

Application Number	07/2022/00108/FUL
Address	Land To The East Of Brook Lane Farington Moss Farington
Applicant	Duerden Brothers
Agent	Charles Stanton 44 York Street Clitheroe BB7 2DL
Development	Construction of glass house and packing warehouse together with associated parking.
Officer Recommendation	Approval with Conditions
Date application valid	23.02.2022
Target Determination Date	29.07.2022
Extension of Time	29.07.2022

Location Plan



1. Report Summary

1.1 The application site is within the Green Belt where there is a general presumption against inappropriate development. However, the proposal for a glasshouse and associated packing warehouse falls within the exceptions to this general presumption and ADAS, the Council's advisors on matters of agriculture/horticulture, consider that the applicant has sufficiently demonstrated the horticultural need for the proposal to be sited in this particular location within the Green Belt. As such the proposal is considered acceptable in Green Belt terms.

1.2 Initially, Lancashire County Council's Infrastructure Delivery Team objected to the proposal. As part of the A582 dualling works, Woodfield Bridge will need to be replaced. The application site is identified as a works compound for the dualling and would allow access for the machinery and cranes to lift in bridge sections for the replacement Woodfield Bridge. However, on further consideration, they confirmed that whilst the proposal would present challenges in building the bridge it will still be possible

1.3 Network Rail, whilst not objecting, have raised concerns as they consider the proposal is likely to result in an increase in people using the level crossing over the railway. There is a level crossing to the south-western corner of the site which the PROW that runs along the site's western boundary crosses. The PROW links to other PROWs that in turn link to new housing developments off Croston Road. However, there is no particular reasons why the proposed development should increase usage of the level crossing and the applicant has confirmed none of their employees would use the crossing.

1.4 It is considered there is a balance between the need for the development to support an existing business, any impact on the Green Belt, and the difficulties this will cause on the proposals for replacing Woodfield Bridge, part of the dualling of the A482. ADAS are satisfied that the need has been demonstrated and, as the planning application for the A582 dualling works has not yet been determined and there is nothing in planning policy that protects land for the dualling, then this application for the construction of a glass house and packing warehouse is recommended for approval subject to the imposition of conditions.

2. Site and Surrounding Area

2.1 The application relates to a parcel of land to the east of Brook Lane in Farington Moss. The site is bounded by A Public Right of Way to the west, the A582 to the east, Lodge Lane to the north and a railway line to the south.

2.2 The site is relatively flat, green field with landscaping between it and the A582 and is within the Green Belt.

3. Planning History

3.1 There is no planning history to this site.

4. Proposal

4.1 The application proposes the erection of a glasshouse and a packing warehouse together with associated parking.

4.2 The glasshouse would measure 80m by 18m with an eaves height of 3m and a ridge height of 5.2m. It would be located along the western boundary of the site.

4.3 The warehouse would measure 80m by 18m with an external covered area of 20m by 18ms with an eaves height of 6m and a ridge height of 8.2m. Internally it will have a staff room, WCs, office and plant room. Under the canopy would be two delivery doors, each 4m wide by 3.4m high.

4.4 It would be constructed in profiled metal cladding over a masonry base with profiled metal cladding to the roof.

5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with one letter of representation being received, objecting to the proposal on the following grounds:

a) Green Belt

- The submitted Design and Access Statement looks to rely on the exception in NPPF paragraph 149 and Policy G1 which allow buildings for agriculture and forestry within the Green Belt. However, the D&A Statement refers to this being a relocation of an existing premises and it is unclear why a 1,440m² packing warehouse is required for the operations associated with the proposed greenhouse of the same size.
- The warehouse appears to be wholly disproportionate and certainly not ancillary to the greenhouse.
- If the intention is for produce to be delivered onto the site from elsewhere with a view to it being packaged and re-distributed off site, then the warehouse is not considered to fall under the definition of agriculture and would instead be a business/employment use.
- Consequently, the application proposals do not fall within any of the exceptions identified in NPPF paragraph 149 or Local Plan policy G1 and very special circumstances need to be demonstrated which outweigh the harm to the Green Belt.
- The scale of the proposals would have a significant impact on the Green Belt and the purposes of including land within it and no evidence has been provided as to why the warehouse needs to be sited within the Green Belt in this location, nor why it needs to be of the scale proposed.
- No very special circumstances have been demonstrated which would outweigh the impact on the Green Belt, meaning the application proposals are contrary to Green Belt policy both within the NPPF and the Local Plan.

b) Highway Impact

- Brook Lane is an unadopted single lane road which at present only serves GSU Landscapes and Willow House.
- Looking at the D&A Statement it appears that Duerden Brothers will have a significant fleet of vehicles, including articulated waggon
- It is self evident that the proposals for over 2,700m² of floorspace, half of which is a packaging and distribution warehouse, will generate a significant amount of traffic.
- Traffic will include articulated wagons travelling in and out of the site daily and there is no room for such vehicles to pass, especially given the existing GSU Landscape's vehicle fleet.
- There is no highway evidence provided to demonstrate that there would not be an unacceptable highway impact on Brook Lane or the local highway network generally.
- The application would have detrimental impacts on the local highway and would be contrary to Local Plan as a result.

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c) Residential Amenities

- No consideration has been given to the potential impacts of the proposals on residential amenities with regards to odour, dust, noise etc, as a direct result of the activities on site and the traffic generation.
- It is evident from the D&A statement and submitted plans that there will be machinery involved with the packaging operations and as such a large distribution warehouse there may be external forklift trucks and other activities with the potential to create noise.
- There is no indication of the intended hours of operation or external lighting.
- The sheer size of the proposed greenhouse and warehouse would be detrimental to residential amenity in terms of having an overbearing impact.
- All of the impacts on residential amenities would be contrary to Local Plan policy.

6. Summary of Consultations

6.1 County Highways initially advised that the plans infer access to the proposed site is by utilising another businesses' access with the highway. Therefore, they request plans which clearly show access to the highway from the proposed site within the red edge of the development.

An amended site layout plan was therefore submitted and County Highways reconsulted. They advise that they have no objections, commenting that:

“the proposed construction of glass house and packing warehouse together with associated parking should have a negligible impact on highway safety and capacity. The site will be accessed via an existing utilised entrance.

I am satisfied with the proposed parking plan, and large vehicles have turning space to leave the proposed warehouse in first gear. The proposed development will result in the increase traffic attraction to the site; however, the site access is of a good standard and linked onto a strategic route which will absorb the additional traffic.

Also, due to the extensive nature of the application it is expected that a charging point for electric vehicles shall be included within the development to promote sustainable modes of transport. This shall be fitted in line with the DfT guidance regarding Electric Vehicle Charging in Residential and Non-residential buildings, which states charge points must have a minimum power rating output of 7kW, be fitted with a universal socket that can charge all types of electric vehicle.”

County Highways require conditions be imposed in respect of the provision of wheel washing facilities; that the car parking area is surfaced prior to first occupations and that cycle parking is provided.

6.2 LCC Infrastructure Delivery Team objected to the proposal as the land relating to the construction of the glass house and packing facility is identified as a works compound for the dualling of the A582. The works compound land would allow access for the machinery and cranes to lift in bridge sections for the replacement Woodfield Bridge. An area of land along the edge of railway land is necessary as a laydown but also for use as a topsoil storage site during the construction of A582 Dualling. They initially considered that the development in its current form would result in an inability to construct the replacement rail bridge.

The applicant tried a number of times to contact the Infrastructure Delivery Team with a view to discussing amendments to the scheme but was unsuccessful. However, on further consideration, the Infrastructure Deliver Team did advise that, whilst the proposal would create challenges in building the bridge, it will still be possible. They would potentially want to access through the applicant's land to the bridge area but would ensure they worked to minimise any disruption to the applicant's activities. Additionally, they comment that, as the application does show the land which they have a permanent interest in as not containing any structures and being used for screening, there is no reason to continue with the objection provided that this remained the case.

6.3 United Utilities request a drainage condition is attached to any approval requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted. The drainage schemes 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 in accordance with BRE365;
- 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);
- iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- v. Foul and surface water shall drain on separate systems.

- vi. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

UU also require a condition to ensure the submission of a scheme for the Management and Maintenance of Sustainable Drainage Systems

UU also provide advice for the applicant in respect of water and/or wastewater services; property, assets and infrastructure; and contact details which can be included as informative notes on the decision notice.

6.4 Environment Agency were consulted but did not respond

6.5 Network Rail provide a number of comments relating to asset protection; RAMS; fencing; encroachment; scaffolding; Drainage proposals and Network Rail land; Excavation and Earthworks and Network Rail land: boundary treatments; 3m gap; trees; Parking / Hard Standing Area; Basic Asset Protection Agreement (BAPA). These matters are reported in the body of this committee report.

6.6 Ecology advises that the submitted Preliminary Ecological Assessment Report: *Appears to have used some reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]).*

The survey was conducted in January, which is recognised as suboptimal for the majority of surveys. However, given the nature and size of the proposal this is not considered to be a substantive constraint on the assessment.

The Report concluded that the site supports habitats within the site that are of only local value to biodiversity.

Ponds within the vicinity of the site were reported against the findings of the 2018 survey records for the A582 dualling road scheme. The Report concludes that the A582 findings ruled out the presence of great crested newt from the environs of the current proposal. However, it fails to note that one pond actually reported inconclusive survey evidence from eDNA survey. However, I have run the proposed site and the distance from the identified pond through Natural England's rapid risk calculator. Even if GCN were found to be present in this pond the probability of an offence is highly unlikely. The Report identifies some standard reasonable avoidance measures page 13. The applicant's attention should be drawn to this via an informative. This should highlight the protected status of great crested newt (Habitats Regulations 2019) and the contents of these measures. If newts are found or suspected at any stage works should cease until advice has been sought and implemented from a suitably licenced ecologist.

The Report indicates that woodland, trees and scrub within the site maybe suitable for breeding birds. However, the survey was undertaken outside the bird breeding season and specifically did not utilise the A582 data for breeding birds. This indicates that fields within the immediate locality of the application site had been used by ground nesting species such as lapwing and skylark during the 2018 nesting season. I would recommend that a pre-commencement breeding bird survey is required prior to any works including vegetation clearance, enabling works or soil stripping that is planned to start between March and August inclusive. The results of the survey should be submitted to the LPA identifying the species found and any necessary mitigation in line with that presented within the submitted report. This should be secured via condition.

Design of the external lighting scheme, particularly along the western, northern and southern (adjacent to the railway) boundaries. In line with the NPPF (July 2021 para 185 c)) we recommend that applicants follow the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting). This should include all elements of the proposal such as highways lighting, pedestrian/cycleway access and external domestic/security lighting as appropriate. This should be secured by condition.

Landscape Specification – The submitted plan does not include any details of landscape planting and the Report only includes broad overarching recommendations in respect of gains for biodiversity via species enhancement as guided by the NPPF (July 2021, paragraph 174d and 179

b)) nor does it seek to demonstrate a measurable net gain for biodiversity. The Environment Bill has now received Royal Assent (November 2021) and enabling legislation is in formulation. This signals a purposeful direction of travel with respect to the adoption of Biodiversity Net Gain. However, this application proposes both a small scale proposal on a small site and at it currently stands the small-scale BNG Metric is not yet operational. It is GMEU's approach that in this instance a Biodiversity Enhancement Plan can be secured via condition on any permission if granted to be submitted.

Whilst some aspects of the submitted Report are not to an acceptable standard there is little merit in requiring additional assessment, as the outcome of such work would only seek to delay the determination of the proposal and would make no substantive difference to the recommendations made above.

6.7 Arboriculturist was consulted but did not respond

6.8 Environmental Health request a number of conditions are imposed in respect of contaminated land and sensitive receptors at the site; the submission of a dust management plan; restriction on the hours of site preparation and construction works; and that suitable electric vehicle charging infrastructure is provided

6.9 ADAS initially commented that they would stress the importance of providing justification due to the nature of the proposal and ensure that the enterprise is strictly considered to be horticultural, as opposed to a general commercial building, which would have no requirement to be located within the Green Belt.

Therefore, ADAS recommended that the applicant provides justification relating to the selection of this site, and the requirement and justification for both the scale of the glasshouse and requirements for a packing warehouse. Further information relating to the scope and operation of proposed horticultural activities taking place at the site would also be beneficial to demonstrate the need for the proposal, and ultimately strengthen the case for the establishment of the new site.

As such, the applicant submitted a supporting document which responded to ADAS's comments and this was further considered by ADAS who advised that the points raised within their initial response have now been addressed and would support the agricultural merits of the proposal. The proposed scheme appears to be a logical transition away from the existing constrained site to one that appears to be logical within the locality.

ADAS now consider that the applicant has sufficiently demonstrated the horticultural need for the proposal to be sited in this particular location within the Green Belt. Justification has been provided in relation to the unsuitability of their current site which is now a largely commercial area.

6.10 Public Rights of Way were consulted but did not respond.

7. Policy Background

7.1 Policy G1: Green Belt has a general presumption against inappropriate development and planning permission will not be given for the construction of new buildings unless there are very special circumstances. However, exceptions to this are buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it; the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary

buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.2 Policy G17: Design Criteria for New Development permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; 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 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.

7.3 Core Strategy Policy 17

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.

8. Material Considerations

8.1 Green Belt

8.1.1 The application site is within the Green Belt where Policy G1 has a general presumption against inappropriate development and planning permission will not be given unless there are very special circumstances. Among the exceptions to the general presumption are buildings for agricultural and forestry. Agriculture can be defined as cultivating the ground, including the harvesting of crops, horticulture, glass houses, the rearing and management of livestock, tillage, husbandry and farming, horses, kennels and catteries.

8.1.2 The proposal is for a substantial glasshouse for the growing of salad produce and is therefore an agricultural use. The submitted Design and Access Statements advises that the applicants, Duerden Brothers: *“supply many of the leading names in the food service industry and also ready meal producers. As part of the family business, the team at Duerden Brothers work determinedly to respond to customer’s requests as quickly and efficiently as possible, ensuring the good name of the business is always maintained. They always strive to uphold their reputation as trustworthy and reliable suppliers and aim to be the ‘go to’ company for all our customers for cress, watercress, bean sprouts, frizzy peas (cut and uncut), little gem lettuce, pea shoots and beetroot requirements.”*

8.1.3 The warehouse building is for packing of the produce and has been designed to be 6m high at the eaves to allow for adequate storage and vehicle access. This building is not therefore strictly for an agriculture/horticulture use.

8.1.4 In support of the application, the D&A Statement advises that the business has been *“able to secure significant new business with companies that supply some of the larger supermarkets and are confident that this business will grow along with the removal of restrictions. Once things start to return to normality, they will need to look at increasing their workforce to ensure their customers receive the best quality service from efficient, fully trained staff. Training of staff is ongoing, and they aim to ensure that the staff are trained in all department thus creating a totally flexible workforce.”*

8.1.5 It is noted that the proposal will create 15 full time positions and, in general terms, the trading hours (vehicles/customers/deliveries coming and going etc) are:

6.30am – 6pm Monday to Friday

6.30am – 1pm Saturday

Closed Sunday

8.1.6 However, because of the nature of the operation there may be a requirement to come in at any time of day, for example if a pump fails in the greenhouse.

8.1.7 The D&A Statements goes on to advise that the applicants, Duerden Brothers, in 2017 *“moved to a purpose built site in Whitestake, investing in state of the art machinery and a number of new vehicles to enable them to provide a more efficient service to meet all their customer’s requirements.....*

..... Whilst they were confident and optimistic at the outset that the site at Whitestake would be suitable, recently the limitations have become more apparent.

Initially there was just two units on site, since then the site has been developed out we have struggled to secure our unit against contamination. We obviously have to meet the standards required by The Food Agency and our customers and this is becoming ever more difficult and thereby is putting our business at risk.

When we have been inspected by the local authorities, comments have been made regarding the mud that is being taken into our premises and the dust that is blowing in. These are things that we are unable to control, because we do not own the yard and so we cannot have it concreted. This is why it would be of benefit to our business to move to a private site. These problems can be seen in the photographs provided.

In addition, the fabric of Parker Lane is now under pressure because of heavy vehicles using it and the residents of Parker Lane are finding it quite hectic at peak times.

Duerden Brothers is always looking at ways to make the business more competitive and more efficient by the use of up-to-date technology and machinery, and that would prove to be much easier with their own premises.

This would also have the added bonus of providing them with ways of reducing costs and increasing employment.”

8.1.8 Whilst the proposal for the glasshouses is an agricultural use and as such, appropriate development in the Green Belt, the proposed warehouse is not in itself an agricultural use. It was unclear from the supporting statement why such a large building is required. The following section assesses the need for this part of the proposed development.

8.2 Need for the Development

8.2.1 ADAS, the Council’s advisors on agricultural development in the Green Belt, have provided a view on the application proposal, as follows:

The proposal relates to the establishment of a new facility for the applicant, Duerden Brothers, away from their constrained current site, which is located around 550m to the west of the proposal site. It is also acknowledged that the site is located in the Green Belt, although the existing premises of the business is also covered by the Green Belt designation.

Notably, the site appears to be an agricultural field bordered on each side by Brook Lane and Lodge Lane to the west and north, respectively, along with a railway line to the south, and the A582 to the east. Whilst the site is situated within the Green Belt, it is located adjacent to the Green Belt border, marked by the A582.

Stated Limitations of Existing Site

Within the submitted Design and Access Statement, section 4.5 provides a brief summary of the limitations impacting upon the existing site, however it fails to detail the wider impacts of this on the business. From the information supplied, ADAS have made the assumption that the site is a shared unit, and that this has expanded out from an initial two units to an unknown quantity. The chief negative impact of this on the applicant is the rise of contamination, understood to be as a result in the expansion of commercial activity on the unit and increase in traffic movements of commercial vehicles. This is stated as impacting upon the applicants’ ability to meet Food Agency Standards, which is stated as putting the business at risk.

The Design and Access Statement continues by noting that comments have been made regarding this factor to the Local Authorities when inspected, however cannot be resolved due to the yard being outside of the applicants’ ownership. Beyond this, it is also stated that the enterprise is also being negatively impacted by the associated increase in traffic from the access point at Parker Lane.

Justification of Selected Site

It is stated within section 3.1 of the Design and Access Statement that “The site in the countryside is suitable to be use [sic] for a glass house and associated packing warehouse. The A582 works will improve access and assist with deliveries”. Beyond this, no justification is provided in relation to the proposed location, with information relating to both the use and requirements of the proposed facilities also absent. ADAS would expect the applicant to provide details as to why this site has been selected as the location for the proposal beyond the parameters stated that the enterprise requires a private site to avoid containment issues.

ADAS would stress the importance of providing justification in this instance due to the nature of the proposal and ensure that the enterprise is strictly considered to be horticultural, as opposed to a general commercial building, which would have no requirement to be located within the Green Belt.

In this regard, ADAS would recommend that, if possible, the Local Authority undertake a site visit at both the proposal site and the existing enterprise to ascertain ongoing horticultural activities, and to confirm that the proposal does not fall under a general commercial use. Concerning the Green Belt, Policy G1 – Green Belt of the South Ribble Local Plan (2015) states that:

“The area covered by Green Belt is shown in the Policies Map. As set out in the NPPF, planning permission will not be given for the construction of new buildings unless there are very special circumstances. Exceptions to this are: buildings for agriculture and forestry;”

This is built on within paragraphs 10.24 and 10.25, which state that: “Agricultural uses can be defined as cultivating the ground, including the harvesting of crops, horticulture glass houses, the rearing and management of livestock, tillage, husbandry and farming, horses, kennels and catteries.”

The construction of new buildings is strictly limited. Such proposals will be considered on their merits having regard to the requirements of the NPPF and Policy G1.

It is acknowledged by ADAS that, as defined within the Local Plan, horticulture glass houses fall within the stated agricultural use, and as such is considered to be appropriate development. Additionally, whilst there is no mention of packing warehouses, both the planning application and Appeal decisions accept that this is an appropriate use if located next to an agricultural facility that requires a packing area for goods and produce.

To conclude, ADAS would accept that the proposed scheme appears to be a logical transition away from the existing constrained site to a separated site. ADAS note the history of the enterprise and its role within the local economy.

However, ADAS would consider that the applicant has failed to sufficiently demonstrate the horticultural need for the proposal to be sited in this particular location within the Green Belt. Some justification is provided in relation to contamination from other units at the business’s current location within a commercial area. This is stated as being a direct result of the lack of concreting of an adjacent yard, with it being stated that it would be beneficial to be moved to a private site, however no further detail is provided beyond this.

Whilst it is accepted that the existing enterprise is located within the Green Belt nearby to the proposal site, it is still considered that sufficient justification would be required to ensure that the proposal is considered to be in a use considered appropriate in the Green Belt and meet the associated policy.

ADAS would also be concerned with the significantly large number of parking bays and would recommend that the applicant provide information relating to this requirement, to ensure that the proposal relates to the stated use.

As a result of this, ADAS would recommend that the applicant provides justification relating to the selection of this site, and the requirement and justification for both the scale of the glasshouse and requirements for a packing warehouse. Further information relating to the scope and operation of proposed horticultural activities taking place at the site would also be beneficial to demonstrate the need for the proposal, and ultimately strengthen the case for the establishment of the new site.

8.2.2 ADAS’s comments were forwarded on to the applicant who, in response, submitted a supporting document entitled ‘ADAS Response’ which responds to the points raised in ADAS’s consultation response. This document was further considered by ADAS who advise the following:

Limitations of the Current Location

The applicant has provided further detail in regard to business practices, and ultimately the limitations faced at the current site beyond what was initially demonstrated with the planning application. ADAS accepts the limitations of the site in regard to the growing needs of the business. We also acknowledge the evidence of the increasingly commercial nature immediately surrounding the current site and accept this is having a significantly detrimental impact upon the business.

ADAS also noted the increases in the volume of output at the site that has put further strain on the suitability of the current site. We also acknowledge the outside pressures from commercial partners and the chain of supply, and how the limitations of the current site may negatively impact upon this.

b) Demonstration of the Proposed Horticultural Need of the Proposed Facilities and Location

In addition to the above, further information has been provided in regard to the horticultural practices undertaken, both at the current site, and as understood to be continued at the proposal site. With this having been demonstrated in more detail, ADAS are happy that the siting of the packing warehouse adjacent to the glasshouse is practically needed as part of the activities undertaken by the enterprise. We would therefore consider that this aspect of the proposal can suitably be considered to fall under a horticultural use, and as such would be appropriate in this location.

Further to the above points, the applicant has also addressed the selection of the site location, noting that they want to stay in the locality due to long standing customer base within the locality, in addition to acknowledging that the selected site is adjacent to the Green Belt boundary. Whilst ADAS cannot specifically comment on the spatial matters impacting upon the application, they would note that the site appears to be suitably close to transport links, and whilst there does appear to be an area of open countryside beyond the Green Belt designation on the opposite side of the A582, this is allocated land within the Local Plan, and as such may be considered not to be suitably available.

Local Planning Policy

Concerning the Green Belt, Policy G1 – Green Belt of the South Ribble Local Plan (2015) states that:

“The area covered by Green Belt is shown in the Policies Map.

As set out in the NPPF, planning permission will not be given for the construction of new buildings unless there are very special circumstances.

Exceptions to this are:

buildings for agriculture and forestry;”

This is built on within paragraphs 10.24 and 10.25, which state that:

“Agricultural uses can be defined as cultivating the ground, including the harvesting of crops, horticulture glass houses, the rearing and management of livestock, tillage, husbandry and farming, horses, kennels and catteries.

The construction of new buildings is strictly limited. Such proposals will be considered on their merits having regard to the requirements of the NPPF and Policy G1.

As within the initial response, it is acknowledged by ADAS that, as defined within the Local Plan, horticulture glasshouses fall within the stated agricultural use, and as such is considered to be appropriate development. Additionally, whilst there is no mention of packing warehouses, both planning application and Appeal decisions accept that this is an appropriate use if located next to an agricultural facility that requires a packing area for their goods and produce.

Conclusion

To conclude, ADAS would consider that the points raised within the initial response have now been addressed and would support the agricultural merits of the proposal. The proposed scheme appears to be a logical transition away from the existing constrained site to one that appears to be logical within the locality.

8.2.3 ADAS now consider that the applicant has sufficiently demonstrated the horticultural need for the proposal to be sited in this particular location within the Green Belt. Justification has been provided in relation to the unsuitability of their current site, which has become a largely commercial area. Further, while packing warehouses are not specified within Green Belt policy as being agricultural/horticultural, both planning application decisions and appeal decisions have accepted this is an appropriate use when located next to an agricultural facility. As such it is considered that the proposal is acceptable in terms of Green Belt considerations.

8.3 Residential Amenity

8.3.1 Core Strategy Policy 17 requires that new development is sympathetic to surrounding land uses and occupiers and avoids demonstrable harm to the amenities of the local area. It also requires that new development ensures that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.

8.3.2 There is just one residential property in the immediately vicinity of the site, Willow House which is located approximately 88m to the north-western corner of the site. The access to the application site runs to the east of Willow House which is also used by a landscaping business. The access is approximately 76m from the dwelling itself.

8.3.3 A letter of objection considers the proposal will have a detrimental impact on the residential amenity of the occupants of this property in terms of odour, dust, noise etc, as a direct result of the activities on site and the traffic generation. They also consider that there will be machinery involved with the packaging operations and as such a large distribution warehouse there may be external forklift trucks and other activities with the potential to create noise.

8.3.4 Additionally, due to the sheer size of the proposed greenhouse and warehouse the objectors considered it would be detrimental to residential amenity in terms of having an overbearing impact. However, due to the spatial separation between the residential property and the site, it is considered the proposal will not result in an overbearing impact. There is also screening to the east of Willow House to the existing landscaping business and the access road which will help minimise the impacts.

8.3.5 The objector also has concerns as no hours of use were submitted. However, the applicant has confirmed that the trading hours (vehicles/customers/deliveries coming and going etc) are:

6.30am – 6pm Monday to Friday
6.30am – 1pm Saturday
Closed Sunday

8.3.6 Environmental Health also have concerns about potential noise, dust and bonfires associated with the construction of the proposed development but raise no concerns regarding the operation of the packing warehouse. As such they request a number of conditions be imposed including the submission of a dust management plan and a restriction on the hours of site preparation and construction works. However, it is noted that Environmental Health do not raise any concerns over the use of the site as a packaging warehouse and have not requested a condition to restrict the hours use of the site.

8.3.7 It is considered with the requested conditions in place, there should be no adverse impact on the residential amenity of the occupants of Willow House.

8.4 Impact on Railway

8.4.1 Network Rail were consulted due to the proximity of the site to the Ormskirk/Preston line. They have provided in-depth comments on Asset protection; RAMS; Fencing; Encroachment; scaffolding; Drainage proposals and Network Rail land; Boundary Treatments; Excavation and Earthworks and Network Rail land: 3M Gap; Trees; Parking / Hard Standing Area; BAPA (Basic Asset Protection Agreement); and Level Crossing

8.4.2 A short summary of each concern is set out below and these can be resolved with the imposition of conditions or inclusion informative notes on the decision notice should permission be granted.

Asset Protection Comments:

To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

RAMS

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent.

Fencing

With the change of use the applicant will need to upgrade the fencing adjacent to the railway boundary.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed.

Drainage proposals and Network Rail land

The NPPF states: "178. Planning policies and decisions should ensure that:

A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability." And "163. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere."

In order to comply with the NPPF, the applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslide on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators.

Network Rail would request that a condition is included in the planning consent as follows:

"Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail." However, this has been incorporated in condition 9 that was requested by UU, as reported in the 'Drainage' section of this report.

Excavation and Earthworks and Network Rail land:

The NPPF states: "178. Planning policies and decisions should ensure that:

A site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability."

In order to comply with the NPPF, the applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the

works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway

Boundary treatments

Any structures on the applicant's land which runs seamlessly into a section of Network Rail infrastructure will require Network Rail agreement/comments and interface/supervision to ensure that there is no impact to or increase in risk to Network Rail assets.

3m Gap

Network Rail requires that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary.

Trees

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

Parking / Hard Standing Area

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers) to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail.

Level Crossing

This proposal very close to Lodge Lane Level Crossing (with 4 Lane Ends close by). There are further developments for 100 dwellings in the vicinity. Although this development should not directly impact on the crossing, Network Rail is concerned about the cumulative impact of development within the area, including an increase in the volume of user and the character of users including vulnerable users.

8.4.3 The level crossing is to the south-western corner of the site which the PROW that runs along the site's western boundary crosses. The PROW links to other PROWs that in turn link to new housing developments off Croston Road. There is no particular reason why the proposal will increase usage of the PROW and level crossing unless site operatives walk/cycle to site via the PROW from these new residential developments. Further, the applicant has confirmed in an email that no members of staff will be using the level crossing.

8.5 Impact of A582 Dualling

8.5.1 The Infrastructure Delivery Team which is responsible for implementing programmes of the Preston, South Ribble and Lancashire City Deal programme funded by the UK Government. The programme includes the commitment to construct the A582 Dualling. Part of the A582 Dualling involves the replacement of the Woodfield Bridge carrying the Ormskirk Rail Line over the new highway and the bridge is immediately adjacent to the application site.

8.5.2 They consider there would be no impact on the network benefits brought about by the completion of the A582 Dualling given the minor nature of the vehicle movements predicted to arise from the proposal.

8.5.3 However, they object to the application as the site is situated within the A582 Dualling planning application site boundary. In that application the land also relating to the construction of the glass house and packing facility is identified as a works compound. The works compound land would allow access for the machinery and cranes to lift in bridge sections for the replacement

Woodfield Bridge. An area of land along the edge of railway land is necessary as a laydown but also for use as a topsoil storage site during the construction of A582 Dualling. The development of this proposal in its current form will result in an inability to construct the replacement rail bridge and may impact on construction delivery in general.

8.5.4 It must be noted that the planning application for the A582 dualling works has not yet been determined. In a recent appeal decision for a telecommunications mast located on the A582 which was refused as it would encroach into the dualling works by affecting the pedestrian inter-visibility envelope of the Chain House Lane junction, the Inspector considered:

“While this is acknowledged and attracts weight, this weight is limited by the fact that the A582 Dualling Road Scheme works are the subject of an application awaiting a decision and as such there is no certainty that they will be implemented.”

8.5.5 The Infrastructure Delivery Team advised that, should the application be recommended for approval, amendments should be sought for revisions that would resolve the above objection. The applicant's agent tried several times to contact the Infrastructure Delivery Team to arrange a meeting to discuss possible amendments to resolve their objection but have received no response. As such, the planning case officer contacted them directly and they responded. Essentially, following further consideration, the Infrastructure Deliver Team advises that, whilst the proposal would create challenges in building the bridge, it will still be possible. They would potentially want to access through the applicant's land to the bridge area but would ensure they worked to minimise any disruption to the applicant's activities. Additionally, they comment that, as the application does show the land which they have a permanent interest in as not containing any structures and being used for screening, there is no reason to continue with the objection provided that this remained the case.

8.5.6 It is officer's view that this application could not be refused on the grounds that it may impact on the A582 Dualling Scheme as that application has not been approved, may not come to fruition and requires land that is not in County Council's ownership. Given that the Infrastructure Delivery Team are not now maintaining their objection, then the proposal is considered acceptable in terms of the A582 dualling scheme.

8.6 Drainage

8.6.1 United Utilities require that a drainage condition is attached to the decision notice, should permission be granted, requiring the submission of a sustainable surface water drainage scheme and foul water drainage scheme. The drainage scheme should include the following:

8.6.2 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 in accordance with BRE365;

(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);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

(vi) Surface water and foul water drainage shall be directed away from the adjacent railway.

8.6.3 UU also require that a sustainable drainage management and maintenance plan for the lifetime of the development is submitted for approval.

8.6.4 Finally, UU provide advice on water and wastewater services; property, assets and infrastructure and contact details to be passed onto the applicant.

8.7 Ecology

8.7.1 A preliminary ecological assessment has been submitted in support of this application which advises that the site is assessed as low conservation value, with no habitats within the site that are Priority Habitat, and no protected species were observed. Therefore, no significant ecological constraints as a result of development proposals have been detected at the site. The assessment considers that development of the site will only result in loss of habitat at the site level. The proposed development will result in the loss of an area of species poor improved grassland.

8.7.2 Given the previous negative EDNA sampling results of ponds within 250m of the site it is considered that reasonable avoidance measures are an appropriate approach to mitigation with regard to Great Crested Newts. Additionally, the development offers considerable potential to create enhancements for biodiversity via a post development biodiversity enhancement and management scheme particularly with regard to creation of two ponds, installation of bat boxes and planting of native hedge and tree species to supplement the existing hedgerow and native shrub planting within proposed landscaping.

8.7.3 The report has been considered by the Council's Ecological Advisors who advise that the report appears to have used some reasonable effort to survey the habitats on site and make an assessment of their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]). The survey was conducted in January, which is recognised as suboptimal for the majority of surveys. However, given the nature and size of the proposal this is not considered to be a substantive constraint on the assessment.

8.7.4 GMEU advise the following:

- *The Report concluded that the site supports habitats within the site that are of only local value to biodiversity.*
- *Ponds within the vicinity of the site were reported against the findings of the 2018 survey records for the A582 dualling road scheme. The Report concludes that the A582 findings ruled out the presence of great crested newt from the environs of the current proposal. However, it fails to note that one pond actually reported inconclusive survey evidence from eDNA survey. However, I have run the proposed site and the distance from the identified pond through Natural England's rapid risk calculator. Even if GCN were found to be present in this pond the probability of an offence is highly unlikely. The Report identifies some standard reasonable avoidance measures page 13. The applicant's attention should be drawn to this via an informative. This should highlight the protected status of great crested newt (Habitats Regulations 2019) and the contents of these measures. If newts are found or suspected at any stage works should cease until advice has been sought and implemented from a suitably licenced ecologist.*
- *The Report indicates that woodland, trees and scrub within the site maybe suitable for breeding birds. However, the survey was undertaken outside the bird breeding season and specifically did not utilise the A582 data for breeding birds. This indicates that fields within the immediate locality of the application site had been used by ground nesting species such as lapwing and skylark during the 2018 nesting season. I would recommend that a pre-commencement breeding bird survey is required prior to any works including vegetation clearance, enabling works or soil stripping that is planned to start between March and August inclusive. The results of the survey should be submitted to the LPA identifying the species found and any necessary mitigation in line with that presented within the submitted report. This should be secured via condition.*
- *Design of the external lighting scheme, particularly along the western, northern and southern (adjacent to the railway) boundaries. In line with the NPPF (July 2021 para 185 c)) we recommend that applicants follow the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting). This should include all elements of the proposal such as highways lighting, pedestrian/cycleway access and external domestic/security lighting as appropriate. This should be secured by condition.*
- *Landscape Specification – The submitted plan does not include any details of landscape planting and the Report only includes broad overarching recommendations in respect of gains for biodiversity via species enhancements guided by the NPPF (July 2021, paragraph 174d and*

179 b)) nor does it seek to demonstrate a measurable net gain for biodiversity. The Environment Bill has now received Royal Assent (November 2021) and enabling legislation is in formulation. This signals a purposeful direction of travel with respect to the adoption of

- Biodiversity Net Gain. However, this application proposes both a small scale proposal on a small site and at it currently stands the small-scale BNG Metric is not yet operational. It is GMEU's approach that in this instance a Biodiversity Enhancement Plan can be secured via condition on any permission if granted to be submitted.

8.7.5 In summary, GMEU consider that, whilst some aspects of the submitted Report are not to an acceptable standard, there is little merit in requiring additional assessment, as the outcome of such work would only seek to delay the determination of the proposal and would make no substantive difference to the recommendations made above.

8.7.6 Therefore, it is considered the proposal is acceptable in terms of ecological considerations, providing that conditions and informative notes are included on the decision notice, should permission be granted.

9. Conclusion

9.1 For the reasons set out above, it is considered that the proposed development is acceptable in terms of compliance with relevant planning policies. Whilst it is acknowledged that the proposal includes a substantial packaging warehouse, ADAS are satisfied that the applicant has demonstrated the horticultural need for this and such a packaging warehouse is accepted as an appropriate use, when located next to an agricultural facility, in the Green Belt. The application is therefore recommended for approval subject to the imposition of conditions and the inclusion of informative notes.

10. RECOMMENDATION:

10.1 Approval with Conditions.

11. RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg PL.0 Rev B Location Plan; PL1 Proposed Site Plan; PL2 Warehouse Plans and Elevations; PL3 Glass House Plans and Elevations; J1405 access Fig 1;
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. The Dust Management Plan shall consist of a suitable risk assessment in line with national guidance.
Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.
Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy

4. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at anytime on Sundays or nationally recognised Bank Holidays.
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy

5. Prior to the commencement of any works on site, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
 - (a) A simplified desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
 - (b) If the desk study identifies potential contamination and/or ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and/or ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property.
The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.
 - (c) A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.
 - (d) On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.
Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.
REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990, in accordance with Policy 17 of the Central Lancashire Development Plan,

6. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.
Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

7. No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.
Reason: To allow for the effective use of the parking areas.

8. Prior to commencement of the development hereby approved, details of appropriate vehicle safety protection measures along the boundary with the railway shall be

submitted to the Local Planning Authority in consultation with Network Rail. The approved measure shall be implemented during the construction phase of the development and retained at all times thereafter

Reason: to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

9. Prior to commencement of the development hereby approved, details of any scaffolding works within 10m of the railway boundary shall be submitted to the Local Planning Authority in consultation with Network Rail for approval in writing
Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding.
10. Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway; the fencing details to be submitted to the Local Planning Authority in consultation with and Network Rail for agreement.
Reason: To protect the adjacent railway from unauthorised access Encroachment
11. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority in consultation with Network Rail.
Reason: To protect the adjacent railway and its boundary.
12. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times. Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport
13. Prior to the first use of the development 10% of parking bays shall be provided with a fast (3-4 hrs) electric vehicle recharge point to the parking area. The parking bay shall be appropriately marked to ensure the sole use by electric vehicles and an adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay.
Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.
14. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes 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 in accordance with BRE365;
 - (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);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.
 - (vi) Surface water and foul water drainage shall be directed away from the adjacent railwayThe approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

15. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. Arrangements for adoption by an appropriate public body or statutory undertaker, and

b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

16. A breeding bird survey is required prior to commencement of the development hereby approved, including vegetation clearance, enabling works or soil stripping that is planned to start between March and August inclusive. The results of the survey should be submitted to the LPA identifying the species found and any necessary mitigation in line with that presented within the submitted Preliminary Ecological Assessment report by Batworker Ecological Consultancy dated 21.01.2022.

17. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site or trees and hedgerows in the area, particularly along the western, northern and southern (adjacent to the railway) boundaries. The principles of relevant guidance contained in the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting) shall be followed. This should include all elements of the proposal such as highways lighting, pedestrian/cycleway access and external domestic/security lighting as appropriate.

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

18. Prior to commencement of the development hereby approved, a Biodiversity Enhancement Plan shall be submitted for approval by The Local Planning Authority, in consultation with its ecological advisors. The approved proposals should be implemented in full prior to first occupation of the development. The Plan should demonstrate that the habitat re-establishment and enhancement proposals would adequately off-set all unavoidable habitat losses and deliver overall enhancement of biodiversity. All habitats that would be lost, damaged, re-established or enhanced should be quantified and clearly mapped. Habitat creation proposals should comprise only native species appropriate to the locality. Proposal for the aftercare and long-term management of retained and re-established habitats should also be submitted.

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

12 RELEVANT POLICY

G1 Green Belt

Note:

1. The applicant's attention is drawn to the protected status of great crested newt (Habitats Regulations 2019). If the presence of great crested newts is detected or suspected on the development site at any stage before or during development or site preparation, works must cease and advice sought from a suitably qualified ecologist.

2. WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal. In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main. United Utilities may not allow building over or in close proximity to a public sewer. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required.

Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit: <http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering - DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

3. RAMS

A Network Rail Asset Protection meeting will be required on site to review the RAMS as this proposal will require an interface with Network Rail.

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

The applicant /developer should submit the RAMs directly to: AssetProtectionLNWNorth@networkrail.co.uk

4. BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

The applicant / developer should liaise directly with Asset Protection to set up the BAPA (form attached).

AssetProtectionLNWNorth@networkrail.co.uk

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Should the above proposal be approved by the council and should there be conditions, where the proposal interfaces with the railway (as outlined in this response) the outside party is advised that a BAPA (Basic Asset Protection Agreement) must be in place, in order for Network Rail to review and agree the documentation and works outlined in conditions (and those areas covered by the discharge of conditions).

The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any works commence on site.

Network Rail is a Government funded Organisation and we are expected to recover our involvement costs from this type of interface, to proceed in more detail with discussions a signed Basic Asset Protection Agreement (BAPA) would be required to be in place.