

Application Number

07/2020/00768/FUL

APPENDIX 1

Address

Windmill Hotel
Preston New Road
Mellor Brook
Blackburn
Lancashire
BB2 7NS

Applicant

James Hall & Company Ltd

Agent

Mrs Deborah Smith

Albert Edward House
The Pavilions
Preston
PR2 2YB

Development

Demolition of existing public house and related infrastructure and erection of petrol filling station, convenience store and petrol filling station including associated canopy 6 fuel pumps underground storage tanks, EV charging points, car parking and associated landscaping.

Officer Recommendation

APPROVE

Officer Name

Catherine Lewis

Date application valid

15.09.2020

Target Determination Date

10.11.2020

Extension of Time

30.07.2021



1.0 SUMMARY

- 1.1 Planning permission (07/2017/3283/FUL) was refused on the 27 October 2017 for the following reasons: poor design which did not reflect the character and appearance of the established locality, and the proposal would lead to increased disturbance and have a detrimental impact upon highway amenities in the locality due to increase activities in and around the site.
- 1.2 An appeal was lodged and dismissed dated 15 August 2018 based on two aspects:
- The proposal would have an unacceptable and adverse effect upon the character and appearance of the area as the design was described as formulaic, basic and uninteresting. The store location to the rear of the site lacked a strong sense of place and created an ill-defined frontage.
 - The second reason related to the potential for increased activity at the site which would result in noise, traffic and activity from both the new petrol filling station (PFS) and the store over a long period of the day and which would materially alter the sound environment experience by residents to their detriment. Cumulatively this impact was judged to be unacceptable as it failed to provide a high standard of amenity for existing residents.
- 1.3 The current application seeks to address both aspects through a revised Noise Impact Assessment and the redesign of the site. This would provide for a modern convenience store to be located in a similar position of the Public House and the petrol filling station to be more central. Two vehicular points from Branch Road and the existing one on Preston New Road would be redesigned to serve the site.
- 1.4 This application has again engendered a significant amount of local objection and details of these concerns are contained in the main body of the report. The site itself was formally used as a public house and there were no restrictions in terms of its use from a planning perspective. Therefore, effectively as a fallback position under the current lawful use of the site a 24-hour eatery could open up utilising the existing building without the need for planning permission.
- 1.3 There are no objections from any statutory consultees including LCC Highways and the Council's environmental health officers- with aspects raised, controlled by appropriate conditions. Initially, officers had concerns about the size and materials of the proposal and revised plans were submitted in June 2020. Having regard to the Inspector's Appeal Decision Letter and the established rural settlement, officers consider that the application has now addressed these concerns. Although the building is of a contemporary design the use of the natural materials mainly slate and stone with some render seeks to contextualize the building within the surrounding area. With regard to the impact upon residential amenity- the revised footprint together with the reduction in opening hours of both the petrol filling station and the convenience store, on balance, would address the social harm to the neighbouring residents from increased noise and disturbance and is acceptable.
- 1.4 On balance and subject to appropriate conditions the proposed development is acceptable in terms of residential and visual amenity.

2.0 APPLICATION SITE AND SURROUNDING AREA

- 2.1 The application site is the Former Windmill public house site and associated car park. The site is located at the junction of Preston New Road and Branch Road. Branch Road forms the borough boundary with the Borough of Ribble Valley. The premises ceased trading as a public house in the autumn of 2014 and the site has been vacant since.
- 2.2 The northern and western boundaries of the site adjoin residential properties with Branch Road forming the eastern boundary and the A677 to the south. Across these roads the site faces more residential properties. There is a group of trees on the western boundary of the site although the trees along the northern boundary adjacent 15 Branch Road have previously been removed. The public house itself sits at the south eastern corner of the site at the junction of Preston New Road and Branch Road and is two storeys in height. The existing building will be demolished as part of these proposals.
- 2.3 The site is within an existing B1 - Built up Area as defined on the South Ribble Local Plan Policy Map.

3.0 SITE HISTORY

- 3.1 Planning application (07/2016/0552/FUL) was submitted for a petrol filling station with a convenience store in 2016, however this was subsequently withdrawn by the applicant prior to a decision being made. The applicant has advised that this allowed further work to be carried out in relation to access arrangements.
- 3.2 Planning permission (07/2017/3283/FUL) was refused dated 27 October 2017 and was the subject of an appeal. The original reasons for refusal are set out below:
- The proposal will adversely impact on the character and visual amenities of the area, through a built form which detracts from the locality and results in a poorly designed scheme. The proposal will lead to increased disturbance and have a detrimental impact on highway amenities in the locality as a result of increased activity in and around the site. The proposal is therefore contrary to Policy 17 of the Central Lancashire Core Strategy and Policies B1 and G17 of the South Ribble Local Plan 2012 - 2026.
 - The utilitarian nature of the design when considered cumulatively with other commercial uses in the locality, will have a detrimental impact on the character, fabric and grain of this established settlement. The proposal is therefore contrary to Policy 17 of the Central Lancashire Core Strategy and Policies B1 and G17 of the South Ribble Local Plan 2012 - 2026.
- 3.3 The appeal was dismissed dated 15 August 2018 based on two aspects:

The proposal would have an unacceptable and adverse effect upon the character and appearance of the area as the design was described as formulaic, basic and uninteresting. The store location to the rear of the site lacked a strong sense of place and created an ill-defined frontage.

The second reason related to the potential for increased activity at the site which would result in noise, traffic and activity from both the new petrol filling station (PFS) and the

store over a long period of the day and which would materially alter the sound environment experience by residents to their detriment. Cumulatively this impact was judged to be unacceptable as it failed to provide a high standard of amenity for existing residents.

4.0 PROPOSAL

- 4.1 The proposals are for a new petrol filling station (PFS) incorporating a convenience store on the site of the former Windmill Public House. The proposal will involve the demolition of the existing public house situated on the corner of Preston New Road and Branch Road. The cleared site will then be redeveloped with a new petrol filling station comprising of a canopy over six fuel pumps (three pump islands) and a convenience store with a net floor space of approximately 280 square metres (654sq.m gross external floorspace).
- 4.2 The store would be located to the south east corner of the site to replicate the massing and prominence of the existing Public House. Consisting of two elements: initially the first measuring a total height of 10.6 metres to ridge and 5.9 metres to eaves and would be 13 metres in width and 32 in length. The second element would measure 4.4m to the flat roof and would be 15m width by 23 in length. Materials would include a combination of timber cladding and render to the external walls with a natural slate roof. An ATM would be provided and monitored by CCTV cameras. The PFS canopy measuring 21m x 7.3m would have a maximum height of 6.2m metres to be constructed of a natural slate roof.
- 4.3 In June 2021 revised plans and additional information were received which reduced the height and footprint of the building. The principle elevation to Preston New Road comprises the use of stone. The location of the building has also been slightly pulled away from Branch Road to provide for some additional planting opportunities.

Southern elevation (facing Preston New Road) consists of natural stone walling with a natural slate roof. Three windows to break up the elevation -aluminium frames grey in colour would be provided and a small cantilevered canopy to wrap around from main elevation is also proposed.

Western elevation (Main entrance facing to internal the car park) Single storey element approx. 4.4 metres in height to include the main entrance with white render and glazing for approximately 17 metres and a two-storey glazed element with a pitched roof measuring 13m in length. This elevation incorporates a grey cantilevered canopy with a white painted soffit.

Eastern elevation (Branch Road) Includes two storey height with a smaller pitched roof glazed element both part of this elevation are glazed, a natural stone elevation measuring 8.8m in length to a maximum height of approximately 3.8m. A 14m length of vertical timber to a height of 3.8m is proposed. This would provide for a partially enclosed delivery area.

Northern Elevation (facing partly Branch Road and the internal car park/entrance) Delivery area, the flat roof rendered element and two storey element and including the natural stone walls and timber fencing.

- 4.4 A vehicular ingress utilising the existing entrance from Preston New Road along with a pedestrian access directly from the footway is proposed. The existing car park access

on Branch Road would be widened and used as the primary exit. A secondary access on Branch Road for ingress only with a further pedestrian entrance is also proposed.

- 4.5 The proposal provides for 23 car parking spaces, including three accessible, 2 staff spaces and 2 electrical charging spaces. Both motor cycle and bicycle parking would be included within the layout.
- 4.6. Plant and bin stores have been incorporated within the fabric of the building. The northern boundary includes an acoustic wall some 3.9m high to enclose the delivery bay.
- 4.6 Initially, the proposed opening hours of the petrol filling station and convenience store were 0600 – 2300 hours daily. However, these have been altered to 07:00 22:00 pm Monday to Saturday and 08:00am to 22:00pm Sundays and Bank Holidays. Employment opportunities include 15 full time and 15 part-time once the site is operational.

5.0 REPRESENTATIONS

5.1 Initially, 300 representations were received in relation to the proposal. Whilst most have objected 34 are in support of the application raising the following points:

- The site is an eyesore, the proposed development would be a useful outlet to serve all the community with convenience shopping
- There is a need for more shops and employment opportunities
- Overpriced village shop 5 miles to the nearest supermarket. Blackburn
- Great for local community fed up driving to Waitrose in Walton – le Dale 7 miles away

5.2 Over 270 objections have been received which raise the following summarised points:

- Many of the objections have referred to existing petrol filling station provision in the area and that a further petrol filling station is not required. However, the regulation of competition is not a material planning consideration and therefore cannot be taken into account when determining this planning application.
- The impact on property values has also been raised as a concern, however again this is not a material planning consideration that can be taken into account when determining planning applications.
- In addition to the comments received in relation to over provision of petrol filling stations in the locality the following concerns which are material considerations in relation to the determination of this planning application have been raised:

Highway Matters:

- The junction of the A677/Branch Road is an accepted dangerous one and to put a petrol filling station and food store on this site is very dangerous.
- To have vehicles entering of Preston New Road is extremely dangerous.
- Vehicles turning into the site would obliterate the view of the pedestrian crossing.
- The bus stop would cause problems for vehicles turning on to the site.
- Large vehicles would have to swing out across the road to enter the site.
- Exiting on to Branch Road would cause nuisance to local residents.
- Junction with A667 and Branch Road has been narrowed to reduce traffic from turning right.

- Concern over the quality, content and accuracy of the accompanying Transport statement.
- Due to the configuration of the site, the tanker re-filling the tanks would not be able to vacate the site in an emergency.
- No mention of local deli, butchers and local shops closing due to the proposed development.
- Previous Accidents not officially logged as exchanged at the side of the road.

Character and appearance of the area:

- The original portion of the Windmill Public House is of local architectural value and as such should be included in any future development of the site rather than destroyed
- Concern about the visual impact of a modern development established neighbourhood mature housing and cottages. Note of incongruity.
- Site would be better development for affordable housing for local people.
- Previous appeal dismissed on the site for this use.

Residential Amenity

- Headlights would shine directly in to front room windows.
- Concern about hours of use and impact on residential amenity, car doors slamming, more frequent trips.
- The lighting which the PFS has indicated will cause light pollution.
- The noise generated from this site will cause distress to local residents
- Noise of the alligator teeth has been raised,
- Local houses would be endangered should there be any emergencies.
- Concern raised that the noise assessment has been conducted at the quietest time 11-2pm

Other Matters

- No mention of local deli, butchers and local shops closing due to the proposed development.
- High pressure Main Gas at the top of Branch Road opposite the site –and concern that the petrol filling station is not an acceptable use.
- Petrol filling stations on the decline due to the introduction of electric vehicle. The site would become a dinosaur.
- Contaminated land once the PFS has been allowed

5.5 Samlesbury Parish Council – wishes to object on the following grounds:

- As a community do not wish to see a further PFS. Mr Masters filling station/convenience store has excellent facilities, which has been recognised by Shell where he was taken to Dubai and was awarded Shell Service Station of the year. Mr Masters business has been a huge part of our community for the past 28 years. Pennies Service Station, Longsight Road, Osbaldeston, Lancashire, BB2 7HZ- has been serving the local community for more than 25years, is less than a mile away too. Pennie Service Station has a more than adequate SPAR shop, selling local produce as well as SPAR goods. Both proprietors are overly concerned and unhappy with the planning application of another petrol filling station and convenience store by James Hall.

- Rather see the site brought forward for affordable housing
- Concern is raised about the highway and traffic aspects for the residents on Branch Road.
- If allowed would preclude further development due to contamination and then once closed would lead a dangerous site.

5.6 Mellor Parish Council - wishes to object to this application, which is substantially very similar to the previous one for this site, which, following considerable local opposition, was withdrawn. The grounds for objecting are as follows:

- The site has bollards installed on A677 side due to previous numerous, major & fatal accidents in this blackspot - therefore no access on A677 should be allowed. Branch Road will have speed and weight restrictions applied March 2018, therefore exit for all vehicles, particularly large vehicles will cause further hazards.
- An additional fuel station is necessary & retail consent for a development at Branch Road roundabout adjacent to A59 has been allowed, therefore further retail is not needed.
- Affordable housing for this site would be more beneficial to this area, giving sustainability in a strong employment area.

CClIr for Ribble Valley SW division Mr. Alan Scofield (which includes Mellor parish, in very close proximity to the proposed development site).

- Successful objections to the previous same or very similar application by the same applicant - which was refused by the SRBC Planning Committee (and refusal upheld by the Planning Inspectorate on appeal by the applicant) - should, if made again, hold good as relevant for refusal.
- Existing PFS in close proximity- this is not needed. It would also create a traffic hazard on the A677 by a further instance of traffic slowing down on this busy road to turn in - especially eastbound traffic.
- The proposed entering and exiting arrangements would cause difficulties on Branch Road. There is now a traffic calming scheme on the whole of Branch Rd - partly to discourage speeding over the 30mph limit and partly to discourage through traffic. Furthermore, there is for Branch Rd a 7.5t weight prohibition, as sign-posted, for HGV through traffic.
- Many of the other exiting vehicles would turn right onto southern end of Branch Rd and create congestion / queuing hazard at the nearby junction with A677 Preston New Rd.

5.7 **Salisbury Residents Forum and Mellor Brook Matters Group:**

A letter of objection including an independent assessment of the highway issues by SK Transport Planning Consultant, has been submitted behalf of Salisbury Residents Forum and Mellor Brook Matters. The group express their strong opposition to the proposed development on the following summarised grounds:

- The revised layout does nothing to address one of the Inspector's central points which is that there would be increased noise and activity from the site, both in terms of the PFS and the convenience store, and that this activity over a long period of the day, every day would lead to disturbance of the neighbouring dwellings, and fail to provide

a high standard of amenity for existing users which would adversely and harmfully affect their living conditions.

- Concern is raised about the design and that in scale, mass and form it is totally unsuited to the heart of a small village where the predominant built form is two storey traditional domestic residential amidst gardens. The long elevation on the main Preston New Road frontage is largely blank and uninteresting with the gable roof dominating the scene. The elevation along Branch Road, whilst more broken up in terms of materials, is also composed of largely blank elements devoid of ground floor interest. These are the two key elevations, not only in terms of outlook for residential properties on the opposite site of the respective roads, but also in their impact on the character of the heart of the village. They fail in both respects and far from enhancing the village, they detract from its existing character.
- Concern is raised about the location of the service yard adjacent to the pavement of Branch Road which is a significant flaw in the design -the need for a banks man is not enforceable. Reversing beepers would have a negative impact through disturbance upon the residential amenity of the area.
- Concern is raised about the impact of the proposed development upon 15 Branch Road. in terms of impact upon noise and disturbance- hours of operation and delivery times. Other residential properties would be negatively impacted due to the frequency of car headlights as well as noise and disturbance.
- The redesign could not address the fundamental unsuitability of the site for the proposed uses.

5.8 Revised information and plans were received in June 2021 and a further consultation exercise was carried out. Due to the IT issues and problems for residents accessing the Public Access systems to provide further comments, an update on the total number and nature of the representations will be provided as part of an update sheet and again at the Planning Committee meeting.

6.0 CONSULTATION REPLIES

6.1 **LCC Highways** –The principle (convenience store and petrol filling station) of this planning application is the same as the previous application 07/2017/3283/FUL. LCC Highways did not raise an objection to this previously refused planning application and at appeal the Planning Inspector also did not raise any highway safety concerns. Therefore, it would be difficult to prove that the proposed use would have a severe impact and the principle of a petrol filling station and convenience food store at this site is acceptable from the highway perspective. LCC Highways has no objections to the application subject to a number of conditions and off-site highway works.

6.2 **Environmental Health** – Raise no objection to the scheme subject to conditions controlling construction, contamination, lighting and hours of operation.

6.3 **Ecology** – An updated bat survey has been provided which advises that no evidence of bats roosting has been found. If demolition is delayed beyond April 2021 a further survey is required which has been undertaken. The applicant has verbally advised that there is no change. Ecology Service are satisfied that this aspect can be controlled through conditions. Small amounts of habitat would be lost and a condition controlling

nesting birds is recommended. The site is primarily hard standing with negligible ecological value. The proposed soft landscaping would provide the opportunity to enhance biodiversity and could be conditioned.

- 6.4 Environment Agency (EA)**- No objection to the proposed development subject to the imposition of appropriate conditions. The Phase I Environmental Assessment (Desk Study) for James Hall & Co (Properties) Ltd prepared by Geo2 (report ref: 16/0545, dated March 2016) has been reviewed. The report indicates that the secondary A aquifer is protected by overlying thick glacial clay layers, and that the nearest surface water is Mellor Brook some 57 metres south. There is no indication of contamination given the previous uses, and the infilling of the car park area is of low priority in respect of controlled waters. The information submitted in support of this planning application provides the EA with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. The EA consider that planning permission could be granted to the proposed development as submitted provided appropriate planning conditions are included.
- 6.5 Lancashire Archaeological Advisory Service (LAAS)** - has examined the application and the recommendations remain the same as those provided to the previous applications for this site. LAAS would recommend that a record of the building be made prior to demolition and an archaeological watching brief be maintained during stripping and that such works are secured via condition.
- 6.6 United Utilities** - have no objection to the proposed development provided that appropriate conditions are attached to any approval. 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 as outlined in the NPPG.
- 6.7 Lancashire Constabulary** - Secured by Design (SBD) is a national police initiative to guide and encourage those engaged within the specification, design and constructions of new buildings to adopt crime prevention measures. The applicant has been forwarded a copy of the comments to support the final design.
- 6.8 Ribble Valley Borough Council** – Does not wish to comment upon the scheme.
- 6.9 Cadent Gas:** There are Gas Mains in the area but no objection is raised to the development.
- 6.10 SRBC Tree Officer:** Raise no objection but require conditions to control existing trees on site and root protection areas during construction.

7.0 Policy Considerations

7.1 Planning Policy National Planning Policy Framework 2019

- 7.1.1 The National Planning Policy Framework 2019 (NPPF) sets out the Government's economic, environmental and social planning policies for England. Paragraph 11 explains that a presumption in favour of sustainable development lies at the heart of the framework which for decision taking means "approving proposals that accord with the development plan without delay" and "where the development plan is absent, silent

or relevant policies are out of date granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of when assessed against the policies in the framework taken as a whole or its specific policies indicate development should be restricted.”

Section 6 advises that planning decisions should help to create conditions for businesses to adapt expand and invest (paragraph 80). The use of previously developed land and sites that are physically well-related to existing settlement should be encouraged where suitable opportunities exist (paragraph 84).

Section 12 Achieving well-designed places Paragraph 127 encourages development to be sympathetic to local character, including the surrounding built environment that will function well and add to the overall quality of the area...and establish or maintain a strong sense of place.

7.2 Central Lancashire Core Strategy (adopted July 2012)

Policy 1: Locating Growth focuses growth and investment on brownfield sites in the main urban areas, and the Strategic Sites, whilst protecting the character of suburban and rural areas.

Policy 17: of the Core Strategy and G17 of the Local Plan relate to the design of new development and the Central Lancashire Design Guide SPD is also a material consideration.

Policy 22: Biodiversity & Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area.

Policy 26: Crime and Community Safety. Lancashire Constabulary have made a number of recommendations in relation to reducing the risk of crime, however the proposal itself does not raise any specific issues in relation to crime and community safety and is therefore considered to comply with this policy

7.3 South Ribble Local Plan (adopted July 2015)

Policy B1 Built-Up Area within the South Ribble Local Plan 2012 – 2026. The policy states that proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, will be permitted provided that the development: a) Complies with the requirements for access, parking and services as set out in the plan, b) Is in keeping with the character and appearance of the area; and c) Will not adversely affect the amenities of nearby residents.

Policy G13: Trees, Woodlands and Development states that development will not be permitted where it affects protected trees and woodland unless justified. Where loss of the same is unavoidable, this policy accepts suitable mitigation.

Policy G16: Biodiversity and Nature Conservation protects, conserves and enhances the natural environment at a level commensurate with the site's importance and the contribution it makes to wider ecological networks.

Policy G17: of the Local Plan relate to the design of new development and the Central Lancashire Design Guide SPD is also a material consideration

Policy F1: Car parking provision. The proposal makes provision for 25 on site car parking spaces including 2 disabled bays. The retail area has a public floor area of approximately 140 sqm which results in a requirement of 10 spaces to the serve development. However, factoring in staff parking and the nature of the way petrol filling stations operate the proposed parking provision is not considered unreasonable and this view is shared by the Highway Authority.

Policy H1 Protection of Health, Education and Other Community Services- Need to demonstrate that the facility no longer meets the needs of the community or is no longer financially viable.

Central Lancashire Biodiversity and Nature Conservation SPD provides guidance for developers in relation to improving biodiversity of the Central Lancashire area. Its main goal is to ensure that there is no net loss of nature conservation assets and where appropriate there is an improvement in them. It also explains the Council's approach towards conserving, protecting and enhancing biodiversity and ecological networks.

8.0 Material Considerations

Principle of Development

8.1 The proposed development would be located within the existing built up area of Mellor Brook and is subject to Policy B1 as defined on the Policies Map that accompanies the Local Plan. Policy B1 states that proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, will be permitted provided that the development:

- a) Complies with the requirements for access, parking and services as set out in the plan,
- b) Is in keeping with the character and appearance of the area; and
- c) Will not adversely affect the amenities of nearby residents.

Subject to compliance with this criterion and any other material considerations development will be permitted to ensure the full utilisation of land within the built-up areas of the borough.

Access Parking and Services

8.2 The application is accompanied by a Transport Statement which addresses matters of highway safety and accessibility. LCC Highways requested clarification about certain aspects and residents have also submitted their concerns through a report produced by SK Transport. Initially, having carefully considered the submitted documentation LCC Highways advised that they were satisfied with the scheme.

8.3 The development would require the alteration of the entrance on the Preston New Road and concerns were raised about the internal layout as the tracking plan indicates that HGVs delivering to the store will need to utilise a car and motorcycle parking bay in the north east corner of the site before reversing into the loading bay. LCC Highways has advised that this practice is not uncommon at similar sites and can be managed effectively by the development and have no objections to this arrangement. The applicant has advised that larger vehicles will make use of a banks man to ensure the safe movement of vehicles and pedestrians. A separate Delivery Management Plan has been submitted to support this aspect.

- 8.4 Following the amended plans in June 2021, LCC Highways sort clarification about the proposed changes to the internal layout and implications for the tracking of the larger vehicles. Revised plans have been received to address concerns about the access for a HGV from Preston New Road which are acceptable to the Highways authority.
- 8.5 The footway running along the frontage of the site with Branch Road currently reduces down to 1 metre in the vicinity of the current building. The submitted plans indicate a footway of at least 2 metres will be provided along the full frontage, this will support pedestrian movements within the vicinity of the site and protect sight lines for vehicles exiting the site on to Branch Road.
- 8.6 The car parking arrangement are acceptable and pedestrian provision within the site and linkage to Branch Road and Preston New Road is suitable for the nature of the development.
- 8.7 To conclude, the proposed development complies with the requirements for access, parking and services and meets criteria a of the Policy B1. Subject to appropriate conditions and appropriate off-site highway works LCC Highways is satisfied with scheme.

Character and Appearance

- 8.8 The previously refused scheme provided for the convenience store to be located to the rear of the site with the petrol filling station to the front corner. The convenience store had been designed to be single storey in height with a hipped roof utilising redbrick and timber cladding. The Inspector concluded its location to the rear of the site would result in an ill-defined frontage at odds with surrounding strong frontages. Furthermore, it would occupy a considerable amount of floorspace in comparison to other built forms in the immediate context appearing incongruously elongated and bulky (paragraph 7 of the appeal Decision Letter).
- 8.9 Paragraph 8 states that the arrangement of the building types would fail to maintain the strong sense of place and the proposal would not be sympathetic to local character or add to the overall quality of the area (paragraph 8 of the appeal Decision Letter). The Inspector raised concern about the canopy of the petrol filling station stating that the canopy would be out of keeping with the character and appearance of the village alien to the setting (paragraph 7 of the appeal Decision Letter).
- 8.10 Mellor Brook is a small rural village and straddles the boundary of South Ribble and Ribble Valley. The application site is in a prominent position and careful consideration needs to be given to the context of the site, scale, massing, and use of materials of any development.
- 8.11 The current scheme seeks to address these points with a redesigned building located to the south east corner of the site to provide a strong frontage, at this prominent position. The views in to the site from the A677 travelling in either direction, provide for a contemporary design incorporating large areas of glazing. The footprint and scale would be similar to the Public House. The existing Public House has a maximum height to eaves of 6.08m and a maximum height of 8.29metres. The June 2021 revised plans have reduced this to a height of 10.2m. There has been a slight reduction to the bulk of the tall part of the buildings as the width of the building has slightly been reduced by 1.2m. The building has been pulled back from the edge of the pavement on Branch

Road and together these changes have led to a reduced footprint of the building. The petrol canopy has been located to the centre of the site and to address the design issues is less bulky with no adverts or lettering.

- 8.12 It is acknowledged that the development does go some way to address the points raised by the Inspector. The June 2021 revised plans now provide for a natural slate roof and most elevations to be constructed of natural stone and the proposal would be within a similar footprint of the existing pub building. Although the design does still include a mix of roof styles, both a flat and a pitched roof together with a mix of materials render, glazing and stone, the large elements of timber vertical cladding to the southern elevation have now been removed. As the building has been pulled away from the pavement by a metre, there are opportunities to provide more planting to the eastern elevation on Branch Road. This would soften the impact of the building and timber delivery enclosure when viewed from those residential properties directly opposite this aspect.
- 8.14 To conclude this section, the applicant has addressed the concerns made by the Inspector with regard to the location of the convenience store. On balance, although a contemporary design the use of more natural materials to the elevations of the building does reflect the context of the site within the wider street scene.

Noise

- 8.15 The Inspector had regard to the significant amount of representations from nearby neighbours on the matter of noise and disturbance (Paragraph 10 of the appeal Decision Letter). The Inspector commented that the noise assessment appeared to focus upon deliveries and plant machinery and not on the effect of the increased comings and goings of customers and the noise disturbance this would have on residents (paragraph13). The effect of the proposal would materially alter the sound environment experienced by surrounding neighbours to their detriment. The culmination of this activity would lead to disturbance and fail to provide a high standard of amenity to existing users.
- 8.16 The applicant has advised that a more comprehensive Noise Impact assessment has been prepared to support the revised scheme. The noise assessment considered all potential sources of noise- the use of the car park at night and the noise from additional vehicles movements along Branch Road. The Assessment also included reviewing design changes for example, the plant and storage bins would be wholly within the fabric of the building. Other changes include the delivery area to be enclosed by an acoustic barrier fence.
- 8.17 The Noise assessment acknowledges that one small exceedance of 2dB for slamming doors was noted for an immediate property to the north of the site. The applicant intends to mitigate this through a short section of 2m high acoustic fencing adjacent to the nearest parking space. The applicant argues that such measures would reduce the noise to an acceptable level.
- 8.18 The Council's EHO officer has considered the report and has advised: The applicant has submitted a Noise Impact Assessment which adequately addresses aspects of noise associated with deliveries, machinery operation etc and any mitigation measures would need to be put in place as advised by the report. The Noise Impact Assessment also identifies that patron noise (slamming car doors, raised voices, car stereos etc) are '.... extremely difficult to assess as noise from.... are influenced by numerous

factors and are therefore outside the applicant's control', and '...not possible to assess here.'

8.20 The EHO officer has advised that -the site is relatively free field to properties on Branch Road and Preston New Road, with number 15 Branch Road and 13 Long Meadow being adjacent properties. Due to these factors and potential for disturbance from patron noise, the only way to minimise any impact would be to control the opening hours of the PFS and store.

8.21 The applicant has indicated hours of opening 0600 – 2300 seven days a week. The EHO officer has advised that in line with World Health Organisation guidelines (WHO Guidelines for Community Noise), night-time periods are given as 2300 – 0700 which allows for the 8-hour cognitive sleep period. This fixed interval of 8 hours is a minimal choice for night protection. The Centre for Time Use Research extends this principle by acknowledging that 'On Sundays, sleeping time is consistently 1 hour longer, probably due to people recovering from sleep debt incurred during the week'. In view of the above the EHO officer advises that the proposed hours of operations for both the PFS and the convenience store should be restricted to the following:

0700 – 2300 Mon – Sat
0800 – 2300 Sundays and Bank Holidays

The applicant however, has agreed to the following for both the Convenience store and PFS.

07:00 to 22:00 pm Monday to Saturday and
08:00am to 22:00pm Sundays and Bank Holidays.

8.22. The Inspector when considering the previous application concluded that the increased noise, traffic and activity from the site over a long period of the day, every day without respite would materially alter the sound environment experienced by residents to their detriment. The cumulative impact would lead to disturbance of the neighbouring dwellings and would fail to provide a high standard of amenity for the existing users. It is considered that the reduction in operational hours would address the noise impact upon residential amenity to acceptable levels.

8.23 Further, the site has a lawful use as a drinking establishment with ancillary residential accommodation. There are no restrictions in terms of opening hours attached to this from a planning perspective as it is a long-standing use and theoretically the current use could operate 24 hours a day. Due to the recent changes to the Use Classes Order from 1 September 2020 a Drinking establishment is now in its own use class sui generis. The recent changes provide for a permitted change until at least 31 July 2021 to a drinking establishment with expanded food provision or a temporary permission to be used as a takeaway food outlet subject to notification to the planning authority. Any other use would need a formal planning application.

8.24 There is therefore a judgement call to be made about whether the impact of an uncontrolled public house use is likely to cause greater nuisance/harm to resident's amenities than a petrol filling station and convenience store operating 17 hours a day under an appropriately conditioned planning permission. Clearly, both uses have different characteristics and as a result will have differing impacts in relation to amenity considerations. The nearest property to the development is No. 15 Branch Road which sits on the northern boundary of the site. A row of car parking spaces would be located 11 metres from the side of the house with a landscaped area of a depth of 6.4m between the fence boundary and the car park spaces. The distance between the side

elevation of the house and the carpark is similar to the current situation. What is different is the frequency of the car doors arriving and leaving. Revised plans received in June 2021 now provide for a 2m high acoustic barrier fence between the car parking and the landscape adjacent to No. 15 Branch Road. Whilst tree cover has been removed from this area it is intended to replant trees and introduce additional landscaping to this area which could be controlled through conditions.

- 8.25 Concern from residents has been raised that the proposal has not substantially altered the Inspectors concerns- that the standard of amenity would not be maintained by the proposed use. On the one hand, the increase in commercial activity would most likely lead to an increase in noise, whatever the development. On the other hand the Noise Impact Assessment as submitted, plus time limitations, should however, minimise any noise impact from the site. On balance the use of the site as a Petrol filling station and convenience store subject to conditions controlling the hours of operation and the internal timber fencing adjacent to the northern boundary, would not have a detrimental impact upon amenity and is acceptable.

Lighting

- 8.26 Petrol Filling Stations by design tend to be well illuminated and highly visible to attract the attention of passing drivers. The current building which sits on the corner has a significantly lower level of illuminance than associated with a Petrol Filling Station. The existing car park is illuminated via street lighting from Preston New Road and Branch Road and two low level floodlights columns with two lights on which are focused on lighting the car park with no light soiling outside of the site.
- 8.27 Clearly, the proposed PFS and convenience store are will have greater levels of luminance than at present. However, light spillage from the site can be controlled with careful design and through appropriate conditions. Any proposals for future advertisements will also require advertisement consent under the Town & Country Planning (Control of Advertisements) Regulations 2007 and the luminance of signage can be controlled under this legislation. It is therefore considered that light pollution can be minimised through appropriate conditions.

Trees

- 8.28 A number of trees on the northern boundary of the site, which were indicated on the earlier submission in 2017 as being retained were removed in early November 2017. A landscaping plan has been submitted but this does not capture all the planting areas that have been proposed. Should planning permission be granted then a condition requiring landscaping including replacement tree planting would be attached together with conditions to protect the existing trees on the western boundary throughout any construction phase. Subject to the imposition of conditions this aspect meets the aims of Policy G13 of the South Ribble Local Plan.

Ecology

- 8.29 The application is accompanied by an Ecological Survey dated 2020 which concludes that the redevelopment at the site will provide an opportunity to secure ecological enhancement for wildlife associated with suburban areas. The Council's ecologist has confirmed that the survey is acceptable and recommends conditions to secure biodiversity through the proposed soft landscaping and a condition to protect birds too. The report recommended a further bat survey be undertaken if the building had not been demolished by April 2021. A further survey has been undertaken and the

applicant has advised via email that: "In addition, with regards to the additional bat survey, one has been undertaken and we are currently awaiting the final report which we will forward on shortly. We are advised that the survey again confirmed the absence of any roosting bats." On that basis the Ecology Services are satisfied that that this aspect can be controlled by a condition to require further surveys if demolition has not commenced before 30 April 2023. Subject to the imposition of conditions this aspect meets the aims of Policy G16 of the South Ribble Local Plan.

Loss of the Public House and the principle of retail

- 8.30 Policy H1 of the Local Plan seeks to protect services and facilities for all members of the community including Public Houses. The Windmill closed in 2014 for economic reasons and was marketed for a substantial period. The previous application set out the marketing strategy that had been employed and this aspect was not contested by the Inspector.
- 8.32 The applicant acknowledges that the site occupies a location beyond any defined town, district or local centre. Paragraph 89 of the Framework advises that a sequential test would not be required for retail that is under 2,500 m² of gross floorspace. The store is intended to offer a top up opportunity. Thus, providing local residents with more choice and accessible services.

Archaeology

- 8.33 Lancashire Archaeological Advisory Service (LAAS) has been consulted upon the application and has advised that they do not object to the scheme. The building proposed for demolition is named as 'Windmill Inn' on the on the 1848 1st Edition Ordnance Survey. Inns were primarily concerned with providing accommodation for travellers. Many contained features such as a carriage entrance, courtyard and stabling for traveller's horses, which may have been visible here prior to modern extensions. The Windmill Hotel is sited at the junction between the 1819 Blackburn and Clitheroe Trust Branch Road and the 1824 Preston to Blackburn New Road, the latter forming a key route between Preston and Blackburn. The inn's construction is likely to have been in association with the building of these toll roads. The development as proposed would result in the total loss of historic fabric. Conditions requiring a building record and a watching brief to capture the historic fabric are recommended.

Other Material Considerations

- 8.34 Concern has been expressed about petroleum and diesel fumes emanating from the site. However, whilst there may be an odour within the site the design of the site and the existing highways means that any odour emanating from the site will have dispersed before it reaches residential properties so will not be discernible in the atmosphere.
- 8.35 Concern has been raised about Gas Mains within and surrounding the site. Cadent Gas has been consulted and raised no objection to the scheme.
- 8.36 Within the representations received many of the objections including the Parish Council has referred to existing petrol filling station provision in the area and that a further petrol filling station in the locality is not required. Whilst, it is acknowledged there is other existing provision in the locality it not the function of the Local Planning Authority or the planning system to regulate market forces. The regulation of competition is not a

material planning consideration and therefore cannot be taken into account when determining this planning application.

9.0 Conclusion and Planning Balance

9.1 The applicant has advised that the submitted details address the concerns raised by the Inspector and that the following benefits weigh in favour of the scheme.

- Economic: job creation, strengthening the rural economy, business rates and other revenues.
- Social: provision of walkable services, improving choice
- Environmental: redevelopment of a brown field site the gateway to the village. Creation of biodiversity, installation of EV charging points.

The Inspector previously considered some of these aspects and acknowledged that there would be some economic benefit and there would be some social benefits. However, the adverse environmental effect upon the character and appearance of the area is of significant weight and there would be social harm to the neighbouring residents from increased noise and disturbance.

9.2 With regard to this application it is acknowledged that there would be some weight to the economic and social benefits. In terms of the environmental aspects, a number of trees have previously been felled and therefore any biodiversity increase would have a neutral effect. The original plans for this application relocated the building to the location of the Public House. The revised plans submitted in June 2021 in terms of a slightly smaller design with materials that are more in keeping with the Mellor Brook, and the opportunity to provide additional planting to Branch Road, on balance outweigh refusing the application on the grounds of the development being out of character of the village. With regard to the impact upon residential amenity the revised footprint together with the reduction in opening hours of both the petrol filling station and the convenience store, and the construction of an internal fence, on balance, would address the social harm to the neighbouring residents from increased noise and disturbance and is acceptable.

9.3 The application is recommended for approval subject to conditions controlling the development

10. RECOMMENDATION

10.1 Approve with Conditions

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans

Drawing No. P.18 P5 Site plan
Drawing No. P.19 P4 Elevations
Drawing No. P.22 P4 Site plan First Floor Plant Area
Drawing No. P.23 P4 Site plan Tracking 2
Site Location Plan

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

3. Prior to the commencement of demolition/construction a Construction Traffic Management Plan (CTMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The approved Plan shall be adhered to throughout the construction period. The CTMA shall include and specify the provisions to be made for the following: -

1. The parking of vehicles of site operatives and visitors;
2. Loading and unloading of plant and materials used in the demolition / construction of the development;
3. Storage of such plant and materials;
4. Wheel washing facilities;
5. Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
6. Routes to be used by vehicles carrying plant and materials to and from the site;
7. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
8. The location of the site compound
9. Appropriate measures to control the emission of dust and dirt during construction
10. Appropriate measures to control the emission of noise during construction
11. Details of all external lighting to be used during the construction
12. A scheme for recycling/disposing of waste resulting from demolition and construction works

4. Prior to the commencement of development, details of all external lighting equipment shall be submitted to and be agreed in writing by the Local Planning Authority. The scheme shall include:

- a. full details of the luminaries to be used
- b. the details of the light fittings;
- c. the installation heights
- d. the lux levels
- e. impact on adjacent sites- overspill contour plot to the design scheme
- f. the upward light ratio;
- g. the horizontal glare level at the nearby sensitive receptors both ground and first floor as appropriate.

The lighting shall be erected, directed and shielded so as to avoid nuisance to residential accommodation in close proximity. No other lighting equipment may then be used within the development other than that approved by the Local Planning Authority. The agreed measures shall be installed prior to occupation of the development and shall be thereafter retained and maintained for the duration of the approved use.

REASON: To safeguard the amenity and character of the area and to safeguard the living conditions of nearby residents and to accord with Policy 17 in the Central Lancashire Core Strategy

5. During the site preparation and construction of the development, no machinery, plant or powered tools shall be operated, no process carried out and no deliveries taken at or dispatched from the site outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0900 hrs to 1300 hrs Saturday
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
6. No deliveries of construction materials or removal of construction waste shall be undertaken outside of the hours:
09:00-17:00 Monday to Friday
No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy.
7. The use of the Petrol Filling Station and Convenience store premises hereby approved shall be restricted to the hours of

0700-2200 Monday to Saturday,
0800-2200 Sundays and Bank Holidays
REASON: In the interests of the amenities of adjoining residents and to accord with Policy 17 in the Central Lancashire Core Strategy
8. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site. Each component shall be submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

9. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan.
The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

10. The development hereby permitted shall not be commenced until such time as a scheme to;
1. Dispose of foul and surface water
2. Install oil and petrol separators
has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reasons: To prevent pollution of the water environment and to ensure no contaminated water from oil spills, fuel forecourts or goods vehicles is discharged to surface water or groundwater.

11. The development hereby permitted shall not be commenced until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the local planning authority.
The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipe work and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent pollution of the water environment and the underlying aquifer.

12. No development including demolition and site clearance shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The final report shall be submitted to the Local Planning Authority prior to the first use of the convenience store.

The programme of archaeological works should comprise the following:

- i) The creation of a record of the building to Historic England level 3; and
- ii) A formal watching brief during the stripping out phase.

This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out in Understanding Historic Buildings (Historic England 2016) and to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.

13. The development (excluding demolition) hereby permitted shall not be commenced until a scheme showing the provisions to be made for CCTV coverage, access control, and any other measures to reduce the risk of crime, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime in accordance with Policy 17 and 26 of the Central Lancashire Core Strategy and Central Lancashire Design Guide Supplementary Planning Document (Adopted October 2012).

14. Foul and surface water shall be drained on separate systems.
Reason: To secure proper drainage and to manage the risk of flooding and pollution.
15. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - (iii) A timetable for its implementation.
- The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

16. Trees identified for retention should have protective fencing erected in accordance with BS 7837 2012. The fencing will consist of a scaffold framework in accordance with Figure 2 of BS 5837 - 2012 comprising a metal framework. Vertical tubes will be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site.
Reason: To protect trees from damage during construction in accordance with BS 5837 2012

17. Any access into the root protection shall be agreed in writing with the local authority. No machinery, tools or equipment should be stored within the Root Protection Area of any trees.

Reason: To minimise damage to tree roots and prevent seepage of materials into the soil.

18. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.
19. If the demolition hereby approved does not commence before 30th April 2023, the building will be reassessed for bat roosting potential and the finding supplied to and agreed in writing by the LPA. In the event of the survey confirming the presence of bats or barn owls 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
20. For the full period of demolition/construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period. Reasons; to prevent stones and mud being carried onto the public highway to the detriment of road safety.
21. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses and the off-site works of highway improvement (including right turn provision on Preston New Road, Pavement widening to 2m, Amendments to 7.5t weight limit / traffic calming scheme including no left turn onto Branch road) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.
Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
22. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 21 has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.
Reasons: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.
23. The car parking and manoeuvring areas to be marked out in accordance with the approved plan (including entry and exit signs and alligator teeth), before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.
Reasons: To allow for the effective use of the parking and manoeuvring areas.
24. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials to be used have been submitted to and approved by the Local Planning Authority.

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

RELEVANT POLICY

NPPF National Planning Policy Framework

- 1 Locating Growth (Core Strategy Policy)**
- 10 Employment Premises and Sites (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 26 Crime and Community Safety (Core Strategy Policy)**
- 28 Renewable and Low Carbon Energy Schemes (Core Strategy Policy)**

POLB1 Existing Built-Up Areas

POLG13 Trees, Woodlands and Development

POLG17 Design Criteria for New Development

POLH1 Protection of Health, Education and Other Community Services and Facilities

Note:

1. United Utilities the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

2. Environment Agency.

In discharging the conditions recommended above, the applicant will need to provide details of groundwater levels across the site. If underground fuel storage tanks are to be used on this site, then it would need to be demonstrated that a minimum 1 metre unsaturated zone will occur beneath the base of any underground fuel storage tanks and the highest expected natural water table. We will object to storage of hazardous substances below the water table on principal or secondary aquifers.

During the construction phase of the development any contaminated water must not be allowed to discharge to surface waters or groundwater. If infiltration methods are to be used for surface water disposal, the design of the surface water disposal system will need to incorporate sufficient treatment stages prior to discharge to the environment in line with CIRIA document C753.

The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.

