

Committee Report

Date: 05.01.2021

Item Number 02

Application Number
20/00497/LMAJ

Proposal Full planning application for an extension to the existing Brockholes Industrial Estate comprising a development of new floor space for Class B1b, B1c, B2, B8 uses including ancillary Class B1a floor space and also the extension of Brockholes Way to provide access to the extended industrial estate, a new on-site pond, on-site landscaping and associated works

Location Land East Of Brockholes Industrial Estate Brockholes Way
Claughton-On-Brock PR3 0PZ

Applicant Rayner Rowen Developments Limited

Correspondence Address c/o Maddox Associates
Miss Amy Bronte Littlejohns Beehive Lofts Beehive Mill
Manchester M4 6JG United Kingdom

Recommendation Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Miss Lucy Embery**

Site Notice Date: 13/07/2020

Press Notice Date: 01/07/2020

1.0 INTRODUCTION

1.1 This application is being presented to the Planning Committee for consideration as it is of strategic significance and falls within a designated 'Development Opportunity' site in the Wyre Local Plan. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is an existing field located immediately to the north east of the existing Brockholes Industrial Estate at Catterall. The site forms a relatively small part (2.25ha) of a wider extent of land (32.51 hectares) identified as a 'Development Opportunity' for employment uses in the Adopted Local Plan.

2.2 Immediately to the north of the site is Stubbins Lane. The existing industrial estate is to the west. Existing fields are to the south and east. Beyond these fields to the east is the designated Biological Heritage Site of the Lancaster Canal, the North West mainline railway line, and the M6 motorway.

2.3 The application site is in Flood Zone 1. There are existing ponds to the west of the site, and one to the south east. Overhead power cables are further to the east and south of the site outside of the application site along with a high pressure gas pipe line.

3.0 THE PROPOSAL

3.1 This application is a full application for an extension to the existing Brockholes Industrial Estate comprising a development of new employment floor space for Class B1b, B1c, B2, B8 uses including ancillary Class B1a floor space, and also the extension of Brockholes Way to provide access to the extended industrial estate, a new on-site pond, on-site landscaping and associated works. Whilst Class B1 uses have been superseded by Class E (g) in the latest Use Class Order, the application was submitted in 2020 when B1 uses were still in effect, and so under the transitional arrangements it is appropriate to consider them as B1 uses.

3.2 The application site relates to a parcel of land in the north west corner of the whole Opportunity Area. A total of 15no. units within 6no. separate buildings are proposed providing 6092 sqm of employment space in total. A breakdown of the units proposed is set out below:

- Building 1 - Containing 2no. units (Units 1A and 1B) with two floor levels, ground and first floor. Each unit would total 77sqm floor space
- Building 2 - Containing 6no. units (2A, 2B, 2C, 2D, 2E and 2F) with two floor levels, ground and first floor. Each unit would total 77sqm floor space.
- Building 3 - Containing 2no. units (3A, and 3B) with one unit of 384 sqm, and one unit of 645sqm.
- Building 4 - Containing 1no. larger unit (4), of 2513sqm.
- Building 5 - Containing 2no. units (5A and 5B) both of 386sqm.
- Building 6 - Containing 2no. units (6A and 6B) with one unit of 386sqm, and one unit of 777sqm.

3.3 Access is proposed into the site through the north east of the existing Brockholes Industrial Estate off an existing turning head. This would enter the site on the western boundary. The internal access road would then run east into the site between the proposed industrial units, before turning southwards. Proposed swales would be on the south side of the access road in front of units 5 and 6, and to the east of the internal access road before the entrance to unit 4. A turning circle is proposed in front of unit 4, and a pond proposed further to the south.

3.4 A total of 135no. parking spaces are proposed. These would be sited mainly to the front of the units. Those for unit 4 would be sited further north of this unit within a finger of land which extends towards Stubbins Lane. Loading bays are also proposed in front of Units 3A, 3B, 5A, 5B, 6A and 6B.

3.5 The application was originally submitted as a hybrid application, with the full application as described above being proposed for phase 1 of development and an outline application covering a wider area of land to the south being proposed for phase 2. However, extensive highway analysis was required to support an appropriate access strategy for the additional amount of development on phase 2, as such the applicant considered it most practical to omit this phase 2 (outline) element from the application.

4.0 RELEVANT PLANNING HISTORY

4.1 The most relevant planning history on the site is as follows:

- 91/00113 Outline application for industrial development use classes B1, B2, and B8 - Refused

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- Policy SP1 - Development Strategy
- Policy SP2 - Sustainable Development
- Policy SP7 - Infrastructure Provision and Developer Contributions
- Policy CDMP1 - Environmental Protection
- Policy CDMP2 - Flood Risk and Surface Water Management
- Policy CDMP3 - Design
- Policy CDMP4 - Environmental Assets
- Policy CDMP5 - Historic Environment
- Policy CDMP6 - Accessibility and Transport
- Site SA7 - Brockholes Industrial Estate Extension, Catterall

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 20th July 2021. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2021 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2: Achieving sustainable development and The Presumption in favour of Sustainable Development
- Section 3: Plan - Making,
- Section 4: Decision-making,
- Section 8: Promote healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

- Section 16: Conserving and enhancing the historic environment

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 SPG2 - Trees and development

5.4 NATIONAL PLANNING POLICY GUIDANCE (NPPG)

5.5 THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS (AMENDMENT) (EU Exit) 2019

5.6 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

6.0 CONSULTATION RESPONSES

6.1 CLAUGHTON-ON-BROCK PARISH COUNCIL

6.1.1 No objections - Originally commented that their concern was to ensure there was no access onto Stubbins Lane. Following re-consultation raises no objections to this application.

6.2 LANCASHIRE COUNTY COUNCIL AS LOCAL HIGHWAY AUTHORITY (LCC HIGHWAYS)

6.2.1 No objections subject to conditions and financial contribution of £6000 towards Travel Planning. LCC Highways originally objected on the basis of the lack of parking provisions however following amendments and the improvising of a restrictive use condition this objection was removed. A summary of further highway matters is listed below:

6.2.2 Highway Capacity - For this phase on its own it is safe to assume no intervention would be required. To allow the whole of site SA7 to come forward a highway intervention would be required.

6.2.3 Site Access - The developer has undertaken a vehicle swept path analysis to demonstrate that sufficient vehicle separation is provided should two opposing HGV's need to negotiate the turn at the same time.

6.2.4 Junction Access - Vehicle swept path analysis has been undertaken at the junction of Brockholes Way and Garstang Road. The swept path analysis doesn't allow opposing HGV's to pass. However the developer has argued that this is an existing junction on the adopted highway network and has a good safety record and this together with the additional number of HGV movements does not warrant the need for an improvement.

6.2.5 Layout - The amended layout has taken on board previous comments, with widening on the bends at the existing turning head and on internal roads. Concerns previously raised of roadside planting and landscaping potentially impacting visibility have been addressed.

6.3 HEALTH AND SAFETY EXECUTIVE (HSE)

6.3.1 Do not advise against development.

6.4 CADENT GAS

6.4.1 No objections, Cadent Gas has a Major Accident Hazard Pipeline in the vicinity, Brock Thornton. Documents provided to be made available to the applicant to advise of working guidelines that must be adhered to during works.

6.5 NATIONAL GRID

6.5.1 No objections, initially submitted a holding objection with a request for elevations and plans for the proposed development under the overhead lines marked in the originally proposed outline application area (Phase 2). Have confirmed their enquiry is now closed.

6.6 UNITED UTILITIES

6.6.1 The proposals are acceptable in principle subject to conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment with no surface water into the public sewer. Advice notes are also requested to be attached.

6.7 ENVIRONMENT AGENCY (EA)

6.7.1 No objections subject to conditions that the development may not commence until a scheme to dispose of surface water has been submitted and approved, and surface water draining from areas of hardstanding is passed through an oil interceptor or series of oil interceptors before discharged into any watercourse, soakaway or surface water sewer.

6.8 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.8.1 No overall objections subject to conditions requiring no vegetation clearance undertaken in bird nesting season (March to August inclusive), retained trees to be protected during works, and to ensure clearance of dense vegetation at the site boundaries is undertaken with care to avoid any harm to amphibians, hedgehogs and small mammals.

6.9 NATURAL ENGLAND

6.9.1 No objection to the proposed development, and do not consider that the proposal would compromise the purposes of designation or special qualities of the Forest of Bowland AONB.

6.10 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

6.10.1 No objection subject to a condition requiring a phased programme of Archaeological work with written scheme of investigation.

6.11 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY)

6.11.1 No objections subject to conditions requiring a Construction Management Plan, noise levels during construction works, plant and machinery to be to British Standards, control of vibration to British Standards, agreement of a community liaison plan, a dust management plan prior to commencement, no burning of waste, a

scheme for the provision of external lighting. Conditions are also recommended for the use of the development with mitigation for the use of the units to be mitigated as per the submitted noise assessment, noise not to exceed British standards, a scheme for external lighting to be submitted, and submission of an odour management plan for the use of any unit where odour may be an issue.

6.12 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.12.1 No objection in principle subject to a condition requiring full drainage details, including weir overflow and flow control device (hydrobrake).

6.13 WBC HEAD OF PARKS AND OPEN SPACES MANAGER (TREES)

6.13.1 No objections, following submission of a tree protection plan, considers all information has been provided for the application.

6.14 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.14.1 No objections, comments provided that the desk study requirement is satisfied however it is recommended that the Council's post desk study condition (site investigation, remediation and verification) should be attached to clarify whether further monitoring is required, what gas protection will be fitted, and provide a final verification report.

7.0 REPRESENTATIONS

7.1 Application advertised by means of press notice, site notice, and neighbour letters. At the time of compiling this report four letters of objection have been received from two individual objectors. The issues raised can be summarised as follows:

- Concerns the development will cause additional flooding, and flooding to properties if surface water is into streams
- Stubbins Lane already floods.
- Water should be directed towards A6.
- Query where water will drain to.
- Pond and SUDS feature will cause problems to adjacent gateway (to east of application site) and already floods. It would flood across to Stubbins Lane.
- Proposed pond is up against a boundary of adjacent land, and would not work as 2m higher.
- Pond will affect adjacent land, risk flooding neighbouring land and impact on natural ecosystem.
- Traffic on Brockholes Way is already excessive
- Development will create extra traffic and Brockholes Way and Garstang Road are not considered suitable.
- Agree Garstang needs extra industrial units but Traffic should be directed onto A6.
- The masterplan will never be developed. (Plan of land ownership provided).
- All traffic to the full area will need to be from Brockholes Way and impact upon the flow of traffic.
- Other matters that have been raised which are not material planning considerations:

- Future sale or not of land (whether land will be sold to allow access from full area)

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various. Updates provided on progression of the application; updates on consultation responses received; updates provided on highway matters. Amended plans received removing the outline proposal (phase 2) from the scheme. Extensions of time agreed.

9.0 ISSUES

9.1 The main issues to consider in this application are as follows:

- Principle of development
- Impact upon the highway network, safety, access, and parking
- Flood risk and drainage
- Impact upon ecology/hedgerows/trees
- Impact upon residential amenity
- Visual impact/design/impact on the street scene

Principle of development

9.2 The site forms part of Site SA7 - Brockholes Industrial Estate Extension, in the Adopted Wyre Local Plan 2011-31, and therefore is recognised as an area with opportunity for development for employment (Classes B1, B2, and B8) uses. It is not a formal site allocation, as at the time of the Local Plan Examination there was uncertainty over its delivery and therefore it could not be relied upon to meet the council's Objectively Assessed Need (OAN) for employment land. Policy SA7 does however indicate that whilst this land is not needed to meet the employment OAN, should development come forward then it would contribute towards the Local Plan employment land requirements.

9.3 Policy SA7 includes a number of Key Development Considerations (KDCs) which are policy requirements. KDC1 states that the 'allocation' is B-class employment uses (B1, B2 and B8, with B1 now E (g) in the most recent Use Class Order). Other commercial uses would be acceptable on the site if they would support the delivery of B-class uses. In this case the proposal seeks permission for B-class uses and therefore the proposal complies with KDC1.

9.4 KDC2 states that the site as a whole should come forward in line with a masterplan that must be agreed by the Local Planning Authority prior to granting planning permission for any part of the site. A masterplan has not been submitted as required by KDC2. However it is considered that as the proposal only involves a relatively small part of the overall site and would provide for a suitable link to the wider land, the employment uses proposed are compatible with those required by SA7, it would enable employment development to come forward to help meet the council's employment land requirements, and as this is not a formal allocation which the council is reliant on to deliver its employment OAN, no actual harm would arise by delivering this phase of development in the absence of a masterplan for the wider site. There is no indication that allowing this application would prejudice the wider development of SA7 in the future, as long as any future vehicle, pedestrian and/or cycle linkages are provided to the site boundary with neighbouring land in SA1/7 to ensure future connectivity. The plans show a road link with pavements either side up

to the site boundary with land to the south. It is critical this link is secured by condition should the application be approved. Overall on balance it is considered that whilst there is a conflict with KDC2 due to the absence of a masterplan, no harm is identified to the comprehensive delivery of the wider site as a result.

9.5 Policy SP2 of WLP31 sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the NPPF. As this application site is part of the identified Opportunity Area and is located immediately adjacent to the existing Brockholes Industrial Estate, it is considered to be well related to the existing settlement of Catterall. The development would also be within reasonable distance of local and community services in Catterall, such as a nearby public house, Brockholes Auction mart, and new local service centre, as such the proposal is considered to comply with Policy SP2 of the Local Plan.

9.6 Paragraph 170 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. This is a matter that was considered during the drafting of the Local Plan, prior to allocating the site. The application site is Grade 3 agricultural land which is defined as moderate quality and therefore the proposal would not lead to the loss of high value agricultural land. The proposal would not conflict with Paragraph 170 of the NPPF.

Impact upon the highway network, safety, access and parking

9.7 LCC Highways have been consulted and have considered the submitted transport and TRICS data. In summary LCC Highways objected to the original hybrid application for two phases of development and considered the proposal would have a severe impact on highway safety and capacity in the absence of a revised transport assessment being submitted. They also had concerns about safety of access on Brockholes Way due to sight lines, safe two way vehicle movements and safe passage for all pedestrians.

9.8 Following the removal of the outline area from the scheme and upon receipt of revised plans including widened access, swept path analysis and a Transport Assessment, LCC Highways removed their objection save for the parking provision and the concern that parking displacement would impact upon Brockholes Way and its safe use for pedestrians, and potentially impact upon traffic flow on Garstang Road as the main traffic route into Garstang. However, this objection has also since been removed, with further details below.

9.9 The application was applied for as a flexible site layout for B1, B2 and B8 uses. Therefore the site potentially could be used as all B1 uses such as call centres, offices and light distribution, which have greater parking requirements than B2 or B8 uses. Appendix B of WLP31 sets out maximum parking requirements for specific types of development. Appendix B requires 1 parking space per 30sqm of office or call centre floor space which would equate to a need for 203no. parking spaces. The application proposes 135no. spaces including 13no. mobility spaces. With unrestricted uses the parking shortfall would be significant and unacceptable given the amount of parking displacement and associated highway impacts that would result.

9.10 Due to these concerns, however, the applicant has agreed to tighten the flexible use of each unit proposed, by applying for the units to be either B1c) or B2

(which have a parking requirement of 1 space per 45 sqm) or B8 uses (which have a parking requirement of 1 space per 200 sqm), with a limit on the amount of B1 use of the site. No unit would have a primary B1a) office use. The applicant has agreed to a condition limiting the uses to B1c), B2, B8, as the primary uses. With this restriction, there would be sufficient parking for the proposed uses, and therefore concerns about lack of parking have been addressed and LCC Highways have removed their objection. The parking is considered to be appropriately distributed across the site to serve the individual units without an unacceptable level of sharing of parking spaces between the units. There would be a slight shortfall of one space for units 5 and 6, and a shortfall of two spaces for unit 3. However that would not be considered to be a significant shortfall for those particular units, and overall this small number of parking spaces being shared with other units in the site is not considered to warrant refusal of the application given the site as a whole would accommodate for these spaces.

9.11 In terms of cycle parking, the applicant has indicated in their submitted design and access statement that cycle storage is proposed for in the site layout (marked with an 'X' on the layout plan which would be shared with the bin storage area). A condition is proposed to secure full details prior to first use of the units.

9.12 In terms of the access strategy, LCC Highways consider that this revised proposal can be accommodated by the existing highway network without any highway intervention, for example new junction onto the A6 or improvements to the A6/B6430 junction as identified in KDC4 of SA7. They consider that subsequent phases of development in SA7 would likely trigger the need for such highway intervention measures. LCC Highways note that vehicle swept path analysis has been undertaken at the junction of Brockholes Way and Garstang Road, and that this does not allow opposing HGV's to pass. However they do not object given that this is an existing junction on the adopted highway network and has a good safety record and this together with the additional number of HGV movements does not warrant the need for an improvement at this junction.

9.13 The internal layout of the site is now considered acceptable by LCC Highways as the applicant has addressed their original concerns by widening the bends at the existing turning head and on internal roads, and addressing previous concerns raised about roadside planting and landscaping affecting visibility. It is therefore considered the revised internal layout plans are acceptable. The proposal warrants the need for production of a Travel Plan, and LCC Highways request a financial contribution of £6000 toward Travel Planning from this development. This can be secured by a Section 106 Legal Agreement should Members resolve to approve this application.

9.14 It is noted LCC Highways have stated that the revised proposal has not considered the full SA7 site nor does it provide any masterplan to demonstrate how the full SA7 site can be delivered. Paragraph 9.4 of this report considers the matter of master planning in more detail. However in terms of highways matters it is considered that this proposal would not prejudice the wider delivery of site SA7.

9.15 Policy CDMP6 requires proposals to provide electric vehicle charging points (EVCP). As the proposal would provide for new parking provision a condition is considered necessary to ensure that an EVCP scheme is provided and implemented.

Flood risk and drainage

9.16 The proposal is wholly within Flood Zone 1. As the site exceeds 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted. There is no requirement for the applicant to satisfy the sequential or exceptions tests with regard to flood risk.

9.17 Foul water discharge generated by the development is proposed to the public sewer network, specifically the existing 150mm diameter public foul water drainage network to the west of the site, which also serves the existing industrial estate buildings.

9.18 Objectors have raised concerns about existing flooding, and state that surface water drainage including the SUDS and pond would cause flooding onto adjacent land, and that the site should drain towards the A6. KDC9 of Policy SA7 states that residual surface water for the entire site should drain directly to the canal. The applicants submitted FRA states that it is proposed to discharge surface water runoff from the new development into an on-site surface water drainage network including attenuation tanks under the parking and turning areas in front of the units, and piped under the internal roads into a retention pond, and a network of swales also lead to a proposed retention pond. Discharge to the pond network will be at the restricted rate of 17.44 l/s. A Drainage Strategy plan has also been submitted showing that from the retention pond on the south east boundary, the outfall will be piped north eastwards with a drainage outfall to the River Calder at Stubbins Lane Crossing. Therefore this proposal would not drain into the canal which is further east of the River Calder. However KDC9 is written in the Policy in relation to the whole site defined as SA7. This proposal however is only a section of SA7 and it is not considered that it is a necessity for it to discharge to the canal which is some distance to the east. Furthermore the council's drainage engineer has confirmed that he is content for this site not to drain to the canal, provided that a suitable watercourse is used, and he considers the River Calder is suitable. Conditions should be attached to any permission requiring full drainage details, including weir overflow and flow control device (hydrobrake), should Members be minded to approve the application. Subject to conditions it is considered the site can be adequately drained both in terms of foul and surface water.

9.19 United Utilities considers the submitted FRA to be acceptable and has suggested that the development be carried out in accordance with this statement. A condition can be attached to this effect. UU have also provided advice to the applicant in relation to connecting to water supply and this information can be attached as an informative.

Impact upon ecology/hedgerows/trees

9.20 The application site does not have any nature conservation designations but the adjoining Lancaster Canal is a designated Biological Heritage Site (BHS) and the site is within an area mapped by Lancashire County Council as a Site of Special Scientific Interest (SSSI) Impact Zone. Therefore there is ecological interest, and existing ponds and tree cover in close proximity to the site that could be affected by development (including statutory and non-statutory designated sites). Existing ponds are on the west boundary and also south east of the site. There are two existing group tree preservation orders (TPO's) to the eastern boundary, individual TPO's along the south boundary, and a group TPO to the south extending slightly into the site. An individual TPO is also on the northern boundary where it adjoins the existing industrial estate. Intermittent hedgerows are on the eastern boundary of the site with some forming the site boundary and some outside the site boundary. Short sections of hedgerow are also along the south boundary.

9.21 Both Natural England and the Greater Manchester Ecology Unit (GMEU) have been consulted on the proposals. Natural England have raised no objections and GMEU have no objections subject to conditions requiring no vegetation clearance undertaken during the bird nesting season, protection of retained trees during works, and careful clearance of dense vegetation at the site boundaries to avoid any harm to amphibians, hedgehogs and small mammals. GMEU in their response have commented that the Ecology survey reports and assessments are appropriate, and that no further surveys need to be undertaken before deciding the application. The site is dominated by species-poor agricultural grassland of limited nature conservation value. GMEU notes there are features of local ecological value present including ponds, hedgerows and scattered trees, but it is accepted the site is unlikely to support specially protected species, except for small numbers of foraging bats. They consider the plans allow for the retention of some of the ponds on the western boundary and for the creation of a new pond and swale features, and that it should be possible to retain and improve the hedgerow forming the north-eastern boundary. GMEU also note that the landscaping plans allow for significant numbers of new tree planting on (parts of) the site and that this landscaping will allow for biodiversity net gain to be achieved on site. It is considered the suggested timing of works for nesting birds and tree protection conditions are necessary and should be attached to any approval. Members are advised that officers consider a condition should also be attached requiring the development to take place in accordance with the submitted ecology survey and that includes details of the working methodology for protected species.

9.22 GMEU have also stated that significant consideration has been given to retention of existing ponds at the western boundary, but even if successfully retained they will be constrained by built development and separated from open countryside. Whilst not objecting GMEU consider that the applicant should give consideration to possible relocation of these ponds to the eastern boundary. This has been relayed to the applicant whose ecologist has responded that in terms of ponds 5 and 6 which are west of the site, they consider the retention of pond 5 to be the best option, stating 'the scheme is able to provide an approach to retaining Pond 5 on site in a way that maintains the pond's viability and minimises potential impacts on the habitats'. Their ecologist also states that pond 5 spans the red line boundary, with much of the pond area off-site, which may make infilling the pond a more complex process, and pond 6 is outside of the red line boundary and would not be directly impacted by the current proposals. Because pond 6 is fed by pond 5, losing/relocating Pond 5 would likely compromise the sustainability of Pond 6 over the longer term and its populations of locally rare rigid hornwort and small pondweed would be lost if subject to reduced water inputs. The applicants ecologist also states that the proposed SuDS scheme provides for an additional new pond plus swales that would provide new pond/wetland habitats, the proposal allows for management of pond 5 which is currently unmanaged, and there is limited room on the eastern side of the proposals as they currently stand to accommodate the creations of ponds of a similar size and range of depths.

9.23 Overall, whilst the ponds have been retained to the west of the site rather than be relocated, on the basis that GMEU have not objected to this, it is not considered that retention of the ponds on the west of the site would be reason to refuse the application.

9.24 The council's tree officer has been consulted. The tree officer confirms agreement with the applicants submitted tree survey and notes that a small number of trees require general pruning, and part of group G20 where the access is proposed need to be partially removed. As these are poor quality, low retention, trees

he raises no objection. The Tree Officer has also stated that an appropriate numbers and species of tree planting is proposed and the schedule and specifications provided are suitable with existing TPO trees incorporated. It is therefore considered that the proposals would not cause harm to existing trees to be retained, however as suggested by GMEU these trees should be protected during any works. A tree protection condition should be attached to any approval ensuring the proposals takes place with the measures shown in the submitted Arboricultural Impact Assessment. No hedgerows are proposed to be removed or require any works as a result of the development proposals therefore any such condition should also ensure protection of existing hedgerows during any works.

Impact upon residential amenity

9.25 The nearest residential dwellings to the proposals are to the north west on the opposite side of Stubbins Lane at a distance of approximately 114m away, and 130m west of the most northerly point of the site. There are also existing residential properties 175m to the west. These are separated from the proposal by Stubbins Lane, the existing Industrial Estate and/or Garstang Road. Due to these separation distances it is not considered that the proposed units would result in any unacceptable harm to residential amenity by means of overbearing or loss of light through their scale and siting.

9.26 The proposals would however have the potential to increase activity at the industrial estate both during and after construction. The council's environmental health officer (amenity) has been consulted and raises no objection subject to conditions. A condition is suggested relating to the construction phase including a Construction Management Plan (CEMP). The environmental health officer has also requested further conditions during construction to control noise levels and vibration, a community liaison plan, a dust management plan, no burning of waste, and a scheme for the provision of external lighting, however these conditions are not considered reasonable as the site is not located immediately adjacent or close to any residential properties and adjacent to industrial units. Some of these matters are also already covered in the Council's standard CEMP condition which is to be attached. Conditions are also recommended for the end use of the development with noise mitigation for the units to be provided as per the submitted noise assessment, a scheme for external lighting, and submission of an odour management plan. It is considered these conditions are reasonable and should be attached to any approval to safeguard the amenity of future occupants of the units, existing occupants on the industrial estate, and also for general environmental reasons. Subject to conditions the proposal is considered to be acceptable in terms of impact upon residential amenity.

Visual impact/design/impact on the street scene

9.27 The proposal would not result in a projection into the defined countryside area, or beyond the 'Opportunity Area' for which the principle of built development on the site has been established. There is existing built development to the west and some of the northern extent of the site as the existing Brockholes Industrial Estate.

9.28 The proposal would be visible from Stubbins Lane when approaching the site from the east. However as mentioned the site is not designated as countryside, and the proposal would be read against the existing industrial estate in the background. The section of the site immediately adjacent to Stubbins Lane would not project significantly beyond the existing built development associated with the industrial estate. Therefore it would not be significantly visible or noticeable from

existing dwellings on the opposite side of Stubbins Lane. From Garstang Road to the west and from along the A6 to the west and south, the proposal would be screened by the existing industrial estate. Units 1 and 2 are proposed at 5.5m height to the eaves, and 7.2m in height to the ridge, units 3, 5 and 6 are proposed at 8.8m height to the ridge, and 7m to the eaves, and unit 4 would be the largest at 12.5m height to the ridge, and 9m to the eaves. The units would be a similar height to buildings within the existing industrial estate. Unit 4 would be slightly taller, however this is not considered to be unacceptable given that there are other existing large scale buildings in the industrial estate such as the taller and long existing buildings at the steelworks to the south west. Also unit 4 would be read against a backdrop of the existing industrial estate behind, and is designed with a curved roof which would help to add some visual relief to the height and bulk of the building. Overall it is considered that the proposal would not result in significant or harmful visual impact.

9.29 KDC3 states that the development should be supported by a landscape and green infrastructure framework incorporating structured trees planting and pedestrian and cycle connectivity. The applicant has submitted a Landscaping Plan which detail that there would be additional tree planting along the eastern boundary of the site, some trees planted either side of the internal access road, and additional tree planting in the north west corner of the site. Ornamental hedge planting is proposed to the northern boundary with the existing industrial estate, and native hedge planting along the eastern boundary, part of the south boundary and the south west corner of the site. Grassed areas are proposed to the south of buildings 5 and 6, and adjacent buildings 1 and 2. Wildflower planting is also proposed in sections along the eastern boundary and to the south and east of the new access at the point where it enters the site. Swale planting mix is also proposed alongside the internal access road, in the south east corner, and for the full length of the northern projection of the site where it is adjacent the existing industrial estate. Planting is also proposed in the SUDS area at the most northern part of the site. As stated by GMEU the amount of planting and the species mix proposed is considered to provide biodiversity net gain. The Tree Officer considers the species of Tree Planting acceptable.

9.30 Overall it is considered the soft landscaping proposed is acceptable and appropriate. Landscaping can be secured by condition should Members resolve to approve the application. Whilst this plan indicates that existing or new planting will form the site boundary edge, a condition requiring boundary treatment details will be added for the avoidance of doubt. It is accepted that pedestrian and cycle connectivity would be via the existing industrial estate, so no further detail on this is required. The landscaping detail is acceptable and satisfies KDC3 of policy SA7

other matters

9.31 Contamination - The NPPF states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/ landowner. The National Planning Policy Guidance (NPPG) also states that local authorities should use conditions to secure the adequate remediation of contaminated land. Adequate information should be submitted by the applicant to show that the site is suitable for its new use. Environmental Health have been consulted on the application and have no objections subject to the council's standard post desk study contamination condition being attached. The standard condition would require the developer to submit a detailed site investigation, and detail any remediation measures if necessary prior to commencement of development. Subject to this condition it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

9.32 Climate change - Policy SP2 part 6 requires proposals to demonstrate how they respond to the challenge of climate change through appropriate design and by making best use of resources and assets including the incorporation of water and energy efficient measures and the reuse and recycling in construction. The site is located in flood zone 1 with the lowest risk of fluvial flooding. The proposal would also include tree planting, and a mixed variety of planting. Together with this the amount of planting proposed is considered to provide biodiversity net gain. A condition can also be attached requiring electric vehicle charging points which would help to mitigate the impact of the development upon air quality. Overall the development is considered to respond to the challenge of climate change.

9.33 Waste management - The National Planning Policy for Waste seeks to ensure that new development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities, for example by ensuring there is discrete provision for bins to facilitate a high quality, comprehensive and frequent collection service. The proposed layout does not give cause for concern about waste collection, as there is sufficient space for large vehicles to access the site and turn within it given the site is designed for use as an industrial estate. The submitted Design and Access Statement indicates locations where there would be external bin stores to the units, and the submitted plans show that there would be space in the layout to provide these. Full details have not been provided and therefore a condition is considered necessary to ensure full details of bin stores in the location indicated are submitted.

9.34 Gas pipeline - There is an existing gas pipeline that is further south of the site, and a high voltage electricity cable further south of the site. National Grid, the Health and Safety Executive (HSE), and Cadent Gas were consulted as the application originally included proposals in outline to the south of this site. The outline proposals have been removed from the application, nevertheless the HSE do not advise against development. National Grid issued a holding objection wishing to see the detailed plans of the outline stage. They have confirmed that their enquiry is closed. Cadent Gas have also responded that they have a Major Accident Hazard Pipeline in the vicinity, Brock Thornton. This pipeline is some distance south of the proposal and no objections have been raised. Advisory working guidelines have been provided for the applicants attention. This information for the applicant can be attached as an informative.

9.35 Archaeology - The submitted Heritage Statement confirms that the proposed development site is flanked by the lines of two Roman roads and there is some potential for both prehistoric occupation and medieval to post-medieval activity. LCC Archaeology confirm there still appears to be sufficient potential for remains to be present to justify a programme of evaluation and, if necessary, appropriate mitigation works to be undertaken on the site prior to development starting. They recommend a condition to secure this if planning permission were to be granted, which would satisfy Policy CDMP5 of the Local Plan.

10.0 CONCLUSION

10.1 The proposal would be in accordance with policy SA7 in the Local Plan and bring forward employment development in this opportunity area.

10.2 KDC2 of SA7 requires the site to come forward in line with a masterplan. However as set out in this report the proposal would not prejudice the wider delivery of SA7 subject to the estate road link being required by condition and so no resultant harm would arise by granting planning permission for this development in the

absence of a masterplan. KDC4 of SA7 requires new or improved access arrangements with the A6 however no objections to the proposed access strategy are raised by LCC Highways. KDC9 of SA7 requires residual surface water to drain direct to the canal, however no objections to the drainage strategy which proposes on site attenuation and discharge to the River Calder are raised.

10.3 All other matters are deemed to be acceptable and policy compliant subject to the imposition of conditions and a contribution towards Travel Planning.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant full planning permission subject to conditions and a section 106 agreement to secure a financial contribution towards Travel Planning. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 11.06.2020 including the following plans/documents:

- Drawing No. 2019-039/101 Revision E, Location Plan
- Drawing No. 2019-039/201 Revision N, Proposed Site Plan
- Drawing No. 2019-039/202 Revision B, Site Sections
- Drawing No. UG_572_LAN_GA_DRW_001 Revision P09, General Arrangement
- Drawing No. 2019-039/210 Revision B, UNIT 1 GA FLOOR PLANS
- Drawing No. 2019-039/211 Revision E, UNIT 1 GA ELEVATIONS
- Drawing No. 2019-039/212, UNIT 1 GA ROOF PLAN
- Drawing No. 2019-039/220 Revision A, UNIT 2 GA FLOOR PLANS
- Drawing No. 2019-039/221 Revision B, UNIT 2 GA ELEVATIONS
- Drawing No. 2019-039/222, UNIT 2 GA ROOF PLAN
- Drawing No. 2019-039/230 Revision A, UNIT 3 GA FLOOR PLAN
- Drawing No. 2019-039/231, Revision C, UNIT 3 GA ELEVATIONS
- Drawing No. 2019-039/232, UNIT 3 GA ROOF PLAN

- Drawing No. 2019-039/240 Revision A, UNIT 4 GA PLANS
- Drawing No. 2019-039/241 Revision C, UNIT 4 GA ELEVATIONS
- Drawing No. 2019-039/242, UNIT 4 GA ROOF PLAN
- Drawing No. 2019-039/250 Revision A, UNIT 5 GA FLOOR PLANS
- Drawing No. 2019-039/251 Revision A, UNIT 5 GA ELEVATIONS
- Drawing No. 2019-039/252, UNIT 5 GA ROOF PLAN
- Drawing No. 2019-039/260 Revision A, UNIT 6 GA FLOOR PLAN
- Drawing No. 2019-039/261 Revision A, UNIT 6 GA ELEVATIONS
- Drawing No. 2019-039/262, UNIT 6 GA ROOF PLAN

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as they respectively apply at the date of this permission and of any subsequent order amending or revoking and replacing either or both of those orders, the units hereby permitted shall only be used for the purposes of use classes B1c) (or class E(g)(iii)), B2 or B8, with ancillary B1a) and B1b) (or class E(g)(i) and (ii)) as if those references were to the uses or use classes which applied in relation to England and were specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 on 31st August 2020 and for no other purpose without prior express permission from the local planning authority, nor shall any mezzanine floor be installed in any of those units, without prior express permission from the local Planning Authority.

[NB: the transitional arrangements allowed by the Town and Country Planning (Use Classes) Order 1987 as amended by Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (as amended) mean that the use classes specified by this condition are as those applied when the application was made]

Reason: For the avoidance of doubt, and as the use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP1, SP2, CDMP1, CDMP3, CDMP6 and SA7 of the Wyre Local Plan (2011-31).

4. The development shall be carried out strictly using those materials specified on the approved elevation plans for each unit, and Drawing No. UG_572_LAN_GA_DRW_001 Revision P09 General Arrangement, unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

5. Prior to the commencement of the development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters (including details of revised on-site attenuation), including weir overflow and flow control device (hydrobrake), and including details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with

the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

6. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any

watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle wash downs and detergents shall not be passed through the interceptor.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water runoff to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

7. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) Report No. 001, Version No. V0.1, dated June 2020, by Wardell-Armstrong, and including the following mitigation measures detailed within the FRA (as set out in section 4.3):

- Surface water discharge rate from the proposed development restricted to the pre-development greenfield runoff rate
- Any flows in excess of the greenfield runoff rate attenuated for all storms up to and including the 1 in 100 year event, plus an allowance for climate change.

The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

8. Notwithstanding the submitted Flood Risk Assessment, details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority prior to first use of any unit on the site. As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

- c) Means of access for maintenance and easements where applicable.

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

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

9. The development hereby approved shall be constructed and completed in full accordance with the approved finished floor levels as shown on Drawing No. 2019-039/201 Revision N (Proposed Site Plan), and the land levels shown on Drawing No. 2019-039/202 Revision B (Site Sections), and unless minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation .

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, has a satisfactory impact upon residential amenity and has a satisfactory impact on drainage in accordance with Policies CDMP3 and CDMP2 of the Wyre Borough Local Plan (2011-31).

10. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

- (a) dust and dirt mitigation measures during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of construction work for the development expected to be 07.00-18.00, Monday to Friday, 07.00-13.00 on Saturday, with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- (f) arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities, power wash, hardstanding area with road sweeping facilities)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable, and periods when plant and materials trips should not be made to and from the site

- (h) external lighting of the site during the construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from construction work
- (k) measures to protect watercourses against spillage incidents and pollution
- l) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

The construction of the development shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

11. Prior to first use of any unit within the development hereby approved the off-site works of highway improvement, namely assessment of the street lighting and provision of tactile paving for the site access, the widening of Brockholes Way at its northerly turning head and provision of dropped kerbs and tactile paving to be provided at the junction of Brockholes Way and Garstang Road as shown on drawing 1757-01-CIV-XX-XX-TR-0001 Rev P06, shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable traveling accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

12. Prior to the first occupation of any of the units hereby approved, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan (and an associated Travel Plan Co-ordinator as specified in the approved Travel Plan) shall be implemented and operational from the point of the first occupation of any of the dwellings hereby approved for a period of not less than five years from the date of full occupancy of the development.

Reason: To promote sustainable development by encouraging sustainable travel modes and reducing dependence on private motor vehicles in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

13. a) Prior to the first occupation of any unit hereby approved, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

14. (a) The new estate road for the approved development shall be constructed in accordance with the Lancashire County Council Specification for Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended to at least base course level before any development commences fronting the new estate road.

(b) No unit(s) hereby approved shall be first occupied until the new estate road for the approved development has been constructed in accordance with the Lancashire County Council Specification for Estate Roads to at least base course level up to its junction with the adjoining land to the south and thereafter it shall be finished to an adoptable standard through the site to its junction with the adjoining land to the south prior to the first occupation of 50% of the units (by unit floor area). After its construction the said estate road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of its road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No unit hereby approved shall be first occupied until the new estate road(s) affording access to that unit has been constructed in accordance with the approved details.

Reason: To ensure that timely and satisfactory access is provided to the development site and wider opportunity area, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies SA7, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

15. Prior to the first use of any unit hereby approved, the parking / turning area(s) shown on the approved plan Drawing No. 2019-039/201 Revision N (Proposed Site Plan) shall be laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Reason: In order to ensure that adequate off-street car parking provision is available to meet the needs of the development in the interests of visual and residential amenity and highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan (2011-31).

16. Prior to the first use of any unit hereby approved full details of the cycle and refuse storage, to be provided (including in the locations indicated on pages 18 and 19 of the Submitted Design and Access Statement NOVEMBER 2021, 2019-039/D001L), shall be submitted to and agreed in writing by the Local Planning Authority.

The development shall be carried out and implemented in full accordance with the agreed details.

Reason: To enable access to and from the development by sustainable transport mode, in accordance with policy CDMP6 of the Wyre Local Plan (2011-31).

17. Notwithstanding the submitted Phase II Ground Investigation, prior to the commencement of development, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site as information submitted identifies further investigation may be required. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

18. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Clearance of dense vegetation at the site boundaries should be undertaken with care to avoid any possible harm to amphibians, hedgehogs and small mammals, and wherever possible this vegetation clearance should be undertaken by hand.

Reason: To protect and prevent unnecessary disturbance of nesting birds and amphibians and small mammals, in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

19. The development hereby approved shall be implemented in full accordance with the Ecological Survey and Assessment dated September 2020 by [ERAP (Consultant Ecologists) Ltd (ref: 2020-252) submitted with the planning application including all the mitigation measures set out in that report.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

20. The Tree Protection Measures shown on the Tree Protection Plan contained within the approved Arboricultural Impact Assessment (AIA) Rev 2, by Urban Green dated November 2021, with respect to those trees and hedgerows shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

21. The soft landscaping works for the development shall be carried out in full accordance with the approved soft landscaping details shown on Drawing No. UG_572_LAN_SL_DRW_002 Revision P02 (Soft Landscaping Plan) prior to first use of any unit hereby approved or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

22. No development shall take place until a programme of archaeological work and investigation (which shall include the timetable for the investigation) has been submitted to and approved in writing by the Local Planning Authority. The first phase of this work shall include trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. This phase should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent, and significance.

If archaeological remains are encountered then an appropriate phase of impact mitigation works and a final phase of analysis, reporting, publication and archiving shall be developed and implemented. A written scheme of investigation for those subsequent works along with a timetable for their implementation shall be submitted for approval to the local planning authority before they are undertaken.

All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA).

The approved programme of archaeological work and investigation shall be carried out as approved.

Reason: Such a programme of archaeological work and investigation was not submitted with the application but is necessary prior to the commencement of development to ensure that any archaeological remains at the site are recorded and to ensure that there is an understanding of the significance of the heritage asset before it is lost, in accordance with policy CDMP5 of the Wyre Local Plan (2011-31) and Section 16 of the NPPF. The condition is required to be approved prior to commencement of development to ensure full details are provided, that have not been forthcoming with the application, providing a true and accurate record which would not be possible after development.

23. Prior to first use of any unit hereby approved, the noise mitigation measures set out in section 4 of the supporting Noise Assessment Report No. 001 submitted with the application dated June 2020 by Wardell-Armstrong shall be fully implemented. The approved noise mitigation measures shall thereafter be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

24. Prior to the first use of any unit as B2 use (General Industrial), an Odour Management Plan for the control of odours shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to that commencing use and thereafter maintained in good working order at all times whilst that unit remains in B2 use.

Reason: Such details were not submitted with the application and are necessary to minimise the risk of pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

25. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

26. An electric vehicle recharging (EVCP) scheme shall be submitted for all units with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No unit shall be occupied until the electric vehicle recharging point has been provided for the unit to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

27. Prior to the first use of any unit hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. This shall be compatible with the approved soft landscaping details shown on Drawing No. UG_572_LAN_SL_DRW_002 Revision P02 (Soft Landscaping Plan) and demonstrate bolstering or infilling of existing boundary hedgerows where appropriate. The approved boundary treatment shall be completed before the use hereby permitted is first commenced. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

Notes: -

1. Considerations in relation to gas pipeline identified near the site: You are advised that Cadent Gas has a Major Accident Hazard Pipeline in the vicinity, Brock Thornton. Cadent has provided the following documents for the applicants information which are online under the application dated 24th July 2020 advising of working guidelines that must be adhered to during works:

- Cadent Gas Supporting Plan - MAP REF: SD5042 (showing location of pipeline)
- Cadent Gas Supporting Plan - Location Plan

It is essential that access to the pipeline is not restricted, particularly in the event of an emergency. Therefore, there must be no obstructions within the pipelines maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588

2. United Utilities water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution. If the applicant intends to obtain a water supply from United Utilities for the proposed development, it is strongly recommend the applicant engage with United Utilities at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

3. The Environment Agency advises that in order to prevent pollution any materials and chemicals likely to cause pollution should be stored in appropriate containers. They also advise that polluting materials and chemicals are stored in an area with sealed drainage.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the clean up of spillages, to prevent environmental pollution from the site operations.

The Environment Agency also recommend that all pesticide sale and supply / distribution stores meet the recommendations of the Code of Practice (<https://www.hse.gov.uk/pesticides/>) for suppliers of pesticides to agriculture, horticulture and forestry and where appropriate membership of the BASIS (<https://basis-reg.co.uk/>) government recognised inspection scheme.

Pollution prevention guidance is available on the GOV.UK website at: <https://www.gov.uk/guidance/pollutionprevention-for-businesses>.

The Environment Agency's National Customer Call Centre can be contacted (Tel: 03708 506 506) for further information and guidance.