerns in respect of noise or the impact of the building on dispersion from the stacks at Global Renewables. In respect of the indicative lighting assessment, there are additional assessments/results required but as this is covered by condition 20 of the outline approval, and the final lighting design strategy will need to be submitted as a separate process to discharge that condition.

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1.7 It is acknowledged that there have been a number of neighbour objections to the proposed development but it must be recognised that the applicant has taken on board the comments made by residents and at Planning Committee and has sought to address matters of concern. It must also be recognised that 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.

1.8 The proposal is considered to be policy compliant and the application is recommended for approval subject to the imposition of conditions with the decision being delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee upon receipt of the formal response from 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.

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

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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 14th 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 28th 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;
- 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 is currently pending

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 51,794sqm within Use Class B8 with ancillary office space and associated works. The proposed building measures 295.50m long by 160m deep. Since the original submission, the building has been reduced in height from 22m to 18.5m at ridge and 16.7m at each elevation. This has been achieved by providing an alternative roof structure, ie hips to the gable ends of the building and a lower hipped roof to the offices, at 13.5m.

4.2 The building would be constructed in metal cladding in a palette of greys, namely in Merlin Grey, Albatross Grey and Anthracite Grey to help it blend in with the existing waste technology park and other buildings on the Lancashire Business Park.

4.3 A staff car parking area for a total of 506 spaces, including 16 accessible parking spaces; 52 electric charging spaces; 26 motorcycle spaces and 30 cycle spaces and is located off the new access road. A 'Gatehouse' building is proposed to the north-east of the

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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 storage area and service corridor.

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. The amended plans have provided for:

- Significant additional landscaping between the northern access road and River Lostock and potential additional bunding on adjacent land.
- Full review of landscaping along the western boundary to retain more existing trees whilst providing a substantial landscape buffer. The existing tree layer will be enriched with shrub and new trees planting where possible while maintaining existing trees. The mixture of these three elements ensures a rich, densely vegetated boundary.
- Addition of a 2.5m bund along the car park to the northern boundary;
- Additional mature planting along the western boundary, including specimens of 5m in height

5. Supporting Documents

5.1 The application is supported by a number of documents and plans. Following deferral by planning committee, a number of the plans have been amended, and additional documents submitted, as follows:

Submitted document	Drawing number	Current plan version	Revised plan version
Location Plan	2164 – 2000	-	No change
Masterplan (<i>indicative</i>)*	2164 – 2001	P02	P07
Unit 1 Proposed Site Plan	2164 – 2002	P05	P07
Unit 1 Building Plan	2164 – 2003	P01	No change
Unit 1 Building Elevations	2164 – 2004	P02	P04
Unit 1 Roof Plan	2164 – 2005	P01	P03
Plant Store	2164 – 2007	-	No change
Cycle Store Details	2164 – 2007	-	No change
Fencing Details	2164 – 2008	P02	P04
Bin Store Details	2164 – 2009	-	No change
External Materials	2164 – 2010	P01	P02
Site Levels	2164 – 2011	P01	P02
Footpath Plan	2164 – 2012	-	No change
Gatehouse Plans & Elevations	2164 – 2013	-	No change
Proposed Site Sections	2164 – 2014	P02	P03
Ecological Enhancements Plan	UG35_ECO_EEP_01	P03	P07
Hard Landscape Plan	UG35_LAN_HL_DRW_02	P05	P07
Soft Landscape Plans	UG35_LAN_SL_DRW_03	P08	P14
	UG35_LAN_SL_DRW_04	P07	P12
	UG35_LAN_SL_DRW_05	P07	P08
	UG35_LAN_SL_DRW_06	P08	P09
	UG35_LAN_SL_DRW_07	P07	P08
TV, FM & DAB Reception Survey	TBAER060	New document	-
Lighting Strategy (<i>indicative</i>)*	1720-EX-6300	New document	P4
Supplementary Air Quality Note	410.05342.00008	New document	-
Development CGI (<i>indicative</i>)*	-	New document	-

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The following documents have not changed since originally submitted:

Planning Statement
Design & Access Statement
LVA Addendum
Flood Risk Assessment (relating to blockage scenarios)
Remediation Strategy (including gas protection measures)
Landscape & Ecology Management Plan
Water Vole Survey Report
Noise Impact Assessment
Employment and Skills Training 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 the first set of amended plans, neighbouring residents were reconsulted with a further 5 letters being received.

6.2 Following the deferral, further amended plans were submitted and neighbouring residents again reconsulted with 4 further letter of objection being received. The main points of objection are on the following grounds:

Original points of objection

- **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

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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 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

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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 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

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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.

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.

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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.

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

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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.

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.

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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

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 first 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!

- **Comments following second amendments**

Reduction in height of 3.5 is not sufficient, nowhere near enough

Will tower over residential properties

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No concession made with regards to the proposed 24/7 operation
Totally unacceptable due to its effect on privacy, noise, air pollution, light pollution and increased transport in the area
Too close to residential properties, a number of which have living rooms at the rear
Loss of enjoyment of rear gardens
Devastating impact on quality of life with 24/7 operation
Caddick were told by committee to consult with residents, this should be all residents not just a few
Already suffer from noise pollution from the business park at night and heavy traffic on the roads
Leyland Trucks and the Waste Plan are already an issue at night
Bedroom windows look directly over the site and will result in loss of privacy
Loss of green space for local residents and resultant impact on wildlife
Changing a field to hard standing will significantly increase run off into the river Lostock
Lancashire County Council is developing the area at the end of the M65 – this would be far more suitable for this type of business premises
This amended application is unrecognisable from the original outline planning application 07/2020/00781/OUT.
The proposal goes against The South Ribble Local Plan 8.20 which states: *“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”.*
The Preferred Access should be through Centurion Way as set out in the Local Plan this would take away all the vehicle movements, Noise & Pollution from the Residents.
There will be a Link road soon between Centurion Way and Tomlinson Rd as this will be the shortest route to the Motorway, as it states in the Air Quality Action Plan 3. Infrastructure.
On any planning applications serious consideration should be given to the increase in traffic...and notice taken of what local residents have say.. they know their areas.
This Application now confirms what was brought up at the Planning Committee meeting about wiping out TV RADIO MEDIA SIGNALS because the proposed scale of this building is too big & overbearing. See supporting document TV/FM & DAB RECEPTION SURVEY REPORT.
There is a big difference between the original outline planning which was for 4 smaller buildings which could not create as much noise or 24h activity and pollution as this DISTRIBUTION CENTRE.
The Councillors stated when this application was deferred do not bring this back to Committee unless big changes happen, all I can see is minor adjustments
This building should have to go through its own separate OUTLINE PLANNING APPLICATION due to it being changed beyond recognition from the original smaller buildings.
Very disappointed that once again that South Ribble Councillors are not being given the relevant information to make their decisions.

- **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 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

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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.

Following the deferral of the application by planning committee, Caddick carried out further community engagement to explain the proposals in further detail and provide an opportunity to comment. Caddick advise they:

“want to build a productive relationship with neighbours and are committed to consultation. Caddick has listened to the concerns raised and considered the feedback received at committee and presented updated information which responds to the concerns raised. The extensive post-committee engagement, which has been tailored to respond to the specific matters raised, has included:

- Review of all comments received and of the matters raised at committee, in particular focussing on the matters identified in this letter;*
- An initial email to residents advising them we will be updating the proposals, and would be in contact again in due course;*
- Further update email to interested neighbours on general matters and to; welcome questions and comments; and, invite residents to face to face meetings to discuss relevant points;*
- Question & Answer style documents for residents and ward councillors, which included a summary on all technical matters raised and provided a visual and non-technical summary of the key points;*
- Face to face meeting with ward councillors, to review the detailed points raised;*
- Face to face individual meetings with concerned residents, in which we provided summary documents on a range of technical matters, including a Question & Answer type document, and outlined a range of options designed to address their concerns (notwithstanding the acceptability of the application as submitted);*
- Reviewing documents and plans following the meetings to identify areas of the development which can be reviewed, revised and updated in order to respond to the concerns raised;*
- Providing draft plans to residents for their information, prior to submission, and to explain the proposed changes and how they address their concerns;*
- Offers of follow up meetings as required; and*
- Meetings with South Ribble Council.*

This engagement has taken place over a number of weeks and has resulted in further underlying support for the proposals. These meetings and local engagement have then informed the significant changes made to the application, and the changes have been made in direct response to comments received. For example, at committee and in subsequent meetings, concerns were raised with the colour of the proposed elevations and that a single colour provided a blank façade. As a result, and following these meetings, Caddick has fully reviewed the proposed cladding colour and taken expert advice. The proposals now include a contoured coloured cladding as the most effective means of ‘breaking-up’ the appearance and perceived massing of the unit.”

7. Summary of Consultations

7.1 **Environmental Health** initially reviewed the application and submission documents and 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

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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 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. Therefore, the issue of air quality has already been addressed as part of the outline approval.

Following deferral by planning committee, the amended plans included an AQA Note dealing with the issue of the potential impact of the building on dispersion from the stacks at Global Renewable, as raised by residents during the committee meeting. EH confirm that the building is far enough away and therefore the building will not impact on the dispersion.

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*

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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.

EH advise that the proposals would result in an 'adverse' impact on residents at weekends only with 2db above background during the day and 3db at night and this is within the parameters within 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 initially considered 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 do not object to the proposals in terms of noise.

Following the deferral by planning committee and the submission of amended plans, Environmental Health confirmed that they had read through the section within the applicants' letter regarding noise and have no further comments or concerns beyond those previously raised within their initial responses to the planning application, as outlined above.

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 was shared with Environmental Health who advised that, should permission be granted, they would require a condition be imposed in respect of the submission a final lighting scheme. However, Condition 20 of the outline approval required the submission of a lighting design strategy so there is no requirement to impose a further condition.

Following deferral by planning committee, the applicant submitted an indicative lighting strategy. Environmental Health advised that it contains no upward light ratio or glare impact. However, as the final lighting design strategy is secured by condition 20 of the outline

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approval, it will need to be submitted as part of a discharge of conditions application and will be considered by Environmental Health at the appropriate time. For clarity, condition 20 reads:

Prior to occupation, a "lighting design strategy for biodiversity" for the dark corridors along key habitat features shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats, badgers, otter and other crepuscular animals and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

*All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. **Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.***

Whilst the condition relates mainly to biodiversity, it is considered that the inclusion of the final sentence of condition 20 gives sufficient flexibility and assurances that all lighting design will be addressed through this condition.

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

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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.”

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 but comment that the proposals have changed substantially since the outline planning approval was granted. To reflect the change in approach, the EA advise new planning conditions should be 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.

It is noted that hydraulic modelling has been carried out and submitted to the EA but they initially advised the modelling would 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.

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As such, the applicant supplied a revised hydraulic model of the proposed new drainage scheme for the site. The updated model has now been reviewed against the EA's previous comments.

The EA advised that there were two outstanding matters regarding the proposed scheme which require further clarification. These matters relate to the initial water levels in the pond and the tests undertaken to determine this, alongside the blockage assessment for the site. This additional information is required to understand the impact of the new channel on the site before the model can be deemed suitable for use.

The EA therefore requested that the applicant respond to the questions below and provide additional supporting information where required:

- 1. The initial water depth of 10mm has been assumed in the pond, however figure 3-6 shows that the pond is nearly full. Please clarify if the representation is still conservative.*
- 2. Please provide clarification of the tests made on initial water levels. Did they assume bankfull condition? As the pond is in close proximity to the site and stores a depth of water up to 3metres, we would like to see more information on this.*
- 3. Could site visit photos showing the typical water levels in the pond be added to the report?*
- 4. Please confirm why a blockage assessment has not been carried out on the 1% AEP plus climate change scenario or 0.1%AEP scenario. We would expect climate change to be taken into account when undertaking an assessment of blockage on site. As such, please review and undertake this and report any changes in modelled water levels, flood depths/extents alongside any channel design changes if required.*

As such, the applicant provided the EA with the requested details and the EA confirmed by email that they have received the model review back from their E & R team and were pleased to confirm that the model has been accepted with no further work required. The EA will use the model to inform their planning responses to both the discharge of conditions application 07/2021/01040/DIS and the reserved matters application 07/2021/00966/REM. Additionally, the EA advises that the permit application is also in train and the model will also be used to inform the determination of the permit. Any further response from the EA will be reported verbally at planning committee.

The EA also advised on the outline conditions 32, 33, 34 and 35 regarding the Main River culvert and fluvial flood risk, as follows:

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.

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.

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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 also 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 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 implement 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

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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 first set of 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.

Following deferment and the further amended plans, the Arboriculturist echoed the previous comments made and the recommended conditions.

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 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

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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:

- 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.

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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:

- (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

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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.
- (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

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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;
- (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

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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
- 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;

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- 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:

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.

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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

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

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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
- 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 and includes relevant updates following the deferral and subsequent submission of amended plans.

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

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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 had already been approved at outline stage and therefore the proposals are considered acceptable in respect of 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.

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 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 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.

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9.4.7 The applicant advised 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 was officers view that the amended proposals were acceptable in terms of its layout. It achieved 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.

9.4.9 However, the application was deferred by planning committee with one of the reasons being the position of the proposed building. As such, further amended plans were submitted. Although the amendments have not altered the layout, the supporting letter advises: *“The Reserved Matters layout results in a far greater offset to residential properties than previously accepted by members in approving the Outline proposals. The offset is significantly greater than that which is required for an acceptable development, and demonstrates the location of the development, and relative proximity to residential dwellings, is entirely acceptable.”*

9.4.10 It remains the view of officers that the layout of the proposed development is acceptable.

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. These were to be a maximum height of 22m but following deferral by Planning Committee, amendments were submitted which reduce the height from 22m to 18.5m at ridge and 16.7m at each elevation, by providing an alternative roof structure. The building has a footprint of 48,448.93sq m and the overall scale is within the 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. As part of the submitted amendments, the applicant has also provided details of the commercial requirements for a building of this size and this is reported in the 'Update' section at the beginning of this report.

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 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 related to the scale of the building. Residents 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. In particular, the building now achieves a greater spatial separation distance from residential properties, 50m at the closest point and the height has been reduced.

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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, following these latest amendments and particularly the reduction in height, the proposal is 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.

9.6.4 Following deferral by planning committee, the building's appearance has been altered with the introduction of additional grey tones. The supporting letter advises: *"at committee and in subsequent meetings, concerns were raised with the colour of the proposed elevations and that a single colour provided a blank façade. As a result, and following these meetings, Caddick has fully reviewed the proposed cladding colour and taken expert advice. The proposals now include a contoured coloured cladding as the most effective means of 'breaking-up' the appearance and perceived massing of the unit."*

9.6.5 It is officers view that the palette of grey tones will result in a less obtrusive building when viewed against the backdrop of the adjacent waste technology plant and grey skies

9.7 Landscaping

9.7.1 The application includes hard and soft landscaping proposals with the plans having been amended since originally submitted and again following deferment by Planning Committee. The following is as originally reported with an update at the end of this section.

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.

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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 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.

9.7.10 Following deferral by Planning Committee, the Landscaping Plans were again updated to include: *“Significant additional mature landscaping (including planting of the largest commercially available tree specimens of 5m in height) is now proposed along the western boundary. Furthermore, a 2.5m earth bund with trees and landscaping is proposed to the north. This bund and landscaping further reduce visibility of the unit and its external areas from properties to the north. The additional mature landscaping and bund is proposed directly in response to questions raised at and after committee and is provided entirely notwithstanding the previously submitted landscaping plan was already of significantly high quality and more than exceeded any planning related requirements. This represents a significant additional investment in, and commitment to, high quality landscaping across the site which provides benefits on the day of planting (i.e., in these more visible locations Caddick is providing substantial trees and not small saplings which take a number of years to mature). Overall, the additional landscaping further reduces the perceived visibility of the unit and demonstrates a unit of this type, size, and scale is entirely appropriate in this location.”*

9.7.11 The Arboriculturist and Ecology were both reconsulted on the amended landscaping proposals and any response received will be reported either by way of an update sheet or verbally at planning committee. However, given that the landscaping has been improved and that no objection were received to the original scheme, then it is considered the proposal is acceptable in terms of landscaping.

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 initially proposed a large scale building of 22m in height which is comparable with the parameters approved under the outline permission. However, following deferral by Planning Committee, the height has been reduced from 22m to 18.5m at ridge and 16.7m at each elevation.

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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. The amended proposals include trees of 5m in height which is the largest commercial available tree for planting. 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) of the outline permission, 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:

- 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.*

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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*
 - 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.*

9.9.6 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.

9.9.7 Following deferral by Planning Committee, where the matter of noise was raised by Members and residents, the applicant has provided the following commentary: *"It is critical to firstly note officers firmly concluded (and advised Planning Committee accordingly) that expert technical consultees confirm the proposals are entirely acceptable in noise terms and there will be no unacceptable effects on neighbours. Officers were clear that a refusal on noise impact ground could not be substantiated.*

Turning to additional technical points raised at committee, which focussed on; (1) a perception the Reserved Matters proposals would cause greater harm than the Indicative Masterplan shown at Outline stage; and, (2) noise reflecting from the adjacent site on to neighbours as a result of the acoustic screen, thereby reducing the effectiveness of an adjacent bund and potentially creating night time effects from the access road. Again, it must be recognised the application has been reviewed by expert consultees who raised no objections on these matters. Caddick has nevertheless commissioned additional technical noise analysis which covers these points in even greater detail.

Relevance of the Outline planning permission and indicative masterplan in relation to noise

As detailed above, the Officer Report to Planning Committee explains the Indicative Masterplan shown at Outline stage was exactly that; an indicative example of how the site could be delivered. In reality, the proposals for which detailed Reserved Matters consent are sought result in a significant betterment in many respects compared to the Outline stage Indicative Masterplan.

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The noise model shows significant betterment from the Reserved Matters proposals compared with the Indicative Masterplan at Outline stage, not least as the previously indicated four units with service yards partially facing residential areas (in the Outline proposals) are replaced with a single unit facing Global Renewables (in the Reserved Matters proposals). This means under the Reserved Matters, the distance from yard areas to residential properties is very significantly increased and those properties to the west and north-west are screened from noise sources by the building itself, which would not have been possible with the Indicative Masterplan shown at Outline stage. Notwithstanding that the building now provides noise screening to the service yard, the service yard itself is a significantly greater distance from sensitive receptors than was shown at Outline stage. Predicted noise levels at these receptors behind the proposed unit are now below the existing background noise levels.

Where dwellings are not screened entirely by the building, acoustic barriers provide mitigation (such as along the access road). The barriers are specifically designed to attenuate noise sources at the site, which will be generally close to ground level or just above. The effectiveness of the barriers has been fully modelled and the modelling agreed with technical consultees (as reported to Planning Committee). Furthermore, in response to a request from residents, additional acoustic barriers have been provided even where the noise modelling does not show them to be necessary (such as along the car park boundary and close to the access road).

We have also undertaken additional sensitivity testing in respect of noise from the access road, and this modelling shows there will be no adverse effect on neighbours with any very limited increase in noise well within acceptable limits.

Noise reflection from the adjacent bund and proposed barriers

The adjacent bund is to reduce noise from Global Renewables as a whole (not just vehicles manoeuvring around the site as was indicated at committee). The bund will continue to provide a benefit to residents.

A specific query has been raised by a resident concerning the interaction between this bund and the proposed acoustic fence along the access way and specifically matters of noise 'reflection'. In terms of reflections between the proposed acoustic barriers and the bund, the bund is constructed of earth and will have noise absorptive properties. The bund has been included within the noise model, and it has been assumed it will, conservatively, have 50% acoustic absorption, with the proposed barrier included as a reflective surface. Therefore, any reflections associated with the barrier and bund have been accounted for within the submitted assessment. The development remains entirely acceptable in noise terms."

9.9.8 Environmental Health have read the section within the applicant's letter regarding noise and have no further comments or concerns beyond those previously raised within initial responses to the planning application, as reported above and concluded at para 9.9.6 "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

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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 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. 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. As requested, LCC Highways reviewed TA and 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 advised that Environmental Health 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. 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".

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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.

9.10.10 At the Planning Committee meeting, residents raised the matter of the height of the building and its potential to impact on the dispersion from stacks on the adjacent waste treatment plant. The applicant's Air Quality consultants, SLR Consulting Limited provided a letter, advising:

"SLR understands the reference to the 'adjacent waste treatment plant' relates to the Global Renewables Leyland site. A review of aerial imagery of the Global Renewables site indicates 5No. flue stack emission point sources. A review of a statement submitted in support of the planning application for the increase in stack height indicates the stack heights are 25m above ordnance datum (AOD). The stacks are associated with a biofilter (5No. stacks) and a regenerative thermal oxidiser (1No. stack).

The potential for a building or structure to effect dispersion from a flue stack source is known as 'building downwash', or 'building wake' effects. Building downwash occurs when turbulence, induced by nearby structures, causes pollutants emitted from an elevated source to be displaced and dispersed rapidly towards the ground, resulting in elevated ground level concentrations.

As part of a commensurate air quality assessment and to determine potential impacts on ground level concentrations, building downwash is required to be considered for buildings / structures which have a maximum height equivalent to at least 40% of the stack height and which are within a distance defined as five times the lesser of the height or maximum projected width of a given building / structure. This is termed the '5L Rule'.

The Caddick reserved matters application seeks approval for a single unit with a maximum building height of 21.75m (i.e. a building height of at least 40% of the emission height of the stacks present on the Global Renewables site). The single unit for which Caddick seek reserved matters approval will have dimensions of 160m (X axis) x 295.5m (Y axis).

Therefore, in consideration of the 5L Rule, the relevant screening distance for consideration of whether a building will impact upon building downwash is 108.75m (i.e. the building height as the lesser of the building height / width values, $21.75m \times 5 = 108.75m$). Buildings /

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structures within 108.75m of the stacks present on the Global Renewables site have the potential to effect downwash.

The single unit building for which Caddick seek reserved matters approval is located >200m from the stacks present on the Global Renewables site and, therefore, will not affect building downwash or impact upon dispersion from the stacks present on the Global Renewables site.”

9.10.11 Environmental Health have confirmed that the proposed building is far enough away from the stacks at Global Renewable that it will not impact on the dispersion.

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.

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

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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. Since then, hydraulic modelling has been submitted and reviewed by the EA.

9.11.7 The EA initially advised the modelling would need further work before they could accept it but commented that this is fairly standard, and models often need amendments before being brought back for second and third reviews with their Evidence and Risk team. As such, revised modelling information has been submitted to the EA for review

9.11.8 The updated model has now been reviewed against the EA's previous comments. The EA advised that there were two outstanding matters regarding the proposed scheme which require further clarification. These matters relate to the initial water levels in the pond and the tests undertaken to determine this, alongside the blockage assessment for the site. This additional information is required to understand the impact of the new channel on the site before the model can be deemed suitable for use. The EA therefore requested that the applicant respond to the questions below and provide additional supporting information where required:

- *The initial water depth of 10mm has been assumed in the pond, however figure 3-6 shows that the pond is nearly full. Please clarify if the representation is still conservative.*
- *Please provide clarification of the tests made on initial water levels. Did they assume bankfull condition? As the pond is in close proximity to the site and stores a depth of water up to 3metres, we would like to see more information on this.*
- *Could site visit photos showing the typical water levels in the pond be added to the report?*
- *Please confirm why a blockage assessment has not been carried out on the 1% AEP plus climate change scenario or 0.1%AEP scenario. We would expect climate change to be taken into account when undertaking an assessment of blockage on site. As such, please review and undertake this and report any changes in modelled water levels, flood depths/extents alongside any channel design changes if required.*

As such, the applicant provided the EA with the requested details and the EA confirmed by email that they have received the model review back from their E & R team and are pleased to confirm that the model has been accepted with no further work required. The EA will use the model to inform their planning responses to both the discharge of conditions application 07/2021/01040/DIS and the reserved matters application 07/2021/00966/REM. Additionally, the EA advises that the permit application is also in train and the model will also be used to inform the determination of the permit.

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

- *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.*
- *Condition 33 also required the submission of information as part of the Reserved Matters*

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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.

- *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.*
- *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.*

9.11.10 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.

9.11.11 The Environment Agency confirmed verbally that they were reasonably certain that all matters have been addressed by the applicant and it was unlikely that they would request any new planning conditions. However, they require additional time to fully consider this Reserved Matters application and provide a formal consultation response. As such, if this is not received in time for the committee meeting, the decision should be delegated to the Director of Planning and Development in consultation with the Chair of Planning Committee pending the formal response.

9.12 Ecology

9.12.1 A number of documents have 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.*

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

9.12.5 GMEU consider the submitted Water Vole 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.*

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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 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*

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[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 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.

9.16 Employment

9.16.1 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.

9.16.2 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.

9.16.3 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.*

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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.”

9.16.4 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 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 “

9.16.5 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.

9.17 TV/FM and DAB Reception

9.17.1 Following deferral by Planning Committee where residents raised the issue of impact on their TV signals, the applicant commissioned a TV/FM and DAB reception survey and submitted a report on the findings. The report concludes that:

“The proposed development’s location has no existing buildings. Subsequently, the proposed development will change the existing site which can result in an impact to existing viewers’ television reception.

By considering the proposed development’s location and elevation, the details collated during the desktop study, and the results and information recorded during the field survey, we can ascertain where, or if, the introduction of the proposed development has the potential to impact upon existing viewers’ television reception.

In the case of the proposed development, we have highlighted a potential impact zone for terrestrial television reception shown on Map 1. We have not indicated a potential impact zone for satellite television reception as we do not expect this to be affected by the proposed development.

The potential impact zone for terrestrial television reception covers an area to the northwest of the proposed development. Most of the potential impact zone covers the neighbouring properties directly to the Northwest, with the main affected location covering an area including parts of Riverside, Bispham, and Fylde Avenue, and for these properties affected mitigation may be required.

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There is an alternative transmitter in Moel Y Parc, but this may not be the most desirable option as regional programming would not be for this area, Freesat/Sky is also an option for affected properties. For FM and DAB reception due to the signal being a lower frequency and as such is generally more 'robust' it is rarely affected and any deviation in signal levels would be only noticeable in very close proximity to the development.

We advise that the situation regarding television and satellite reception is monitored closely during the construction and any reports of interference are investigated promptly.

The use of cranes during the construction phase can also cause temporary interference. This should be monitored throughout construction, with mitigation used where necessary."

9.17.2 The survey report then goes on to provide potential mitigation for any disruption that may be experienced, as follows:

"Television and satellite reception will be monitored closely during construction and any reports of interference will be investigated promptly. The following solutions will be implemented as appropriate on a case-by-case basis:

Terrestrial Television Reception

Remedial Aerial Work

One or all the following may assist in rectifying interference being received to terrestrial television reception

*Change of aerial type to one most suited to the type of interference being received.
Redirecting existing television aerial to an alternative transmitter that is not affected, in some cases the existing television aerial may not be suitable for redirecting and the installation of a suitable television aerial may be required*

Re-siting of the television aerial to a position on the property where interference is reduced or not present.

Increase or decrease of aerial height

Installation of masthead amplification to improve television signal strengths being received

Remote Television Aerial

When a remote television aerial is positioned at a location with good quality television reception, (which can be a considerable distance from the affected area), and the signals are brought back via a cable network to the affected properties.

Utilising Satellite Reception

Should rectifying terrestrial television reception prove problematic, the installation of satellite systems utilising the Freesat/Sky platform can assist in rectifying reception issues.

To provide satellite television reception for individual affected dwellings or commercial units requires the installation of a satellite dish and set top box.

Satellite Television Reception

Remedial Satellite Work

One or all the following may assist in rectifying satellite television reception issues.

Re-siting of the satellite antenna to a position on the property where a clear line of sight can be achieved.

Increase in height of the satellite antenna to achieve a clear line of sight to the satellite.

Remote Satellite Dish

When the receiving satellite dish is sited in a position where a clear line of sight can be achieved; this can sometimes be a considerable distance from the affected property. In some

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instances, the satellite dish may require siting on the offending property to achieve a clear line of sight, or on an adjoining property where permission will have to be sought. The signals are brought back to the affected property via a cable and amplifier network.”

9.17.3 Clearly the applicant has taken on board the comments made at planning committee and has commissioned an independent survey which provides for a number of mitigation measures. It is considered that, with the inclusion of a condition to ensure necessary mitigation is carried out, then any potential disruption to TV/FM and DAB reception can be remedied.

10. Conclusion

10.1 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.

10.2 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.

10.3 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. However, if the final formal response from the Environment Agency has not been received in time for the planning committee meeting, it is recommended that 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 receipt of the formal consultation response from the Environment Agency.

11. Recommendation

11.1 That 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 receipt of the formal consultation response from the Environment Agency.

12. 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 P07
Unit 1 Building Plan 2164 - 2003 Rev P01
Unit 1 Building Elevations 2164 - 2004 Rev P04
Unit 1 Roof Plan 2164 - 2005 Rev P03

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Plant Store 2164 - 2006
Cycle Store Details 2164 - 2007
Fencing Details 2164 - 2008 Rev P04
Bin Store Details 2164 - 2009
External Materials 2164 - 2010 Rev P02
Site Levels 2164 - 2011 Rev P02
Footpath Plan 2164 - 2012
Gatehouse Plans & Elevations 2164 - 2013
Site Sections 2164 - 2014 Rev P03
Ecological Enhancements Plan UG35_ECO_EEP_01 Rev P07
Hard Landscape Plan UG35_LAN_HL_DRW_02 Rev P07
Soft Landscape Plan Sheet 1 of 5 UG35_LAN_SL_DRW_03 Rev P14
Soft Landscape Plan Sheet 2 of 5 UG35_LAN_SL_DRW_04 Rev P12
Soft Landscape Plan Sheet 3 of 5 UG35_LAN_SL_DRW_05 Rev P08
Soft Landscape Plan Sheet 4 of 5 UG35_LAN_SL_DRW_06 Rev P09
Soft Landscape Plan Sheet 5 of 5 UG35_LAN_SL_DRW_07 Rev P08
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
6. The development hereby approved shall be carried out fully in accordance with the mitigation measures outlined in the TV/FM & DAB Survey Report Ref No: TBAER060 dated 19th February 2022 by SCS Technologies Ltd.
REASON: In the interests of the residential amenity of neighbouring properties in accordance with Policy G17 in the South Ribble Local Plan

10. RELEVANT POLICY

National Planning Policy Framework

Central Lancashire Core Strategy

- 2 Infrastructure
- 3 Travel

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- 9 Economic Growth and Employment
- 10 Employment Premises and Sites
- 15 Skills and Economic Inclusion
- 16 Heritage Assets
- 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

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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. 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

Wastewater assets – 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/>.

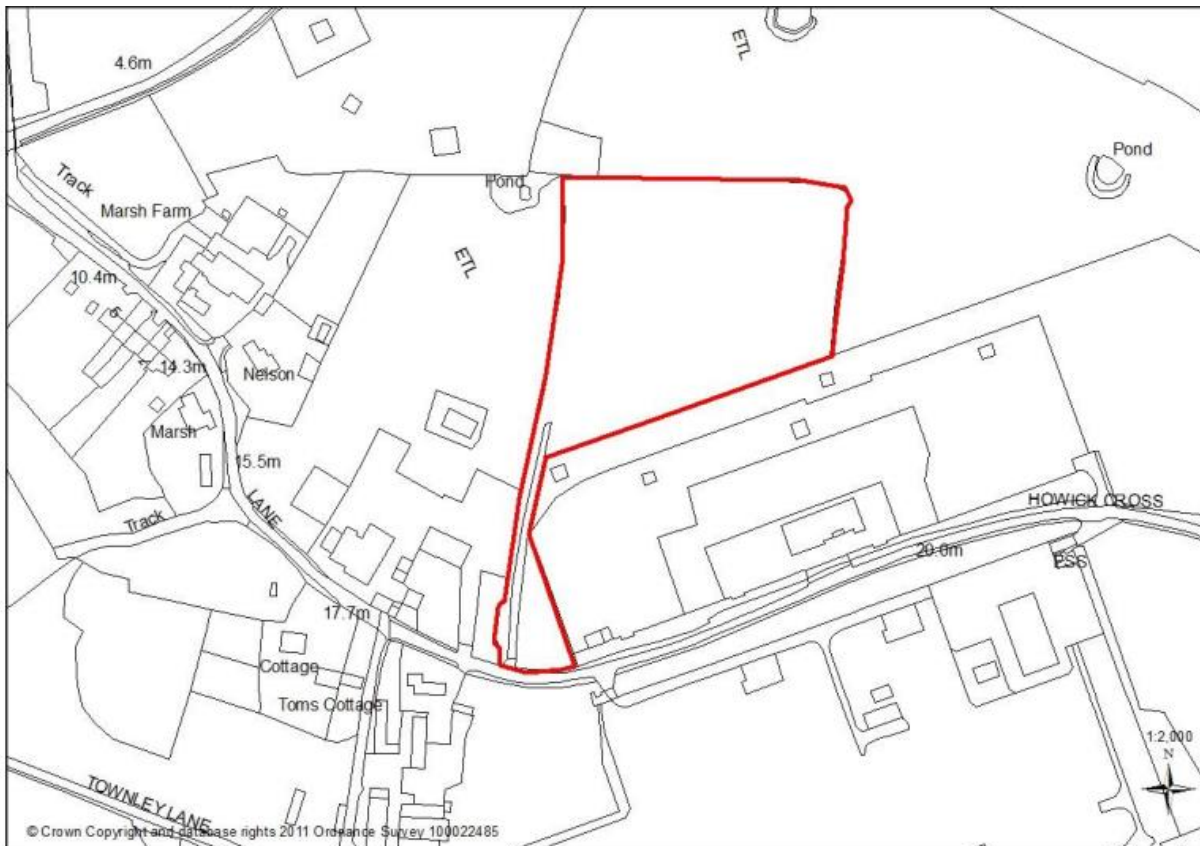
You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

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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Application Number	07/2022/00052/VAR
Address	Howick Hall farm Howick Cross Lane Penwortham
Applicant	Penwortham Storage Ltd
Agent	William Summerlin Statera Energy Ltd 245 Kensington Church Street London
Development	Variation/removal of conditions 2, 5, 12-14 of permission 07/2021/00252/FUL for the development of a 49.99mw battery storage facility with associated infrastructure and landscaping
Officer Recommendation	Approval with Conditions
Officer	Debbie Roberts
Date application valid	24.01.2022
Target Determination Date	25.04.2022
Extension of Time	29.04.22



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1. Report Summary

1.1 This application seeks to vary some of the conditions imposed on planning permission 07/2021/00252/FUL for development of a 49.99mw battery storage facility, with associated infrastructure. This variation allows for upgrade and layout changes to the scheme and variation/removal of conditions as described in full below

1.2 The proposal, its proximity to and potential impact towards the immediate area have been fully assessed, but following full consultation representation has not been made.

1.3 The site and wider surroundings are designated as Green Belt by Local Plan Policy G1, and having consideration to the following commentary the proposal is considered to comply with Green Belt policy. It also accords with the relevant policies of the National Planning Policy Framework, Central Lancashire Core Strategy, South Ribble Local Plan and Penwortham Neighbourhood Development Plan 2017. It is therefore recommended for approval subject to the imposition of conditions

2. Application Site and Surrounding Area

2.1. The proposal refers to a tract of agricultural land with deep, narrow access located north of Howick Cross Lane, Penwortham. It is bound on all sides by hedgerow, and accessed from Howick Cross Lane by a field gate. Overhead power lines cross the site in a south-westerly direction

2.3 Abutting the western side is Pollards Farm; the main proposal site lies alongside land to the rear of Pollards Farm. Facing the access are Hesketh farm (Grade II) and a row of cottages, and south-east is a large National Grid power station which straddles Howick Cross Lane. North are deep tracts of agricultural land beyond which is the River Ribble (750m approx); the proposal site is extremely secluded and not immediately visible from any neighbouring property

3. Site Context and Planning History

- ☐ 07/2012/SCE – Environmental Screening Opinion requested for battery storage facility. EIA not required. September 2017
- ☐ 07/2017/2821/FUL – erection of battery storage facility. Approved Nov 2017 but not implemented
- ☐ 07/2018/3907/SCE – Environmental Impact Screening opinion for gas fired generating facility. EIA not required Nov 2018
- ☐ 07/2021/00118/VAR – Variation of conditions re application 2017/2821/FUL. Approved April 2021
- ☐ 07/2021/00252/FUL - Development of a 49.99 MW Battery Storage Facility, with associated infrastructure and landscaping. Approved July 2021

Application 07/2022/00021/FUL has also been lodged for siting of containerised battery energy storage units including electrical ancillary equipment, new gated access and installation of 2.5m high galvanised palisade fencing and gates. This is on land to the rear of the adjacent National Grid building/east of the proposal site, but has not yet been determined. This is for a different applicant

4. Proposal

4.1 *Background Information* – Additional grid support is required in line with national policy to support low carbon futures with secure, reliable supplies of electricity. As such there is a need to manage frequency, voltage and imbalances in the system during periods of high and low demand; this balance is fundamental to an energy efficient future and effectively offers

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local advantage in prevention of blackout. Frequency services help to balance grid system frequency fluctuations ; certain commercial batteries being able to achieve the required 100% power input in less than one second.

4.2. Application 07/2021/00252/FUL was approved following expiration of application 07/2017/2821/FUL for the same proposal. These applications responded to increasing local demand with approval for a battery storage facility which would store up to 49.99 MW of electricity, would provide ancillary services to National Grid and supply energy security to the local network during times of peak demand. Sites for viable grid connection are restricted to those in close proximity to appropriate service; this site is one of those.

4.3. The approved facility comprised 13 no: single storey steel cabins (E Houses) holding lithium ion batteries, 26MV Blocks to house transformers and inverters and a 132kv substation with associated infrastructure, in addition to temporary and permanent site compounds, landscaping and an attenuation pond.

4.4 *Proposal* - Since the latest permission was granted there have been advances in battery storage technology and as such it is necessary to update the proposed layout. Whilst the layout of infrastructure and the attenuation pond would change, the proposal remains that of a 49.99MW battery storage site.

4.5. The proposal would include 15 battery storage containers (2.4m x 12.2m x 3m high) and 15 inverter transformer units separated by 3m circulation spaces. These would sit to the rear of the site away from the highway or neighbouring properties.

4.6. A bunded attenuation pond with stock proof fence surround would be relocated from the site centre to the eastern side facing open land, whilst parking, temporary construction compound and general work space would be located closest to the main access which extends 110m from Howick Cross Lane. To the east of this area would be an Electricity North West compound (5.1m x 9.9m x 4.6m high) and a 132v transformer station. Fencing to the entire site would be erected as a security measure, and areas separated by either gravel or grass.

4.7. A number of previous conditions have also been addressed with this submission, and would be varied or removed by any new permission as a result.

4.8. Site construction is expected to complete in 6 months. Units are manufactured off site and craned into position during a relatively short time period, and traffic movement is expected to be limited, but would reduce further following initial ground works. The applicant has indicated that apart from work required during emergency situations construction on site would be confined to weekdays and Saturday mornings only. Post completion the unit would be largely unmanned other than occasional visits from supervising engineers. Permanent operational lighting other than for security and to allow general maintenance is therefore not required. A CCTV system to monitor the perimeter however is necessary

5. Summary of Supporting Documents

5.1. The proposal is accompanied by the suite of documents identified by condition 2

6. Representation

6.1 Summary of Publicity

6.1.1. A site notice has been posted and eighteen neighbouring properties consulted.

6.2. Letters of Objection or Support

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6.2.1. None received

6.3. Town/Parish Council Response

6.3.1. None received

7. Summary of Statutory Responses

7.1. **Ecology** The changed plans will not materially change the ecological issues associated with this development. The applicant has now provided a badger report and as no badgers were found they have requested that the badger condition be removed. However, the survey occurred in September 2021 and is very close to the six-month deadline. It is technically still just valid but unless they have already commenced work on the site, the condition should be retained and the badger assessment reviewed and updated prior to any earthworks on the site. The applicant has confirmed that a revised report will not be ready in time and the condition should be retained

7.3. **Environment Agency** have not replied to this or to earlier versions of the scheme but only do so when there are comments to make.

7.4. **Environmental Health** – revised drainage calculations suggest the use of filter drains and ponds will meet the mitigation requirements but request that the Environment Agency are consulted. For consistency, construction management conditions relating to the earlier scheme have been carried forward

7.5 **Health & Safety Executive** – The HSE Webapp confirms that the proposed development site currently lies within the consultation distance (CD) of at least one major hazard site and/or major accident hazard pipeline; HSE needs to be consulted on any developments on this site. HSE following formal consultation however note that battery storage facilities are not a relevant development in the vicinity of major hazard sites and major accident hazard pipelines as they do not, in themselves, involve the introduction of people into the area. Neither is the site a COMAH (Control of Major Accident Hazard) site, explosive storage facility or adjacent to a nuclear plant. HSE therefore have no objection.

7.6. **Lancashire County Highways** – LCC are satisfied with the highways part of condition two, and with condition five relating to the highway condition survey which may now be removed.

7.7. **Lancashire Constabulary** have not commented on this occasion but referred earlier version of the scheme to the Counter Terrorism Security Advisors. CTSA noted that the proposal is adjacent to a development of increased risk of threat, and whilst there is no reason to suggest increased threat it should be mitigated against as a precaution. For consistency CTSA details have been passed to the applicant so that further discussions can take place outside of the planning process.

7.8. **Local Lead Flood Authority** initially objected, but has withdrawn its objection and recommends discharge of conditions 13 and 14 of the 2021 permission with the retention of ongoing requirements

7.9. **National Grid** have been consulted but have not responded to several requests for comment regarding this or earlier versions of the proposal

8. Material Considerations

8.1 Green Belt and Renewable Energy Policy

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8.1.1. The National Planning Policy Framework 2021 (Para 11) provides a presumption in favour of sustainable development including protection and enhancement of the natural environment including mitigation against climate change by moving towards a low carbon economy. The South Ribble Renewable and Low Carbon Energy SPD also sets out the Councils approach to renewable development and low carbon projects

8.1.2. The site and surroundings are designated as Green Belt by Policy G1 of the South Ribble Local Plan. In line with the National Planning Policy Framework, planning permission will not be given for new buildings which are considered inappropriate unless the proposal sits within a clearly defined list of exemptions, or the applicant can demonstrate that there are very special circumstances which clearly outweigh the harm caused to the fundamental open nature of the area.

8.1.3. NPPF Para 151 also states that *'when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources'*.

8.1.4. In addition, Para 152. Says that *'the planning system should support the transition to a low carbon future in a changing climate... It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure'*.

8.1.5. Para 153 supplements that with *'policies should support appropriate measures to ensure the resilience of communities and infrastructure to climate change impacts such as ... making provision for the possible future relocation of vulnerable development and infrastructure'*, whilst Para 154 goes further by ensuring that *'new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change'* and that plans should provide a positive strategy for energy, identify suitable areas for renewable and low carbon energy sources, and supporting infrastructure and identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems (Para 156)

8.1.6. In determining planning applications local planning authorities should expect new development to comply with any local development plan requirements for decentralised energy supply unless it can be demonstrated by the applicant that this is not feasible (Para 157) and when determining planning applications for renewable and low carbon development, local planning authorities should recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable (Para 158)

8.1.7. Core Strategy 28 (Renewable and Low Carbon Energy Schemes) echoes these sentiments by supporting renewable and low carbon schemes where there is no unacceptable impact on landscape and visual appearance, the reason for the designation of the site would not be compromised and noise, odour, traffic or other impact is mitigated

8.2 Design Policy

8.2.1. NPPF Chapter 12 (Achieving Well Designed Places) attached great importance to the design of built environments; a key aspect of sustainable development. Core Strategy Policy 17 and Local Plan Policy G17 concur with this requirement that new development should

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respect the character and appearance of the area, highways and pedestrian safety and should not impact upon residential amenity

8.3. Environmental Policy

8.3.1. NPPF Chapter 15 (Conserving and Enhancing the Natural Environment) – In addition to consideration of design and locational impact, decisions should focus on whether development is an acceptable use of the land rather than on control of processes or emissions where these are subject to approval under separate pollution control regimes. It should be assumed that these regimes will operate effectively and that proposed developments have also been designed to do so (Para 188). Planning decisions should also aim to conserve and enhance the natural environment; this is reflected by Core Strategy Policy 22 (Biodiversity and Geodiversity).

8.4 Penwortham Neighbourhood Development Plan

The Penwortham NDP was adopted in Feb 2017 and as such carries weight when assessing planning proposals. The NDP seeks to ensure that Penwortham continues to thrive, and to provide an outstanding quality of life for current and future generations through a series of objectives; two of which are:

- ☐ Supporting measures and appropriate sustainable development to allow all members of the community an opportunity to remain a part of it
- ☐ Endorsing policies that have a positive effect on the environment such as reducing or removing flood risk, mitigate climate change, reduce carbon footprints and protect open spaces

8.5. Overarching National Policy Statement for Energy (EN-1) – Department for Energy and Climate Change) 2011 (as revised 2022) states that in terms of energy supply security it is critical that the UK has secure, reliable electricity supplies as we make the transition to a low carbon economy. To manage the risks to achieving this security there must be sufficient electricity capacity to meet demand at all times. At present there is no ability to store electricity so demand must be simultaneously and continuously met by its supply with a safety margin of spare capacity to accommodate unforeseen fluctuations in supply or demand

9. Other Matters

9.1. Impact Upon The Green Belt

9.1.1. The proposal site is a large tract of open land in a fairly secluded, semi-rural locale. It has been acknowledged that development of the scale proposed would undoubtedly be of consequence to the areas openness of the immediate area, and subsequently that of the Green Belt. In this respect the proposal constitutes inappropriate Green Belt development which would by definition result in unacceptable harm. Neither can it be said to benefit from one of the exceptions offered by the NPPF or Policy G1. The onus therefore is on the applicant to demonstrate that there are very special circumstances which clearly outweigh that harm.

9.1.2. Arguably, the environmental benefits of the project would help to balance frequency fluctuations on the grid system, and would make a significant contribution to the local networks energy security during peak demand; thus providing a distinct local advantage to residents who would benefit during periods of power disruption. The Governments commitment to ensure that a proportion of energy comes from renewable sources is also relevant.

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9.1.3. The NPPF states that such special circumstances might include the environmental benefits associated with increased energy production. NPPF and EN-1 have previously been cited in support of the project and are still relevant; particularly as each stresses the need for additional energy infrastructure in order to minimise vulnerability of electricity provision for the social, economic and environmental benefit of all.

9.1.4. The second consideration is the relatively low nature of the proposal within the well screened site which is almost invisible from outside of its own boundaries. The proposal which would be ancillary to the main power station opposite (1.4ha and 21ha respectively) is surrounded by large scale, grid infrastructure, and although openness within the site would be compromised any loss of openness or interruption of views is considered limited; especially when taking into account existing, restricted access into and around the site from all sides. Adjacent security measures and infrastructure, and the presence of overhead power lines also restricts use of the site to only a handful of other purposes, but by virtue of that use releases other land for more appropriate development purposes.

9.1.5. Lastly, suitable sites for viable grid connection are restricted to areas in close proximity to appropriate services. Such specific needs are paramount to the projects success and considered to outweigh other Green Belt obligations

9.1.6. Overall the very special circumstances provided are believed to outweigh the harm caused by the proposal, and as such it is compliant with Green Belt policy. The principle of development set by the two earlier schemes also carries significant weight in the balance.

9.2. Relationship To Neighbouring Properties

9.2.1. The closest properties are Hesketh Farm (Grade II listed) which faces the access at 31m away, but would be 140m from the nearest infrastructure; this property abuts the existing power station. East of Hesketh Farm is a short terrace of cottages (72m – 95m from the entrance). When considered in the context of the wider area and having regard to proposed separation it is unlikely that significant additional impact by virtue of loss of privacy, overlooking or general amenity as a result of development would occur.

9.3. Design, Character and Appearance

9.3.1. Notwithstanding consideration of the Green Belt as detailed above, the site is within easy reach of local road networks, yet is secluded in nature, screened and development would site well within its environment. It is bound by mature woodland/hedgerow – to be upgraded should permission be granted – and there are no public rights of way through the site. Fencing currently in place to adjacent National Grid units and neighbouring properties are such that the site and lands beyond are virtually inaccessible to the public.

9.3.2. The proposal – although significant in size, is not considered unacceptable when taking into account the context of the wider area with its power station neighbour, and proposed augmented landscaping. Visual impact is considered limited.

9.4. Highways, Access and Parking Arrangements

9.4.1. The application is confirmed as acceptable to LCC Highways (see above). The previously approved Traffic Management Plan proposed hours of work between 8am to 6pm (Oct – March), 8am to 9pm (April to September) and 8am to 2pm Saturdays unless otherwise agreed with the Council. Although the site is secluded, access to Howick Cross Lane would bypass a fairly built up residential area, and when taking into account the nature of development a condition to restrict hours to 8am – 8pm weekdays, 8am – 2pm Saturdays with no works on Sundays or Bank Holidays is felt necessary to prevent loss of amenity to inhabitants of these properties. Security would monitor the site from 5pm – 7.30am daily.

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9.5. Natural Environment, Ecology and Ground Conditions

9.5.1. The application is accompanied by a suite of documents pertaining to flood risk, drainage, ecological impact and ground conditions which have been assessed by the relevant statutory bodies (above). Although loss of hedgerow is inevitable to allow access widening and highway sightlines, additional boundary tree planting will more than compensate for the minor loss; conditions to require the same are recommended.

9.5.2 Prior to submission of the 2017 application a request for environmental screening was made and assessed against the requirements of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 and was not subject to Environmental Impact Assessment. As this proposal is a re-designed version of earlier schemes none was felt necessary on this occasion.

9.5.3. *Flood Risk/Drainage* – Core Strategy Policy 29 (e) seeks to improve water management in areas such as Penwortham. Howick Cross Lane sits within Flood Zone 1- an area of low probability flooding and below the need for sequential testing. There would however be an increase in surface water run off which would be collected via filter drains, passing initially through grass lined swales into the proposed attenuation pond. Permeable gravel walk and roadways, and run off from container roofs would also drain towards this sustainable drainage scheme.

10. Conclusion

10.1 Whilst acknowledged that there would be substantial harm to Green Belt openness by way of inappropriate development, on balance, and taking all of the above into account it is considered that the 'very special circumstances' required of Green Belt policy have been demonstrated for the following reasons, and therefore any harm to the Green Belt has been outweighed by other factors

- ☐ The proposed facility would result in significant benefits to the area in economic, social and environmental betterment for existing and future generations
- ☐ There would be reduced vulnerability of electric provision in line with adopted policy, and the Governments commitment to energy protection
- ☐ Considerable local advantage to residents in terms of power security
- ☐ The battery storage facility is of local and regional significance
- ☐ Projects of this nature must be sited within close proximity of particular services. Howick Cross Lane is one of a relatively small number of sites able to sustain this type of facility
- ☐ In the context of the wider Howick Cross site (adjacent) the proposal is minor in both size, capacity and height
- ☐ Apart from the field gate access, the proposal site would be visible only from undeveloped land to the rear and river. It is located as far away from residential property as possible, and screened by existing buildings and mature planting. In terms of visual impact and loss of openness, the proposal would be negligible

10.2. Overall. The proposal is considered compliant with the relevant policies of the National Planning Policy Framework, Core Strategy and South Ribble Local Plan and is recommended for approval subject to the imposition of conditions

RECOMMENDATION:

Approval with Conditions.

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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 with reference to the following approved plans and suite of documents
Planning, Design & Access - Planning Statement (Statera: March 2021)
Geophysical Survey Report (NAA 17/90: July 17)
Topographical Survey (Survey Eng Ltd SE-TS-02)
Appendix II Topo Survey (RPS Group SE-TS-02: July 17)
Construction Traffic Management Plan (March 2021)
Landscape Appraisal (Sightline: Sept 17)
Noise Impact Assessment (RPS JAT9473-REPO-15-RI: Sept 17)
Flood Risk Assessment (RPS1297: Sept 17)
Drainage calculation package 28974/PEN/1HR/DCP/DJC
Ecological Impact Assessment (Naturally Wild SE1702.V2: Feb 21)
Preliminary Ecological Appraisal (Naturally Wild SE/17/02. March 2021)
Plans and elevations
Penwortham, storage block plan 444-BP-01 17.1.22
Engineering Layout (GPS-18012-002-C01 GPS)
Location Plans (Statera 211-LOC-01 & SL162-PA-500)
Acoustic fence details (GP-AF-01)
Control & Switchgear building (Statera GP-CR-01) G2E PEN-1-CI-DAL-0018-01-001
Battery containers GP-BC-01)
Transformer and Inverter Unit (Statera GP-TU-01)
Palisade Fence (Statera GP-SF-01)
Site access (GPS 18012-003/P01)
Substation (Statera GP-LSS-01)
Cross Section (Statera 444-CS-01 17.1.22)
Compound perimeter fence (GP-SF-01 Statera)
Construction Management Statement (Statera March 2021)
Colour schedule (Feb 2021)
Construction Environmental Management Plan GGP-PEN-1-CI-DEL-0004-01, 0005-01 and 0016-01
ENWL Sub Drawing G2E-PEN-1-CI-DAL-0009-01-002
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. During construction and site clearance, no plant, equipment or machinery shall be operated, or deliveries taken at or dispatched from the site outside the following times:
0800 hrs to 2000 hrs Monday to Friday
0800 hrs to 1400 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

4. Prior to commencement of development hereby approved, that part of the access track extending from the highway boundary for a minimum distance of 20m into the site shall be appropriately paved in tarmacadam, concrete, block pavements or other approved materials.

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REASON: To prevent loose surface material from being carried onto the public highway and in the interests of highway safety as required Policy G17 in the South Ribble Local Plan 2012-2026

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

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

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. If the presence of any 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

8. 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

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

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

10. No more than 6 months before commencement of work on site including earth moving or clearance a badger survey shall be undertaken by a suitably qualified professional. The survey shall encompass the whole site plus a 30m buffer and provide detail of any changes in site usage and the need for any additional mitigation or a licence.

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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. No part of the development shall be brought into use until a Verification Report and Operation and Maintenance Plan 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 by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. 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, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 28 Renewable and Low Carbon Energy Schemes
- 29 Water Management

South Ribble Local Plan

- G1 Green Belt
- G13 Trees, Woodlands and Development
- 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

2. National Grid Asset Protection Notes: General

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The applicant is advised to take notice of the following notes which have been submitted by the National Grid Asset Protection Team.

- o No buildings should encroach within the Easement strip of the pipeline, and no demolition shall be allowed within 150 metres of a pipeline without an assessment of the vibration levels at the pipeline. Expert advice may need to be sought which can be arranged through National Grid.

- o National Grid has a Deed of Easement for each pipeline which prevents change to existing ground levels & storage of materials. It also prevents the erection of permanent / temporary buildings, or structures. If necessary National grid will take action to legally enforce the terms of the easement.

- o We would draw your attention to the Planning (Hazardous Substances) Regulations 1992, the Land Use Planning rules and PADHI (Planning Advise for Developments near Hazardous Installations) guidance published by the HSE, which may affect this development. To view the PADHI Document, please use the following link : <http://www.hse.gov.uk/landuseplanning/padhi.pdf>

- o You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22. A National Grid representative will be monitoring the works to comply with SSW22, and will also need to ensure that our pipelines access is maintained during and after construction.

- o To view the SSW22 Document, please use the link below: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>

- o Copies of the HSE Guidance HS(G)47 can be found at <http://www.hse.gov.uk/pubns/books/hsg47.htm>

A National Grid representative will be monitoring the works to comply with SSW22.

- o National Grid pipelines are normally buried to a depth cover of 1.1 metres but actual depth/ position must be confirmed on site by trial hole investigation under National Grid supervision. Ground cover above pipelines should not be reduced or increased.

- o If excavation is planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. Pre-commencement safe working methods must be agreed to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- o Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus unless the work is undertaken with NG supervision and guidance.

3. National Grid Asset Protection Notes: Pipeline Crossings

- o Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at locations agreed with a National Grid engineer. All crossing points must be fenced on both sides with a post and wire fence and with the fence returned along the easement for a distance of 6 metres.

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- o The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid. National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure. The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.

- o Please be aware that written permission from National Grid is required before any works commence within the National Grid easement strip. A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.

- o A Deed of Indemnity is required for any crossing of the easement including cables

4. National Grid Asset Protection Notes: Cable Crossing

- o Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees. A National Grid representative shall supervise any cable crossing of a pipeline and an impact protection slab should be laid between the cable and pipeline if the cable crossing is above the pipeline.

- o Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service must cross below the pipeline with a clearance distance of 0.6 metres.

5. National Grid Asset Protection Notes: British Standards/ Overhead Lines

- o All work should be carried out in accordance with British Standards policy
- o BS EN 13509:2003 - Cathodic protection measurement techniques
- o BS EN 12954:2001 - Cathodic protection of buried or immersed metallic structures - General principles and application for pipelines

- o BS 7361 Part 1 - Cathodic Protection Code of Practice for land and marine applications

- o National Grid Management Procedures

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

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

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

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

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o Any changes in ground levels which are proposed either beneath or in close proximity to our existing overhead lines would serve to reduce safety clearances. Safety clearances to existing overhead lines must be maintained in all circumstances. To view the Development Near Overhead Lines Document. <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=23713>

o To view the National Grid Policy's for our Sense of Place Document. <http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place>. The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines."

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

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

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

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

o Further information regarding our undergrounding policy and development near transmission overhead lines is available on our website at: <http://www.nationalgrid.com/uk/LandandDevelopment>

3. Lead Local Flood Authority Notes - For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site.

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Application Number 07/2022/00148/VAR

Address 16 Liverpool Road
Penwortham
Preston
Lancashire
PR1 0AD

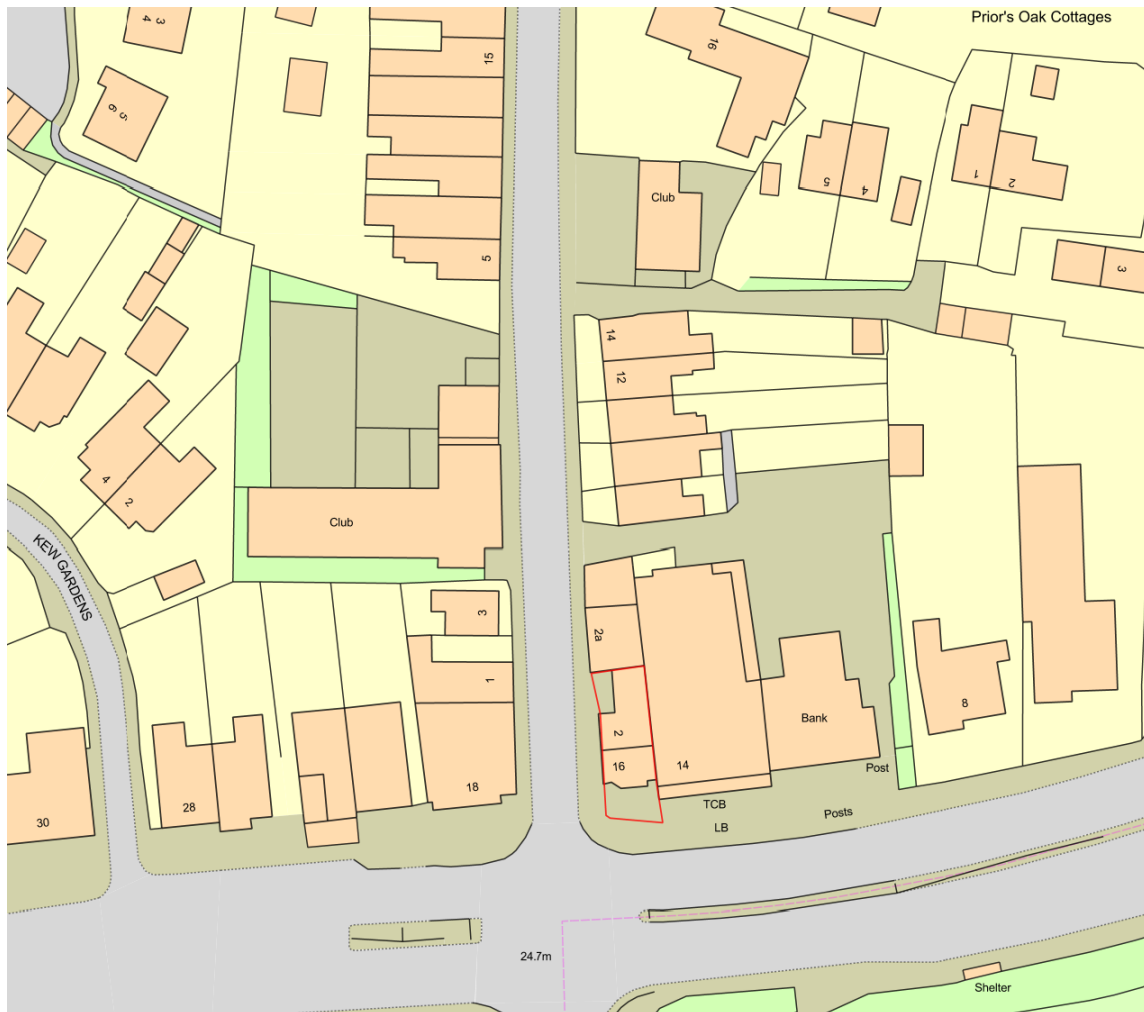
Applicant Preston Pub Co Ltd

Development Removal of condition 4 to allow for patio heaters and Variation of Condition 14 of planning permission 07/2019/6994/COU to extend the hours of operation.

Officer Recommendation Approval with Conditions

Date application valid 09.03.2022
Target Determination Date 04.05.2022
Extension of Time N/A

Location Plan



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1. Report Summary

1.1 The application proposes the removal of condition 4 of planning permission 07/2019/6994/COU to allow for patio heaters to be used outside together with a variation of condition 14 to extend the hours of opening of the drinking establishment premises known as 16 On The Hill locating on Liverpool Road in Penwortham. All other conditions are to remain as originally imposed.

1.2 The proposal has been considered by Environmental Health who confirm they have no issue with an extension in times internally but would object to the removal or variation of the lighting / patio heaters condition.

1.3 However, given that other bars in the area have successfully varied this condition through the planning appeal process, then, in the interests of consistency in the area, it is considered acceptable and the application is recommended for approval.

2. Site and Surrounding Area

2.1 The application relates to a commercial property located on the corner of Liverpool Road and Priory Lane in Penwortham and at the crossroads junction with Cop Lane, which is a Air Quality Management Area. The property was used as a café with seating to the forecourt area on Liverpool Road before changing to a drinking establishment. The area is predominantly commercial in nature and is within the Penwortham District Centre. Some residential properties are located to the north on Priory Lane and above some of the commercial properties. 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

07/1991/0448 Non-illuminated Shop Sign at First Floor Level. CONS 31/07/1991
07/2016/1336/TPD Notification for prior approval for a change of use from Class (A1) to Class (A3) PRI 10/01/2017
07/2019/6994/COU for the change of use of from an A3 Restaurant/Café to a Class A4 Drinking Establishment. Approved

4. Proposal

4.1 The application proposes the removal of condition 4 to allow for patio heaters to be installed outside and for the variation of condition 14 to extend the hours of operation.

4.2 In the interests of clarity, the conditions are set out below:

4. There shall be no flood lighting or patio heaters installed in the outside area without prior consent from the Local Planning Authority.

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 The proposal seeks to extend the hours to align the hours with those on the Premises License.

5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with 1 letter of representation being received in support of the application, commenting that the new bars & restaurants in the area is having a positive impact. Some of the businesses in this

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area of Penwortham have different restrictions than those further into Penwortham and feel they all should be entitled to the same opening hours and agreements to improve outside seating areas. Penwortham is growing and thriving which impacts business & house prices which is a positive to all.

6. Summary of Consultations

6.1 Environmental Health have no issue with an extension internally of the use. However, they have had complaints regarding live entertainment in the past. They are against an extension of the outside area usage and would object to the removal or variation of the lighting / patio heaters or hours.

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, 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 Café 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 F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with the parking standards adopted by the Council. In general, parking requirements will be kept to the standards as set out unless there are significant road safety or traffic management implications related to the development of the site.

The parking standards should be seen as a guide for developers and any variation from these standards should be supported by local evidence in the form of a transport statement.

Where appropriate, some flexibility will be factored into the standards in relation to the specific local circumstances.

7.3 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.

7.4 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.

7.5 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*

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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 had been used since 2016 as a café known as ‘Bread and Butter’ and was subject to a change of use permission in July 2019 from an A3 Restaurant/Café to a Class A4 Drinking Establishment. Following the changes to the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020, an A4 Drinking Establishment now falls within a Sui Generis use.

8.1.2 A number of conditions were imposed on the change of use permission. Condition 4 stated there could be no flood lighting or patio heaters installed in the outside area without prior consent from the Local Planning Authority. The reason for this condition was in the interests of the amenity of nearby residents.

8.1.3 Condition 14 restricted the house of use to 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, again in the interests of the amenity of nearby residents.

8.1.4 The proposal now is to remove condition 4 in order to allow for the use of patio heaters and to extend the hours of operation so they align with the Premises License.

8.1.5 As the conditions were imposed in the interests of the amenity of nearby residents, an assessment of the potential impacts is carried out below.

8.2 Residential Amenity

8.2.1 During consideration of the change of use planning application 07/2019/6994/COU, the view was that the proposal had the potential to adversely affect the amenity of the area in terms of the effect of noise and disturbance on nearby residential properties. Environmental Health advised that, while they had no objection in principle, a number of conditions would be required to avoid any significant adverse effects. The conditions included the following:

- that no live or recorded entertainment or music is played at the premises;
- that no flood lighting or patio heaters be installed in the outside area;
- that waste, including empty bottles, should not be removed from the premises between the hours of 20:00 - 08:00 on any day;
- that waste collections shall not take place outside the hours of 19:00 to 08:00 Monday to Friday and 19:00-10:00 Saturdays;
- that no deliveries shall be received by the site between the hours of 19:00 and 09:30 Monday to Sunday;
- that 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;

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- that the outside area/beer garden shall not be used between 20:00 and 10:00 hours on any day;
- that a Noise Management Plan be submitted for approval;
- that details of any extraction/ventilation systems be submitted; and
- that there shall be no external storage within the confines of the application site.

8.2.2 The restriction on patio heaters became Condition 4 which this current application seeks to remove to allow for patio heaters to be used externally. The use of the external area is restricted to the area immediately outside the building facing Liverpool Road for use between the hours of 11:00 and 20:00 by condition 9 of the parent planning approval.

8.2.3 Although the use of patio heaters can effectively extend the time that patrons can use the external space, particularly during the colder months, as this is restricted to 20:00, this is considered to be reasonable and will not particularly impact on the residential amenity of nearby residential properties.

8.2.4 However, it must be noted that, although the application form specified that the application is for the removal of condition 4, the supporting statement indicates the **amendment** of condition 4 is to allow use of patio heaters on the outdoor area.

8.2.5 Environmental Health have advised that they would object to the removal or variation of condition 4. However, it must be recognised that similar premises in the area have been allowed to vary this condition to allow patio heaters. In a recent appeal decision for the Lime Bar at 42 Liverpool Road, the Inspector varied the condition to read: *“There shall be no flood lighting installed in the outside area without prior consent from the Local Planning Authority.”*

8.2.6 Given that patio heaters have been allowed in the area, it would be inappropriate to restrict their use at this premises. Additionally, the hours of use of the outside area is restricted by condition 9 and the proposals do not seek to amend this. As such it is considered appropriate to amend condition 4 to remove reference to patio heaters only.

8.2.7 The application also proposes the variation of condition 14 to allow for an additional half an hour of Friday until midnight. However, on consideration of the application, it was noted that there were some discrepancies within the application submission and a copy of the Premises License was requested. In the interest of clarity, the licensing hours of opening of the premises are:

Sunday to Thursday	Noon to 23:20pm
Friday and Saturday	Noon 12:20am

8.2.8 Effectively, if the hours on the premises license were applied, the premises would operate for one hour less in the mornings, 20 minutes more on Saturday to Thursday and one hour and 20 minutes more on Fridays.

8.2.9 Discussions therefore took place with the applicant who has confirmed that the main aim is to extend the hours of use on a Friday but would welcome the retention of the 11:00am start to provide flexibility and extended use by 20 minutes on other days. Therefore, it is considered that condition 14 be amended to read: *“The use hereby approved shall not be open to the public outside the hours of Noon to 23:20pm on Sunday; 11:00am to 23:20pm Monday to Thursday and 11:00am to 12:20am on Friday and Saturday”*

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8.2.10 Whilst this does not strictly align the hours of use to those on the premises licence as it allows one hour earlier opening in the mornings, it provides the applicant with flexibility.

8.2.11 Environmental Health have no objections to the extension in the hours of use. Although they comment that they have had complaints regarding live entertainment in the past, this is covered by condition 3 of the parent permission which required:

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

8.2.12 If live entertainment is being carried out without first agreeing in writing, then this would be a matter for planning enforcement to deal with.

8.2.13 All other conditions on the parent permission as requested by Environmental Health are to remain as imposed, in the interests of residential amenity.

9. Conclusion

9.1 For the reasons set out in this report, it is considered that it is appropriate to vary condition 4 to allow for the use of patio heaters and to vary condition 14 to extend the hours of use and therefore 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 1603 Ground Floor Layout
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 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

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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
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. Prior to the commencement of any works on site 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
10. 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
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 Noon to 23:20 on Sunday; 11:00am to 23:20pm Monday to Thursday and 11:00am to 12:20 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

Agenda Item 8

RELEVANT POLICY

South Ribble Local Plan

Policy E4: District Centres

Policy F1: Parking Standards

Policy G17: Design Criteria for New Development

Central Lancashire Core Strategy

Policy 17: Design of New Buildings

Penwortham Town Plan