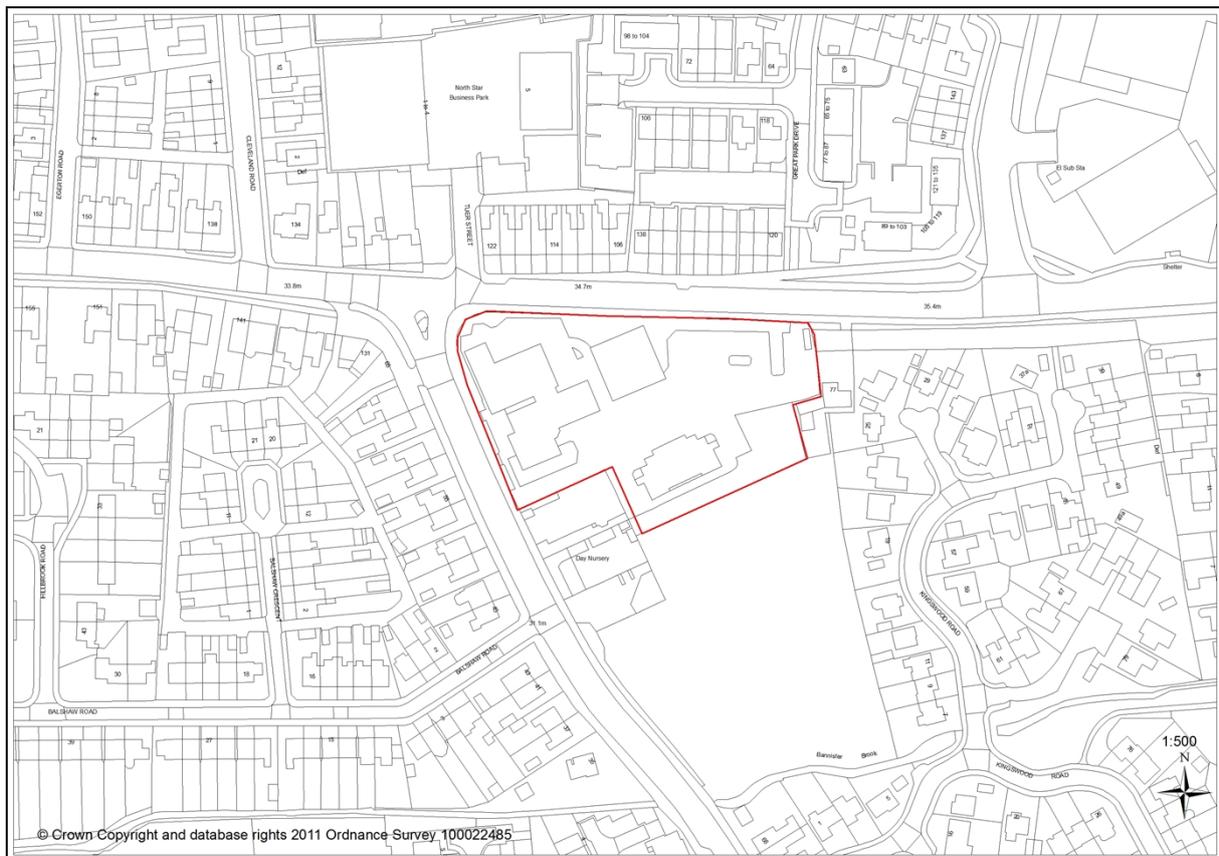


<b>Application Number</b>	07/2018/8309/FUL
<b>Address</b>	Land at School Lane and Golden Hill Lane Leyland
<b>Applicant</b>	Aldi Stores Ltd
<b>Agent</b>	GVA How Planning Norfolk House 7 Norfolk Street Manchester M2 1DW
<b>Development</b>	Erection of single storey food store (Class A1) with associated works and car parking following demolition of existing buildings
<b>Officer Recommendation</b>	<b>Approval with Conditions</b>
Date application valid	7.11.18
Target Determination Date	6.2.19
Extension of Time	13.3.19



## **1. Report Summary**

1.1. The application relates to a well screened, 0.7ha piece of land located at the junction of School and Golden Hill Lanes. The site is home to a number of vacant buildings and allocated by the Local Plan as Existing Built Up Area. It also benefits from unrestricted, lawful B1 class (office/light industrial) use. The site is screened on most sides by high hedges and trees protected by Tree Preservation Order.

1.2. The proposal seeks permission for erection of a foodstore following demolition of 3 no: buildings, with ancillary works; namely separate car parks for foodstore and adjacent nursery, boundary treatments and landscaping. Existing hedgerows would be reduced in size and retained, but existing semi-mature trees including those protected by TPO would be removed and replaced (see Para 3.9 for further detail). Appropriate separation between the nursery and store site is identified, including additional protective railings allowing safe access to a designated nursery drop off and parking area alongside, rather than facing its own building.

1.3. With regards to buildings on site the proposal would introduce 1800m<sup>2</sup> of floor space into the north-eastern corner, but would see demolition of two buildings in the north-western corner and the old school which sits along the southern boundary – in total 2120m<sup>2</sup> scattered across the site. The nursery would be retained. The scheme offers both a more contained built environment (19% reduction), and considerable visual betterment at this prominent corner, as office buildings to be demolished are in a poor state of repair. It would also allow an element of control in terms of time usage where there is currently no restriction at all.

1.4. In response to two rounds of publicity 28 letters of representation have been received - 26 in objection, 1 supporting and 1 who simply makes neutral comments. Objections have also been received from Lidl and Morrison's Supermarkets. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

1.5. The proposal site is designated as Existing Built Up Area which has an in principle presumption towards development, subject to all other things being acceptable. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the following commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

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

2.1. The site in question is a roughly 0.7ha, uneven piece of land at the junction of Golden Hill and School Lanes, Leyland. Golden Hill Lane runs in an east to west direction along the northern edge of the site, whilst School Lane spans the western boundary. Traffic lights and pedestrian crossings are present at the junction.

2.2. Immediately north across Golden Hill Lane are no's 120-138 Great Park Drive and 106-124 Golden Hill Lane, and facing in the west are no's 45-65 School Lane and 131 Golden Hill Lane. 77 Golden Hill Lane (commercial) abuts the eastern site boundary, with no's 25-27 Kingswood Road sitting behind this property, and in the south is Stonehouse Nursery (Grade II listed) beyond which is an open field.

2.3. Primary access into the site is from the western side immediately north of the nursery and 60m south of the Golden Hill junction, but a secondary access is also present to the north-eastern side of the site adjacent to no: 77 Golden Hill Lane; this appears to be unused. The north-western boundary facing the road junction is screened by mature hedgerow, which runs along the northern boundary where it is supported by semi-mature trees. Between the access and along the western side is a small wall and railings, the southern boundary with

the field (behind nursery) is denoted by palisade fencing, and the eastern side by metal paladine fencing

2.4. Within the site are three large buildings separated by an area of car parking; a large area of additional parking is present on the eastern side of the site. To the north-east corner and adjacent to the northern boundary are two office buildings with lawful B1 (office) use. These have been redundant since April 2015, and despite extant permissions remain empty. To the rear of the nursery but within the site is a late C19th building once associated with the nursery but which is not nationally or locally listed. Buildings on site amount to 2120m<sup>2</sup> of floor space, and there are no time usage restrictions on the site.

2.5. The site and immediate surroundings are designated by Policy B1 of the South Ribble Local Plan as Existing Built Up Area.

### **3. Site Context / Planning History**

3.1. There are 36 planning applications on the history of this site. Most pre-date 1999, or refer to extension or advertisement consent for the buildings on site. The only applications of any relevance to this proposal are as follows.

3.2. Permission was granted in 2016 (07/2016/0694/FUL) for change of use of the on-site school building to a pool club (D2) together with smoking shelter, bin store and car parking. The applicant then received permission for the same proposal but within one of the office blocks on the same site (07/2017/0284/FUL). Both permissions are extant, but have not been implemented.

### **4. Proposal**

4.1. The application seeks permission for erection of a single storey foodstore (Class A1) with associated works and car parking, following demolition of two office buildings and the former school building to the rear of Stonehouse Nursery. The applicant has also indicated that the existing Towngate store may be vacated, but plans for the future use of the site are unknown, and the stores situation is not a material planning consideration.

4.2. *Proposed Store* - The proposed building would be located against the north-eastern corner, and would face into the site with its rear elevation facing Golden Hill Lane. Internally, the building would accommodate a shop floor accessed from the south-west corner, with staff facilities and warehousing/cold storage at the rear; these also benefit from a separate access on the eastern elevation. A delivery yard with one dock leveller delivery bay, and plant room would also be located on the eastern side of the building.

4.3. The store would measure between 56m (front) and 60m (rear) wide x 8m to 28m deep, and would have a mono-pitched roof measuring between 8m and 11m; the lower edge sitting alongside the northern boundary and rising towards the sites centre. It would be constructed in anthracite grey powder coated cladding, pale coloured brickwork and would have shop front glazing along the southern (front) and western (side) elevations. A detailed materials schedule has been provided at Para 6.6 of the applicants Design & Access Statement.

4.4. The proposed building would cover 1800m<sup>2</sup> of which 1255m<sup>2</sup> would be sales area - an overall reduction within the site of 320m<sup>2</sup> built development.

4.5. The applicant's statement suggests that 40 people would be employed, and proposes opening times of 8am – 10pm Monday to Saturday, and 9am to 5pm Sundays/Bank Holidays. Delivery for a store of this size would typically be from 4 articulated, Aldi lorries which aim to deliver into the dock leveller between 8am-9am and 5pm – 6pm. Smaller daily milk and waste vehicle deliveries would also be made. As delivery vehicles work on an area

basis, the applicant requests that delivery times are allowed from 6am to 11pm Monday to Saturday and 8am to 6pm Sundays/Bank Holidays. A conditions to control the use of refrigerated vehicles is felt necessary should permission be granted.

4.6. *Ancillary Works* - Existing vehicular access would be widened, and would run past the northern side of the nursery, towards the east of the proposed store. To the south of this would be manoeuvring space for delivery vehicles, straddled in the north by a nursery drop off facility with 12 parking and 5 motor cycle spaces, and in the south – along the southern boundary - by 26 parking spaces; five of which would also be for nursery use.

4.7. The western side of the site – currently office space – would be home to the main car park. 7 mobility parking spaces, trolley and cycle storage would be located along the southern edge of the store, whilst along the western edge would be 9 parent/child parking spaces. In total 120 appropriately sized parking spaces would be provided.

4.8. LED lighting columns would be installed across the car park; these would be operated by a time clock with photocell override, and would be as standard across all of the Aldi portfolio. Full lighting detail has not as yet been supplied but the applicant is happy for a condition to require pre-commencement detail to be imposed.

4.9. *Landscaping* – Existing hedgerow along the north-west and northern boundaries is to be retained, trimmed and reduced to allow visibility throughout the site. Additional semi-natural planting would augment existing trees along these edges replaced as agreed with the Councils Arborist. Two small retaining walls and a flight of steps would also be constructed facing 106-108 Golden Hill Lane and 130 Great Park Drive.

4.10. A scheme of ornamental, native planting and 2m close boarded, timber acoustic fencing is proposed along the eastern boundary to protect the occupants of no: 77 Golden Hill Lane (commercial), and existing fencing facing Kingswood Road retained at the south-eastern corner. Steel railings would be installed between the nursery and along School Lane – currently none are present – and a 0.5m timber knee rail placed from the western access to meet with existing hedgerow. Small areas of landscaping would also be placed throughout to soften the site

4.11. Proposed landscaping would retain screening to, and soften this very prominent site, but would be managed so as to allow views from all aspects through and beyond the site.

## **5. Summary of Supporting Documents**

5.1. The application is accompanied by the following:

- Air quality assessment (BWB MCP2101: October 2018)
- Arboricultural Assessment (Bowland: June 2018)
- Community infrastructure levy forms
- Design & access statement (2259BOLDAS V1: Oct 2018 Harris Partnership)
- Ecological Assessment (Bowland Ecology 17.941: Sept 18)q
- Employment & Skills Assessment (in Planning Statement)
- Geo-Environmental Investigations (Earth Environmental A2346/18: July 18)
  - Testing report (Murray Rix MRN3240/38: June 18)
  - Waste classification report (Earth Environmental 9SCCH-9WPEP-EHYZL)
  - Gas monitoring report and borehole log (Earth Environmental)
- Heritage statement (Orion: July 18)
- Noise Impact Assessment (BWB MCP2101: October 2018)
- Planning & retail statement (GVA/HOW: Oct 18)
- Soil Analysis (DETS Ltd 18-76122: June 18)

- Transport statement and School Lane modelling report (Cameron Rose)
- Travel plan (Cameron Rose)

#### Existing Plan

- Site plan ((2259BOL-099 (Harris Partnership)

#### Proposed Plans

- Site location plan (2259BOL-098 (Harris Partnership)
- Floor plan (2259BOL-101 Rev B (Harris Partnership)
- Roof plan (2259BOL-104 (Harris Partnership)
- Landscaping (V2259BOL-L01 Rev D (Vector)
- Boundary treatments (2259BOL- 103 Rev D (Harris Partnership)
- Elevations (2259BOL-102 Rev D (Harris Partnership)
- Site plan (2259BOL-100 Rev G (Harris Partnership)
- Visual – front elevation (2259BOL-CGI101 (Harris Partnership)

## 6. Representations

### 6.1. Summary of Publicity

6.1.1. Five site notices and a newspaper advertisement were posted and 172 neighbouring properties consulted. A second round of statutory and neighbour consultation (182 properties) also took place following amendments to the scheme, and Ward Councillors Forrest and Hamilton have been notified

6.1.2. In line with the Councils Statement of Community Involvement, community consultation was undertaken by the applicant prior to submission of the application as follows:

- Engagement with Council officers, residents and Councillors between July and August 2017
- Questionnaire to approximately 2500 local households to which 7 responses were made

A number of residents made representation to the Council in response to this consultation prior to receipt of the application.

### 6.2. Letters of Objection or Support

6.2.1. 28 letters of objection, 1 in support and 1 which simply make comments have been received (three prior to submission to this authority). Comments are summarised as:

#### 6.3. *In Objection*

##### Highways

- Increased traffic generation and congestion in the area
- Air pollution resulting from increased traffic – ‘*Leyland is on the of the most polluted areas in the County*’
- Difficulty of access and egress from site and neighbouring streets
- Parking is already difficult on Golden Hill Lane – one respondent requests that ‘*access is moved closer to Wheelton Lane and Golden Hill Lane is made into a non-through*’ road’. Another requests that Golden Hill Lane is restricted to permit parking only.

##### Residential Amenity

- Noise pollution arising from users of the store and extraction/refrigeration units

- Light pollution from proposed signage – signage indicated on proposal drawings would face beyond the rear elevation of the nursery, towards 120-126 Great Park Drive and towards 65 Golden Hill Lane at 18m, 25m and 72m respectively, and would be subject to the same luminance level requirements as all other businesses, including smaller premises on Golden Hill Lane. Separate advertisement consent will be considered should this proposal be approved.
- Loss of quality of life to residents
- Floodlighting will disturb residents at night
- Loss of view for residents facing rear elevation
- No information detailing demolition – this would be provided as part of a pre-commencement Construction Management Plan should permission be granted

#### Other

- The proposal isn't necessary and will impact upon existing small businesses
- Lack of infrastructure to deal with proposed changes
- Proposal is out of character with the area
- Little thought given to location of store – respondent suggests Cuerden Site as an alternative
- Health and safety issues relating to users of the nursery
- The site isn't big enough for this facility – a rough check of other Aldi sites in the area finds that the current Leyland, Chorley and Buckshaw sites are not dissimilar at 0.4ha, 0.8ha and 1.1ha in size
- Loss of, and impact upon Leyland's Heritage
- '*A replacement store is not a replacement if there is already one in Leyland*' – the applicant is considering the future of the existing store should development go ahead.
- Lack of public consultation – see Para 5.1 which details consultation measures
- Request to re-designate School Lane as '*non-residential and reduce council tax*'

#### Environmental Issues

- Trees and hedgerows of benefit to the area would be lost
- Lost trees will affect drainage in the area and Golden Hill trees are protected

*Officer Comment:* Issues of highways safety and capacity, noise, air and light pollution have been considered separately by the Councils statutory consultees as the experts in these fields. Commercial competition isn't a material planning consideration, and in terms of infrastructure requirements, consideration should be given to the proposal which reduces floor space on site by approximately 19 %. Leyland's heritage is discussed at Para 7.4.2 below

6.4. A petition has also been submitted by the owner of the Costcutter store on School Lane with 390 signatures, along with a request to distribute a map showing all existing retail premises in the area. The petition objects on the following grounds

- The store is not necessary – competition is not a material planning consideration, and as the map provided would serve no relevant purpose, and competition cannot be taken into account it has not been distributed.
- Increased traffic and congestion on School and Golden Hill Lanes – see LCC highway comments
- Environmental impact upon Stonehouse Nursery
- Over development of the area and lack of infrastructure – the building reduces rather than increases development on site

#### *In Support*

- Existing store on Towngate is too small and lacks range of products and parking facilities
- Employment opportunities for the area
- Better design and visual appearance than the existing offices
- One respondent has no objection subject to retention of trees bordering the site

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

- Proposal will impact on existing and smaller businesses – as previously noted commercial completion is not a material planning consideration
- Two letters of objection has also been received on behalf of Morrison's Supermarkets (120m north-east) and Lidl Ltd (390m east) whose detailed objections are summarised below.

6.4.2. Morrison's Supermarket object for a number of reasons; namely

- That the site does not sit within a designated centre in conflict with a number of established planning policies; particularly Policy E3 which seeks to protect the existing retail centre.
- That Morrison's operate food stores '*within Bamber Bridge district centre as well as the foodstore on the edge of Leyland Town Centre*' which make a considerable investment to the area Conversely Morrison's do not agree that the proposal site is within an edge of centre location despite declaring their own store – which is situated further away - as an edge of centre site. Leyland Primary retail centre lies 350m south of the proposal site and 410m south of Morrison's, with the closest secondary retail area being 240m south of the proposal site and 250m south-east of Morrison's
- Respondent quotes the Central Lancashire Re-use of Employment Sites SPD which '*states that retail on employment sites will not be acceptable outside of existing shopping areas*' – see officer comment with regards to the Morrison's development below.
- Loss of the Westgate Aldi store would draw focus away from the town centre and weaken its ability to serve the community, and the retail study supplied by Aldi supports this assumption.
- The proposal fails to meet Core Strategy Policy 11 which established a retail hierarchy for the region.
- Pedestrian access to the site is poor, will encourage vehicle use and will endanger the pupils of three neighbouring schools (Northbrook and St Marys Primaries and Wellfield High)
- Although the site is within Flood Zone 1 (low risk), an area of land to the south is within Flood Zone 3 and development would increase vulnerability of that site. A linear area within Flood Zone 3 runs alongside Bannister Brook between the field to the south and Kingswood Road residential – approx. 150m south of proposal site. A flood risk assessment for the site and surroundings has been separately assessed.

6.4.3. Lidl Ltd also object on the following grounds:

- That relocation of the town centre store to an out of town centre is contrary to the '*fundamental thrust of retail policy, which adopts a town centre first approach*', and that '*the applicant is asking the Council to adopt an approach which is contrary to this policy objective*'
- That Aldi have failed to provide a clear and compelling case that the merits of the development significantly and demonstrably outweigh the breach of policy, and as such permission should be refused

- Aldi's sequential assessment ignores the potential of the existing Towngate store to be replaced or extended to meet Aldi's objections. The proposed move has not been justified
- Lidl question why Aldi have not purchased the job centre on Towngate to allow for expansion of the existing store – a possible 91% of the proposed School Lane site. They also include detailed analysis of the potential to do so.
- That the site is not 'edge of centre' as per the NPPF definition of '*a location that is well connected to, and up to 300 metres from the primary shopping area*'
- Proposed development will result in adverse impact upon Leyland Town Centre i.e. closure of retail unit, loss of turnover by the existing store, turnover being drawn away from town centre retailers, reduced linked trip generation and reduction in town centre footfall.
- Proposed employment opportunities will be limited as staff will relocate
- No evidence to show that Aldi is the only viable use for the site which is likely to have been of interest to a number of businesses.
- Lidl's representative discredits the independent retail assessment provided to the Council

Lidl have also submitted a detailed technical highways note as challenge to the applicants Transport Assessment. This has been passed to LCC as the Highways Authority whose comments are based on all information supplied including this additional report

6.4.4. *Officer Comment:* – Whilst acknowledging the investment that Morrison's bring to the area, each business trades on its own merits and purely commercial competition is not a material planning consideration. The existing Aldi store is located within the secondary retail area of Leyland, but sits between two fairly disparate retail elements – the Tesco 'end' of Towngate and the primary Hough Lane centre; the connecting stretch being in mixed retail and residential use. Relocation would move the existing store from 350m south of centre to 350m north – a similar distance, but which would bring some connection between the existing centre and retail areas to the north (the Morrison's complex, small local shops along School Lane and the Churchill Way complex) rather than to the south. When taking into account the relatively sporadic nature of Towngate retail, loss of the existing store is unlikely to sever all ties completely; particularly as the store would remain and potentially could be taken up by an alternative retail provider. The Councils Retail Impact Assessor has considered the retail hierarchy for the area, and any negative or positive impacts which may arise from approval of the store. Their comments are available at Para 7.3.1

6.4.5. Having regard to highways and pedestrian safety, the surrounding road and pavement network are those which already serve the Morrison's and Lidl complexes, and it is likely that any issues would occur at, or arise from all three supermarkets rather than just the proposed store. Two out of the three schools mentioned are primary schools and it is assumed that in the main children approaching any of the stores from these schools would be appropriately supervised. When considering highways and pedestrian impact, re-use of the existing, unrestricted B1 (office/light industrial) site should be afforded significant weight in the planning balance.

6.4.6. The Morrison's store (A1 use class) was approved in 2004 on land designated by Policy EMP3 of the Local Plan 2000 as an employment site where development in the 'B' (industry/storage and distribution) use classes and other employment generators was supported. Retail use on such land was not however particularly promoted. The proposal site was also in employment use, but on land allocated by Policy B1 (Existing Built Up Area) which again presumes towards development; all other material considerations being acceptable. A1 retail class use on this site in established employment use therefore is considered to differ little to the A1 use approved for Morrison's which was also on an allocated employment site

6.4.7. The applicant has responded to Morrison's objection by stating that the site is under 300m from Leyland Town Centre boundary and 350m from the primary retail boundary, and benefits from the form of a town centre easily accessed from, and of benefit to School and Golden Hill Lanes. Regardless of sequential status and whether considered to be out of centre or not however, the conclusions of the sequential test do not change as there are no alternative preferable sites available. In terms of flood risk, surface water run off which reduces run off rates overall will be sustainably managed and has been assessed by the LLFA. Other matters in rebuttal are discussed within this wider site analysis.

6.4.8. In response to Lidl's objection, the proposed store size is such that a retail sequential assessment is neither a lawful requirement nor a material planning consideration. Aldi have however provided a retail statement for information which has – along with other details of the proposal – been assessed independently by WYG Planning. Aldi's statement demonstrates that there are no alternative sites for the proposed store, but they have indicated that they will address the suggestion that the existing store could be extended; details of this may be reported as a late update prior to the Committee meeting. It should be noted that Aldi are under no obligation to justify why alternative sites have not been progressed or considered. The choice to purchase the job centre or any other available site is a purely commercial decision which bears little relevance to, and should not form any part of the decision to be made by Planning Committee.

6.4.9. There is no reason to believe that turnover to the existing site will be lost – presumably the store would remain open until the proposed store if approved was completed, and for the reasons mentioned throughout this report footfall to and from the various, but relatively disparate parts of Leyland Town Centre should not reduce. If anything release of a retail unit to another retailer should extend, rather than curtail retail opportunities and employment in the town.

6.4.10. The applicant has not provided marketing information to substantiate attempts to reuse the School Lane site for alternative purposes. Offices have been in sporadic use but the school has been empty for a number of years, and whilst permissions have been granted for some of the buildings these have not been implemented. A check of marketing of the site finds advertisement from at least May 2017

## 7. Summary of Responses

7.1. South Ribble **Arborist** has visited the site and notes that although trees identified for removal including those protected by Tree Preservation Order would remove any screening for properties on Golden Hill Lane, he is satisfied that mitigation as identified by approved plan V2259-BOL-L01 Rev V (Vector) would be adequate. The condition of Poplar trees along the Golden Hill frontage is identified by the applicants tree survey as a cause for concern; an observation that the Councils Arborist agrees with. As such there is no objection to their removal. There is also fungal decay present on the cherry tree (junction School Lane) which is to be removed.

7.2. **Lancashire Archaeology** acknowledges that demolition of the old school building would result in less than substantial harm, and would be outweighed by the public benefits of the scheme. To mitigate this loss a condition requiring an archaeological recording report is recommended

7.3. **Lancashire County Council Highways** have fully assessed the application, and following a number of amendments to address initial concerns are satisfied that the proposed internal layout, cycle/motorcycle parking and parking provision to both proposed store and existing nursery are acceptable in principle. Although a ramped access from Golden Hill Lane was requested, this cannot be achieved without loss of parking and LCC are now comfortable with the stairway approach

7.4. A review of LCCs five year data base for personal injury indicates a total of 6 slight incidents within the vicinity of the proposed site; four at the junction of Golden Hill Lane and School Lane, one south of the site on School Lane and one at the junction of Golden Hill and Wheelton Lanes. The incidents recorded follow no pattern with regards to location or time, and appear to be of a nature that would not be worsened by the proposed development.

7.5. The Travel Plan originally supplied did not currently meet LCC's criteria for a Framework Travel Plan. A number of alterations have since been made and subject to conditions LCC are now satisfied with proposed highways work and access detail. Traffic assessments are based upon rates from the similarly sized Aldi store at Bamber Bridge. Junction capacity assessments for Golden Hill, School and Wheelton Lane junctions are considered reasonable, and on consideration of the Traffic Assessment LCC are of the opinion that the vehicle movement levels to and from the development would not have a significant impact on the operational performance of the local road network.

7.6. LCC request that if approved, conditions are imposed with regards to Traffic Management, pre-occupation installation of parking provision and S278 legal agreement works to the access and highway which shall include, but not be restricted to:

- New vehicle and pedestrian access from School Lane
- Reinstatement of footway at redundant vehicle access on Golden Hill Lane
- Relocation of existing road sign at proposed access on School Lane
- Removal of School Keep Clear markings on School Lane

7.7. **Lancashire Constabulary** have offered a number of comments with regards to proposed security on site. Where appropriate these would be included as informative notes should permission be granted.

7.8. **Ecology Consultant** has assessed the accompanying ecology survey (Bowland Ecology: Sept 18) and confirms that no further studies would be required. Reasonable avoidance measures and a condition to secure bat protection is considered adequate. Conditions relating to nesting birds and bird/bat box provision are also recommended.

7.9. **Economic Development** confirms that proposed employment opportunities are to be welcomed on a site which has been vacant for some time. They also support Aldi's commitment to local recruitment, but request more information with relation to the construction phase of the project. This has not been received and as such a condition to require submission of details prior to commencement is recommended.

7.10. **Environment Agency** has no objection but note that past industrial activity may pose a medium risk of pollution to controlled waters. They recommend that Environmental Health are consulted for contaminated land and soil importation/exportation advice. EH have assessed the applicant's ground investigation reports and commented accordingly.

7.11. **Environmental Health** have assessed the applicant's noise impact, air quality and land investigation reports and subject to a number of conditions have no objection due to the sites distance from adjacent properties, and assessment by other drainage bodies. Conditions proposed refer to contaminated land, construction management lighting, deliveries and acoustic measures. A restriction for delivery vehicles to attend site has also been proposed, and whilst less than proposed by the applicant, hours would be more than generally acceptable and should not curtail the business in any way.

7.12. **Historic England** did not wish to be consulted on this proposal

7.13. **Lead Local Flood Authority** initially objected to the proposal as insufficient detail has been provided to ensure effective management of surface water on and around the site. A

number of measures to overcome this objection have been passed to the applicant who advises that it is Aldi standard practice only to supply drainage information if the scheme is approved. LLFA have since withdrawn their objection subject to a number of conditions with regards to sustainable drainage and drainage management.

**7.14. United Utilities** also have no objection subject to a condition requiring pre-commencement drainage detail, and a number of informative notes regarding sustainable drainage. They initially identified a public sewer which crosses the site and for which a 6m easement (3m either side of the pipe) is required. Amended plans have subsequently moved the store to move the store away from the required easement.

## **8. Material Considerations**

### **8.1. Site Allocation Policy**

8.1.1. The site is designated under Policy B1 of the South Ribble Local Plan as Existing Built Up Area which includes a presumption towards re-development of under used sites where proposals do not impact upon the amenity of occupants of the area, highways safety or the areas character.

### **8.2. Additional Policy Background**

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

#### **8.2.1. *Economic Policy***

8.2.1.□.1. The National Planning Policy Framework (2018) at Para 11: provides a presumption in favour of sustainable economic growth and development, with Chapter 6 (Building a strong and competitive economy) committing to economic growth, job creation and prosperity in order to meet the challenges of competition, whilst ensuring that the planning system does everything it can to support sustainable economic growth (Para 80).

8.2.1.□.2. Chapter 7 of the same document protects the vitality of town centres such as Leyland, but does acknowledge that town centre boundaries should not be so rigid that they compromise anticipated need, and that where suitable sites are not available for town centre uses appropriate edge of centre sites with good town centre connections should be made available. Core Strategy Policy 11 (Retail and Town Centre Uses) reflects these sentiments

#### **8.2.2. *Highways/Transport Policy***

8.2.2.□.1. NPPF (2018) Chapter 9 (Promoting sustainable transport) states that *'developments should be located and designed to accommodate the efficient delivery of goods, and access by service and emergency vehicles'* (Para 110). Core Strategy Policy 3 (Travel) also seeks to improve the road network by reducing the need for vehicle journeys and amongst other things reviewing work place parking, whilst Local Plan Policy F1 (Parking Standards) requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

#### **8.2.3. *Design Policy***

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

#### **8.2.4. *Environmental Protection Policy***

8.2.4.□.1. NPPF 2018 Chapters 15 (Natural Environment), Core Strategy Policy 22 and Local Plan G16 (Biodiversity/Nature Conservation) both seek to conserve and enhance the natural environment, and protect site biodiversity. In addition Local Plan Policy G13 (Trees, Woodlands and Development) states that development will not be permitted where it affects protected trees and woodland without suitable mitigation. Loss of non-protected trees is accepted in some circumstances but is subject to replacement of like for like trees on a two for one basis.

### 8.3. Other Material Considerations

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

8.3.1.□.1. The School /Golden Hill Lane area of Leyland is characterised by a range of properties in a mix of use (commercial and residential), style, height and age and although relatively traditional there is no defined vernacular to the locality. Existing buildings within the site are on the one hand 1970's utilitarian buildings and on the other C18th and C19th, more decorative structures.

8.3.1.□.2. Proposed development relates well to neighbouring buildings and the extended locality, including a standardised, but high quality design with appropriate landscaping. With both retained and upgraded boundary treatments, the sites commercial façade would respect local character and upgrade the visual appearance of an untidy, but prominent town centre location, whilst offering necessary levels of internal parking and servicing space. Alterations to accommodate development are also considered to result in increased highways and pedestrian safety within, into and from the site.

8.3.1.□.3. *Retail Impact* – As proposed floor area does not exceed 2500m<sup>2</sup>, a Retail Impact Assessment is not required. A sequential, retail assessment has however been included in the applicants planning statement. This acknowledges that the site sits within the retail triangle of Olympian Way (Morrison's), Chapel Brow and Leyland Town Centre, and is a logical area for an 'edge of centre', sequentially preferable site. The NPPF states that applicants must demonstrate compliance with sequential testing by firstly considering more appropriate town centre sites. The applicant has assessed the area and identified only three other sites capable of supporting such development – two of which are the Government Buildings site at Cop Lane, Penwortham which is already planned for retail development, and the Cuerden strategic site which is outside the relevant catchment area. The third is the Kings Street car park in Leyland; a Council owned car park. As the car park supports the vehicle museum and town centre, its loss would unacceptably reduce access to both.

8.3.1.□.4. The Council sought independent advice from a retail consultant who also assessed the site against the sequential test set out in national and local policy, and against all other relevant material considerations. The consultant confirms that there are no sequentially preferable sites available which could accommodate proposed development. Although the proposal falls below the threshold to require a retail impact assessment the wider implications of relocation on Leyland Town Centre have been taken into account, and it is their considered opinion that the proposal offers opportunities for both linking trips with other commercial operators, and for a new operator to locate to the Town Centre. The benefits of the scheme are therefore considered to outweigh the implications to the Town Centre from a retail impact perspective

#### **8.3.2. Impact Upon Neighbouring Properties**

8.3.2.□.1. *Stonehouse Nursery* – the nursery sits immediately adjacent to the existing access. A small barrier protects the front door to the nursery but otherwise users of the facility come straight out of the building onto the access road. The proposal would widen

access sight lines, and reduce the height of hedging along School Lane to allow for improved visibility. Guard railings would be installed between the access road and the nursery and onto School Lane, and drop off/parking areas specifically designated for nursery clients would be provided to the south of the site – away from the store car park.

8.3.2.□.2. The safety of properly supervised, children entering and exiting the nursery should differ little to that of children accessing any other site. When taking into account however the sites existing tight access and car parking which is approached across the access way, it is considered that on balance the proposed measures to segregate site uses would benefit rather than hinder users of the nursery

8.3.2.□.3. Goods delivery access to the site would be via the main access to the eastern side of the store. Aldi's policy is for store deliveries to be made using their own vehicles four times per day. Apart from smaller milk and waste delivery vehicles, large vehicle access would be restricted where possible to the times noted in Para 3.5 above

8.3.2.□.4. *Neighbouring residential properties* - the proposal is located to the north-eastern part of the site, with the closest residential properties being those across School Lane at between 59m and 68m distance, and across Golden Hill Lane at 24m – 47m away. No's 23-27 Kingswood Road face the eastern elevation at 36-43m separation but are screened by no: 77 Golden Hill Lane; a commercial building whose side elevation would face the proposed warehouse access. Spatial separation in each case is more than acceptable in policy terms. All properties would be well screened by either existing or proposed boundary treatments and plant enclosures, and whilst proposed opening hours are relatively long, they are similar to other retail units in the area. As there is currently no operational time restriction on the site, the potential for 24hr office or light industrial use must also be taken into account.

8.3.2.□.5. In addition, the continued dereliction of this unused facility which has proven difficult to rent out must be considered; particularly as the building is located at a prominent entrance into Leyland's town/retail centre.

8.3.2.□.6. It is considered that when taking into account the unrestricted use of an established, extensive facility, subject to controlling conditions this proposal would differ little from that which already exists in terms of noise, loss of privacy, traffic generation or overlooking.

### **8.3.3. Highways, Access and Parking and Site Sustainability**

8.3.3.□.1. The application is accompanied by a Transport Statement, School Lane modelling report and Travel Plan (Cameron Rose). These take into account committed developments on Grasmere Avenue and Wheelton Lane, and state that there would be 116 x 2 way trips during weekday AM peak hour, 284 weekday PM peak hour and 464 on a Saturday peak hour; these would reduce during off peak times. Para 109 of the NPPF states that '*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*', and on this basis the applicants reports have been assessed by LCC Highways. Their comments are noted above.

8.3.3.□.2. *Site Sustainability* - In very general terms sustainable developments are easily accessible, contribute to the social and economic value of the area, and protect or support the environment by constructing using sustainable materials and processes. Leyland railway station is 700m east, and to the south of the site are Leyland Town Centre and the Balfour Street car park at 350m and 270m. Transferability between the town centre and proposal site would be relatively easy; both for pedestrians, cyclists and where necessary by car. Aldi as an organisation encourage staff and customer sustainability, and the proposal includes cycle storage areas and opportunities for secondary pedestrian access onto Golden Hill Lane. Bus

services run along both School and Golden Hill Lane's, with bus stops around 250m in each direction, and a cycle route is also present along the Golden Hill boundary. This edge of centre site accords well to the sustainability requirements of the NPPF

#### **8.4. Construction Standards**

8.4.1. One of the objectives of modern construction is to reduce energy use in new developments by encouraging higher standards of construction. Should permission be granted, conditions to ensure construction to appropriate BREEAM standards are considered appropriate.

#### **8.4.2. Historic Environment**

**8.4.3.** The applicant has supplied a Heritage Statement which assesses the site and its extended surroundings. To the south of the site is Grade II listed, Stonehouse Nursery school; a small building whose origins date back to 1784. Used as Golden Hill High School until 1920 when Balshaws Grammar was constructed, it became St Marys School in 1931. The late C19th building proposed for demolition to its east formed part of the wider St Marys complex but is not nationally or locally listed. Neither property has been well protected, and both have been subject to a number of redevelopment measures including installation of UPVC windows.

**8.4.4.** An approach was made to Historic England in July 2017 to verify the exact status of the eastern building. HE confirmed that the school was not, and was unlikely to be listed.

**8.4.5.** The applicants assessment finds that whilst the proposal has the potential to cause harm to heritage assets on and around the site, it would be less than substantial, and any harm would be outweighed by the benefits of redevelopment of the site. Historic England concurs with this stance.

**8.4.6.** When taking into account the proposed stores placement away from the nursery school, the current state of the redundant site, and the long term lack of protection for buildings despite their national designation, it is considered that the findings of the report are accurate and that in terms of the historic environment development is justifiable.

8.4.7. As a precaution, it is considered that a condition should be imposed to require recording and archive of any demolition or archaeological findings on site

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

8.4.8.□.1. *Trees & Hedges* – A number of trees facing Golden Hill Lane are subject to Tree Protection Order 1992/T1-23/G1, and a large Sycamore located to the east of the old school is protected by TPO 1992/T20. Hedgerows are to be retained and protected, but as agreed by the Councils Arborist, trees on site are to be replaced.

8.4.8.□.2. Tree protection measures have been identified in the applicant's tree survey, and subject to a condition requiring the same are considered appropriate.

8.4.8.□.3. *Ecology* – the applicant's ecological surveys find no evidence of, and envisage little impact upon protected species on site. The old school building has the potential for bat roosting but reasonable avoidance measures are felt appropriate. A condition to protect nesting birds is considered necessary however approval should be granted. *The Council ecologist's response echoes these comments*

8.4.8.□.4. *Drainage* – details of drainage have not at this stage been supplied; a pre-commencement condition is therefore recommended.

#### **8.4.9. Lighting, Noise and Air Quality**

8.4.9.1. Air quality, noise impact and lighting have been assessed by the Councils Environmental Health team. On balance, and subject to conditions these issues are not considered to be any more significant than the sites existing, lawful use which could resume at any time.

#### **8.4.10. Developer Contributions**

8.4.10.1. Local Plan Policy A1 (Developer Contributions) expects most new development to contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would normally be secured via the Community Infrastructure Levy (CIL) and would be used towards infrastructure provision as identified by the Regulation 123 list.

8.4.10.2. Liability has been assumed for the proposed store at the current rate of £165 x 1.415 (subject to change) per square metre of floor space. CIL regulations do however allow for any floorspace which has been in lawful use for 6 months of the past three years to be offset against this figure. Council Tax records show that the building has been unoccupied since March 2015, but the applicant has provided a series of copy receipts, utility bills and other statements (Confidential) which show that the office buildings on site have been in use. As the existing 2120m<sup>2</sup> of floor space may be offset against the proposed 1725m<sup>2</sup> and CIL is not payable on this scheme.

### **9. Conclusion**

**9.1.** The proposal site is designated by the Local Plan as Existing Built Up Area which has an in principle presumption towards development, subject to all other things being acceptable. In policy, design, highways and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

#### **RECOMMENDATION:**

Approval with Conditions.

#### **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
  - o Air quality assessment (BWB MCP2101: October 2018)
  - o Arboricultural Assessment (Bowland: June 2018)
  - o Community infrastructure levy forms
  - o Design & access statement (2259BOLDAS V1: Oct 2018 Harris Partnership)
  - o Ecological Assessment (Bowland Ecology 17.941: Sept 18)
  - o Employment & Skills Assessment (in Planning Statement)
  - o Geo-Environmental Investigations (Earth Environmental A2346/18: B.1 July 18)
  - o Testing report (Murray Rix MRN3240/38: June 18)

- o Waste classification report (Earth Environmental 9SCCH-9WPEP-EHYZL)
- o Gas monitoring report and borehole log (Earth Environmental)
- o Heritage statement (Orion: July 18)
- o Noise Impact Assessment (BWB MCP2101: October 2018)
- o Planning & retail statement (GVA/HOW: Oct 18)
- o Soil Analysis (DETS Ltd 18-76122: June 18)
- o Transport statement and School Lane modelling report (Cameron Rose 423-01/TA01)
- o Travel plan (Cameron Rose 423-01 Appendix C)

Existing Plan

- o Site plan ((2259BOL-099 (Harris Partnership)

Proposed Plans

- o Site location plan (2259BOL-098 (Harris Partnership)
- o Floor plan (2259BOL-101 Rev B (Harris Partnership)
- o Roof plan (2259BOL-104 (Harris Partnership)
- o Landscaping (V2259BOL-L01 Rev D (Vector)
- o Boundary treatments (2259BOL- 103 Rev D (Harris Partnership)
- o Elevations (2259BOL-102 Rev D (Harris Partnership)
- o Site plan (2259BOL-100 Rev G (Harris Partnership)
- o Visual - front elevation (2259BOL-CG1101 (Harris Partnership)
- o Materials Schedule (Design & Access Statement Paragraph 6.6)

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

3. Demolition to the old school (east of Stonehouse Nursery) shall not commence until the developer has secured the implementation of a programme of building recording and analysis. This must be undertaken in accordance with a written scheme of investigation which shall have been submitted to, and approved in writing by, the Local Planning Authority. The recording programme should comprise the creation of a record to level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016).The final report shall be submitted to the Local Planning Authority prior to first occupation of the retail unit hereby approved.  
REASON: To ensure and safeguard the recording and inspection of matters of archaeological and/or historical importance associated with the building/site in accordance with Policy 16 in the Central Lancashire Core Strategy and Paragraph 189 of the National Planning Policy Framework (2018).
4. Once the store is operational, no deliveries shall be received by the site between the hours of 22:00 and 07:00 Monday to Sunday  
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
5. All vehicles on site including company owned delivery vehicles shall switch off all refrigeration units whilst loading and unloading  
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. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees and hedges to be retained on the site as detailed in the approved Arboricultural Constraints Appraisal (Bowland: June 2018) as agreed by the local planning authority. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas

no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.

REASON: To ensure before commencement of works on site that there shall be no damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026

7. The approved landscaping scheme (V2259-BOL-L01 Rev V (Vector) shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

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

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

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

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

9. Prior to first occupation of the building hereby approved, details of bird and bat roosting opportunities shall be provided and agreed in writing with the local planning authority. Once agreed, these shall be installed, maintained and retained thereafter.

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

10. If the presence of bats, barn owls, great crested newts or other protected species is detected or suspected on the development site at any stage before or during development or site preparation, works must not continue until Natural England has been contacted regarding the need for a licence.

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

11. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections.

REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy

12. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within and surrounding the site, or trees and hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).  
REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
13. Cycling and Motorcycle facilities to be provided in accordance with approved site plan 2259BOL-100 Rev G (Harris Partnership) before first occupation of the building hereby approved. These shall be retained and maintained thereafter unless with the written approval of the local planning authority.  
Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.
14. Prior to first occupation of the development hereby approved, the parking spaces identified on approved site layout 2259BOL-100 Rev G (Harris Partnership shall be drained and surfaced with a material to be agreed by the Local Planning Authority. This area shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles.  
REASON: To ensure the provision and retention of adequate on-site parking in the interests of residential amenity and highway safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026
15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement 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. Site access and off site highway improvement shall include, but is not restricted to:
- o New vehicle and pedestrian access from School Lane
  - o Reinstatement of footway at redundant vehicle access on Golden Hill Lane
  - o Relocation of existing road sign at proposed access on School Lane
  - o Removal of School Keep Clear markings on School Lane
- REASON: 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 and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.
16. Prior to the commencement of development, a scheme for the provision of foul and surface water drainage shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved plans during the development and shall be thereafter retained and maintained for the duration of the approved use.  
REASON: In order to satisfy the Local Planning Authority that the final details of proposed foul water drainage are acceptable before work commences on site, for avoidance of doubt and to safeguard local watercourses and avoid pollution of the water environment in accordance with Policy 29 in the Central Lancashire Core Strategy  
No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall include, but is not limited to:

- o Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100+ allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed taken to delay and control surface water discharged from the site, and measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water including watercourses and details of floor levels

- o The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate calculated using the FEH Statistical or ReFH2 methods. If a brownfield run off rate is proposed the following criteria should be used. Where any drainage system is still operational ,peak flow rates at the outfall for the relevant return periods (1:1 year, 1 in 2, 1:30 year, 1:100 year) can be demonstrated by producing a simulation model that includes an accurate representation of the drainage system and site area contributions - thus allowing derivation of an appropriate head-discharge relationship at the outfall. A copy of the CCTV survey and detailed drawing showing the existing drainage will be required if you are using a simulation model based on the existing drainage system. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- o Flood water exceedance routes both on and off site

- o A timetable for implementation, including phasing where applicable

- o Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

- o Details of water quality controls, where applicable.

- o Breakdown of attenuation volume in pipes, manholes and attenuation tank.

The development shall be completed, maintained and managed in accordance with the timing and phasing arrangements embodied within the approved drainage scheme, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority that the final details of proposed drainage are acceptable before work commences on site, to reduce the risk of flooding, to protect the living conditions of future occupants of the site by ensuring satisfactory storage and/or disposal of surface water from the site, and for the avoidance of doubt in accordance with Policy 29 in the Central Lancashire Core Strategy with Policy 29 in the Central Lancashire Core Strategy

17. Prior to first installation, and first occupation of the store 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. the location and height of the lighting columns;

- b. the details of the light fittings;

- c. the colour of the lights;

- d. the lux levels; and

- e. the details of louvers on the light fittings.

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

18. The development hereby permitted shall be registered with the Building Research Establishment (BRE) under BREEAM and constructed to achieve a BREEAM rating of 'Good' (or where possible in urban areas ('Very Good'. No phase or sub-phase of

the development shall commence until a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of 'Good' or 'Very Good' has been submitted to and approved by the Local Planning Authority

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

19. Prior to first occupation of the development hereby approved, a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'Good' (or where possible in urban areas 'Very Good' has been submitted to and approved by the Local Planning Authority.

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy.

20. On completion of the development, and prior to first occupation a Building Research Establishment issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Good' (or where possible in urban area) 'Very Good' has been submitted to and approved in writing by the Local Planning Authority.

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

21. During demolition, construction and site clearance, no machinery shall be operated or deliveries taken at or dispatched from the site where associated with construction outside the following times:

0800 hrs to 1800 hrs Monday to Friday

0800 hrs to 1300 hrs Saturday

No activities shall take place on Sundays, Bank or Public Holidays.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

22. No development shall take place, including any works of demolition, until a Construction Method Statement / Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- o proposed suitable times of construction.
- o parking of vehicles of site operatives and visitors
- o loading and unloading of plant and materials
- o storage of plant and materials used in constructing the development
- o location of site compound (if any)
- o suitable wheel washing facilities for vehicles leaving site. Details also to include mechanical sweeping of roads adjacent to the site.
- o measures to control the emission of dust and dirt during construction
- o measures to control the emission of noise during construction
- o details of external lighting to be used during construction
- o a scheme for recycling/disposing of waste resulting from demolition and construction works
- o anticipated delivery times and routes to be used by vehicles carrying plant and materials to and from the site
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

23. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at South Ribble Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.  
Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.  
REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026
24. Should piling on site be required, details of any piling activity shall be submitted to the local planning authority together with all mitigation measures to be taken before commencement of piling activity. Piling activities shall be limited to 09:30 - 17:00.  
REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and G17 of the South Ribble Local Plan
25. Prior to first occupation of the development hereby approved, one electric vehicle charging point shall be installed into the store. Fast electric vehicle charging point/s to serve two parking spaces with appropriate infrastructure shall also be installed prior to first occupation. These spaces shall be specifically marked out for the use of Electric Vehicles  
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

## **RELEVANT POLICY**

### **National Planning Policy Framework**

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

- 3 Travel
- 11 Retail and Town Centre Uses and Business Based Tourism
- 16 Heritage Assets
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity

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

- F1 Car Parking
- G13 Trees, Woodlands and Development
- G17 Design Criteria for New Development

## **Note:**

### Other application Informative

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

2. United Utilities Note 1: Not all public sewers are shown on the statutory utility records. The applicant should be made aware that the proposed development may fall within the required access strip of a public sewer and make contact with a Building Control body at an early stage. South Ribble Building Control can be contacted on 01772 625420

United Utilities Note 2: A separate metered supply to the unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Please contact UU on 0845 7462200 regarding water mains/public sewers or 0870 7510101 to access a fully supported mapping service. It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development.

United Utilities Note 3: A public sewer crosses the site, and as United Utilities need access for maintaining and operating it, development will not be permitted in close proximity to the main. An access strip of no less than 6m (3m minimum either side of the centre line of the pipe). If necessary, a diversion will be required at the applicant's expense. To establish whether this is feasible please contact [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy period may be required if sewer diversion proves to be acceptable.

United Utilities Note 4: For the avoidance of doubt, the planning permission hereby granted does not automatically grant permission to connect to the United Utilities sewer. Permission should be obtained from UU before commencement of work on site.

3. Lancashire Constabulary Note:

- o The supermarket should include one way/way out (notwithstanding emergency exits), to filter customers exiting the store through staffed till or security points.

- o High value/ desirable goods such as alcohol should be as near as possible to staffed payment areas. These areas should be covered by CCTV

- o The whole site should be covered by recorded, HD digital colour CCTV system (installed to BSEN 62676 standard). Cameras should capture clear full body and facial images of those entering or existing the supermarket, and clearly marked with the time, date and location. Cameras should be located where they cannot be tampered with or disabled. Data should be stored securely in a locked room for a 30 day period.

- o External lighting should cater for lawful after dark site activity and comply with BS 5489-1:2013. The lighting system should evenly distribute light creating no dark shadows, provide good colour rendition, not cause glare or light pollution and should support formal and informal surveillance of the site. The supermarket should be illuminated at all external door sets with vandal resistant photoelectric 'dusk until dawn' light fittings. The lighting design should be co-ordinated with CCTV installation to ensure that lighting is sufficient to support a CCTV system. Light fittings should be protected where vulnerable to vandalism.

- o The supermarket should have a monitored Intruder Attack Alarm system installed to EN50131 (Grade 1-4), and should include a combination of internal passive infrared detectors, magnetic door and window contacts, break glass acoustic or vibration detectors, wall or ceiling sensor cable and personal attack facilities.. The alarm installation company should be certified by the National Security Inspectorate (NSI) or Security Systems Alarm Inspection Board (SSAIB).

- o As a minimum, all external door sets and high-risk internal doors should be PAS24/2016 certificated or LPS 1175: Issue 7, SR2: or STS 201 or STS 202: Issue 3, BR2. This includes any sliding/opening doors that incorporate electrically operated release locks, such as 'mag-locks' which must be strong enough to withstand attempts of forced entry. Glazing must be laminated and certified to BS EN 356 2000 rating P1A.
- o Ground floor and accessible windows should meet PAS 24:2012/2016 (or equivalent/higher standard), incorporate laminated glazing and be fitted with 'restrictors' to prevent 'sneak-in' offences. Security grilles are recommended.
- o Access control arrangements should be in place on 'private' entrance doors/ internal door sets to prevent unauthorised access. Associated doors must incorporate an electronic access control system, with electronic lock release or key-pad 'digi-locks' (pin codes changed on a regular basis), particularly in areas where high value items (e.g. CCTV recording equipment, IT/computers/cash) may be stored. This reduces opportunist crimes when the building is open and slows down offender movement closed.
- o Staff entrances should be fitted with anti-tamper proof access control system and covered by CCTV. Doorsets should be PAS 24/2016 or equivalent/higher standard.
- o Roller shutters should comply to security certification LPS 1175: Issue 7 Security Rating 1 minimum standard.
- o Waste bin stores should be well lit, have lockable lids and be secured to reduce the risk of arson and nuisance, especially wheeled bins that can be used as climbing aids.
- o Anti-ram raid bollards, tested to PAS68 and installed to PAS69 should be installed to protect the front of the supermarket.
- o Emergency exit doors should be free from external hardware and kept clear at all times. They should be illuminated and linked into the intruder alarm system
- o High value and IT equipment should be property marked and a secure inventory taken and updated regularly. They should not be located where they can be easily seen and locked away securely when the building is unoccupied.
- o Construction site burglary in the area - in particular high value machinery, plant, boilers and metal piping - is on the increase. Appropriate security measures and fencing during construction should be taken.

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