

Committee Report**Date:06.09.2023****Item Number 05****Application Number 22/00774/FULMAJ**

Proposal **Erection of a building for the manufacture and distribution of lozenges containing main production area, warehouse, engineering and services area, an office block for staff, a link area containing staff canteen and staff facilities, the erection of a detached security lodge/gate house by the site entrance, the including the creation of a new access off Windward Avenue and associated drainage works including a pond, landscaping, car parking and ecological mitigation**

Location Land South Of Windward Avenue Fleetwood Lancashire**Applicant Lofthouse of Fleetwood**

Correspondence Address **c/o Mr Steve Goodwin
Old Church Hall Old Coach Road Kelsall CW6 0QJ**

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

Site Notice Date: 20/09/2022

Press Notice Date: 21/09/2022

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration as the application site falls within an allocated site in the Wyre Local Plan and is of strategic importance. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

1.2 The application site comprises a parcel of land to the South of Windward Avenue and East of Amounderness Way, Fleetwood. The proposal seeks a new build employment development on the eastern side of Amounderness Way for use by Fisherman's Friends. The supporting information with the application explains this is intended to be a relocation of the existing Fisherman's Friends business from its current location on the western side of Amounderness Way to this proposed new build facility on the opposite side of the road.

2.0 SITE DESCRIPTION AND LOCATION

- 2.1 The application site is an 8.1 hectare triangular parcel of vacant land which sits between Amounderness Way to the west, and the Fleetwood Marsh Nature Reserve and Biological Heritage Site to the east. A small part of the overall Biological Heritage Site extends into the south eastern part of the application site in a linear form. A strip of trees running outside the eastern boundary of the application site is identified as green infrastructure in the Adopted Local Plan and also sits within the Biological Heritage Site designation. Also the Wyre Estuary Site of Special Scientific Interest (SSSI) lies some 650m to the east.
- 2.2 The site forms the southern part of Site Allocation SA3/1 Fleetwood Dock and Marina allocated for mixed use development. The existing Fisherman's Friends business to which this proposal seeks to relocate is to the west on the opposite side of Amounderness Way. The site was previously developed as part of an old railway in the 1940s-1960s but has since been left mostly undisturbed. It now contains scrub, grassland and marshy grassland, vegetation and also woodland to the east.
- 2.3 The existing land levels range from 4.17AOD up to 8.90AOD (albeit the lowest section at 4.17AOD is outside the application boundary containing an existing band of trees). The land is generally higher on the central and eastern parts of the site, and slopes away outwards to the site edges. The site centre is up to 3m higher than the northern part of the site and the length of the site immediately alongside Amounderness Way. A cut-out area is to the east thought to be the former railway route. In the northern part of the site there is also a banking and hut thought to possibly also be associated with the former railway sidings.
- 2.4 Immediately to the north of the site is Windward Avenue with employment buildings, and Fleetwood Marina and docks beyond it. Windward Avenue leads eastwards passed the proposed site access to serve existing businesses and Redrow/Persimmon housing development further north east. To the south is the existing Fleetwood Waste Water Treatment Works.
- 2.5 The north western part of the site and the west and south peripheries are within Flood Zone 2/3. The remainder of the site is in Flood Zone 1.

3.0 THE PROPOSAL

- 3.1 The proposal would see the erection of a large building for the manufacture and distribution of lozenges. It would be one continuous building but made up of a large main rectangular built element at three storeys height, a two storey link section attached to the north, and a further two storey rectangular block to the north of the link. The main and largest part of the building would contain a large high bay warehouse area, and production areas with associated staff changing rooms, canteens, plant rooms, staircases and lifts. It would also have an undercroft. The smaller scale parts of the building would contain a three storey office block for staff and meeting rooms, and a two storey link area between the offices and production area containing staff canteen, staff facilities and exhibition space. A roof terrace/garden is proposed over part of the ground floor of the link. The total floorspace of the whole facility when measured off the plans (including roof terrace) is 36364 square metres.

- 3.2 The main part of the building would measure 18.6m in height, by a total length of 207m, and the widest part would be 85m. The attached office block is proposed at 66.7m length (including link area), by 25.75m width, and 10m in height.
- 3.3 Proposed materials for the main part of the building are powder coated aluminium cladding in anthracite grey laid horizontally, and also in goosewing grey lighter cladding colour either side of glazed curtain wall areas. The office block would be constructed of powder coated smooth aluminium cladding in grey white. The glazed curtain walling to the offices and link would be powder coated aluminium in black. The roof would be finished in curved insulated panels such as rainscreen cladding.
- 3.4 A detached security lodge/gate house is also proposed by the site entrance to contain a reception/waiting area, CCTV room, induction suite, and WC and brew room. This would be single storey and measure 8m length by 8m width and 3.5m in height. The lodge would be constructed of powder coated smooth aluminium cladding in grey white. It's floor space would total 64 square metres.
- 3.5 Access into the site would be via a new vehicular access on the south side of Windward Avenue. Footpaths are proposed either side of the vehicular access to also connect to Windward Avenue. Car parking is proposed immediately to the eastern side of the building split into two separate car parks. One car park is proposed adjacent the entrance to the office block and would also comprise a higher level parking area. The other car park is proposed to the east of the main production building. Additionally a small area of parking is also proposed immediately to the south of the proposed security lodge. In total 186 no. parking spaces are proposed on the site.
- 3.6 Associated drainage works are proposed including a pond to the south of the main building. Landscaping and ecological mitigation is proposed around the site. Specifically new tree and shrub landscaping is proposed to be along the internal roadways, footpaths and within the proposed car parking areas.

4.0 RELEVANT PLANNING HISTORY

Application site:

- 4.1 15/00457/OULMAJ - Outline application for the erection of an industrial park (use class B2) with associated access, car parking, bridged connection and associated works. Withdrawn - Legal Agreement never completed.

Other relevant Planning History in the wider site allocation:

- 4.2 21/00539/DEM - Prior notification for the demolition of the fish processing buildings. Prior Approval Approved.
- 4.3 20/01087/FULMAJ - Creation of a replacement food processing park with construction of new buildings for B2 use including GIFA, car parking, servicing, landscaping and waste provision, with access taken from Dock Avenue and other associated works. Application permitted.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN (2011-2031) (INCORPORATING PARTIAL UPDATE OF 2022)

5.1.1 The Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (WLPPU31) was adopted on 26 January 2023 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
- Policy EP1 - Employment Land Supply
- Policy CDMP1 - Environmental Protection
- Policy CDMP2 - Flood Risk and Surface Water Management
- Policy CDMP3 - Design
- Policy CDMP4 - Environmental Assets
- Policy CDMP6 - Accessibility and Transport
- Policy SA3/1 - Fleetwood Dock and Marina

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 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, paragraph 20
- Section 4: Decision-making, paragraphs 47-50, and 54-55
- Section 6: Building a Strong, Competitive Economy
- 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

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 The following Supplementary Planning Guidance (SPG) is considered to be of relevance:-

- SPG2 - Trees and Development

5.4 NATIONAL PLANNING POLICY GUIDANCE (NPPG):

5.4.1 The NPPG provides advice on the application of Government policy. Within the NPPG, the following sections are of most relevance:

- Air Quality
- Climate Change
- Design
- Flood risk and coastal change
- Healthy and Safe Communities
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning Obligations
- Travel plans, transport assessments and statements
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

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

5.6 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

5.7 THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

6.0 CONSULTATION RESPONSES

6.1 FLEETWOOD TOWN COUNCIL

6.1.1 No response received.

6.2 NATIONAL HIGHWAYS

6.2.1 Recommend that conditions be attached to any planning permission that may be granted.

6.2.2 Suggests pre-commencement conditions including no commencement of development until United Utilities has confirmed adopted and maintained of drainage pipe under A585 Amounderness Way, no commencement until full details of details and construction of surface water drainage pipe under Amounderness Way has been provided, no commencement until a plan showing alignment of close boarded fence of no less than 2m height to the west boundary or at least 1m from the highway. A condition is also recommended to ensure there will be no drainage into National Highways highway drainage system.

- 6.3 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY)
 - 6.3.1 No objections subject to conditions and a financial contribution of £6000 towards Travel Planning.
 - 6.3.2 The drainage outfall into the highway drain on Copse Road will not be accepted, however can be easily resolved by outfall into the culvert.
- 6.4 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY - LLFA)
 - 6.4.1 No objection subject to conditions requiring development in accordance with the submitted Flood Risk Assessment, details of a final surface water strategy before commencement
- 6.5 UNITED UTILITIES
 - 6.5.1 Objects in the absence of an Odour Impact Assessment. Have not agreed to a sniff test and maintain the position that a full Odour Impact Assessment is required.
- 6.6 NATURAL ENGLAND
 - 6.6.1 No objections subject to appropriate mitigation being secured to protect designated areas in the form of a (CEMP), timing restrictions of noisy works, appropriate visual screening, and a lighting strategy.
 - 6.6.2 Confirm, following ecological addendum and clarification why this addendum removes strategic tree planting from the ecological mitigation proposals, that the strategic tree planting originally requested to screen the functionally-linked land from the development is not required.
- 6.7 GREATER MANCHESTER ECOLOGY UNIT (GMEU)
 - 6.7.1 No objections - Confirm the Shadow HRA (and Revised Shadow HRA) submitted with the application is acceptable and also sufficient to be adopted by the LPA as Competent Authority.
 - 6.7.2 Conditions required to ensure that the mitigation measures are followed including a CEMP, a Lighting Strategy, an LEMP, and an invasive non-native species protocol, and development carried out in accordance with submitted Reptile Survey and Mitigation Strategy.
 - 6.7.3 Regarding biodiversity - The ecological consultants have clarified the strategic significance issue. However, it remains the case that the proposals will result in an overall net loss of some 28%. GMEU believe this is contrary to the National Planning Policy Framework which requires developments to achieve a measurable net gain in biodiversity. Off-site compensation, particularly for grassland and scrub, should be provided.
- 6.8 ENVIRONMENT AGENCY
 - 6.8.1 No objections. Satisfied the development would be safe without exacerbating the flood risk elsewhere if the proposed flood risk mitigation measures are

implemented. No further comments to make following revised drainage proposals.

- 6.8.2 Condition requested requiring a remediation strategy including a preliminary risk assessment for all types of contamination.

6.9 NETWORK RAIL

- 6.9.1 Comments received that Network Rail are working in partnership with Lancashire County Council and local councils on the Wyre Peninsula to develop a Strategic Outline Business Case (SOBC) that will assess options to reinstate a Heavy Rail or Tram-Train link between Poulton-le-Fylde and Fleetwood. Would like to ensure that land remains available in this area to support the options identified in the SOBC.

6.10 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

- 6.10.1 No objections following receipt of revised drainage plans. Flood Risk Assessment and Emergency Plan acceptable and meet requirements.

6.11 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

- 6.11.1 Comments that the landscape masterplan needs to be amended to include the specifics in the form of schedule and specifications. Advice on biodiversity elements should be sought from an ecologist.

6.12 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (WASTE MANAGEMENT):

- 6.12.1 No objections - Comments that there do not appear to be any Waste Collection issues.

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

- 6.13.1 No objections subject to pre-commencement conditions for site remediation and verification.

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

- 6.14.1 Objects as whilst satisfied the noise assessment identifies the main noise sources, a revised British standard (BS 4142) noise assessment should be submitted to represent worst case scenario for night-time HGV deliveries as the noise ratings indicating an adverse impact and significant adverse impact are not considered to have been justified appropriately. Objection maintained following applicants consultants submitted letters.

6.15 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY):

- 6.15.1 No response received.

7.0 REPRESENTATIONS

7.1 The application has been advertised by means of a press notice, site notices, and neighbour letters to the nearest premises. One letter of objection has been received to the application. The concerns raised can be summarised as follows:

- Access safety concerns - Consider entrance to Windward is already dangerous with near misses every day. Suggest should consider entrance off Amounderness Way with roundabout or traffic lights.
- Is the only true wilding area in Fleetwood and should not be destroyed for a clean landscaped design.
- Current land is a welcoming view in Fleetwood.
- Other areas in Fleetwood such as the docklands would be more suitable and would generate footfall into the town shops by staff.

7.2 One letter neither supporting nor objecting to the application has been received. This asks how the application will affect the rail link.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various. Updates provided on application process and consultee responses. Request for information on functional need for height of building. Request for amendments to design and amendments received. Information provided to application on reasons for drainage objection. Revised drainage scheme received. Request made for further transport information to address consultee comments, and further information received.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Visual Impact / Design / Impact on the street scene
- Impact on residential Amenity and noise
- Impact on Highway / Parking
- Flood Risk and Drainage
- Ecology, Trees and Biodiversity
- Landscaping
- Odour
- Contamination
- Climate Change
- Air Quality
- Waste Management and Fire Service Access

Principle of Development

9.2 The application site is located within the settlement boundary of Fleetwood, an Urban Town as defined by the Policies Map of the WLP31, where 48.6% of housing growth and 49.6% of employment growth is expected within the Plan period. Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. As the site is within an existing settlement the principle of the location of the proposed development is considered acceptable subject to all other matters considered below in this report.

- 9.3 The application site is included within allocation policy SA3/1, Fleetwood Dock and Marina. The Policy sets out a number of Key Development Considerations (KDC's). The allocation is a mixed use allocation for housing, non-retail commercial, leisure, tourism and employment. The allocation identifies a potential housing capacity of 120 dwellings, and 7.5 hectares (gross) employment capacity. The application site is the southern part of the allocation. KDC1 of Policy SA3/1 indicates that the site should be brought forward in line with a masterplan covering the entire allocation, to be agreed by the local planning authority prior to the grant of planning permission. The Masterplan must secure the long term viability of fish and seafood processing industries through the creation of a bespoke Fish Park. The Fish Park has been secured through the grant of planning permission on land further north of this proposal.
- 9.4 No masterplan has been prepared or agreed at this stage. The conflict with the SA3/1 masterplan requirement means that approval of the scheme at this point in time is contrary to the development plan. This carries significant weight. However the applicant has submitted a justification statement for the application in advance of a masterplan. In summary this argues the following points:
- The application site is a stand-alone site on the southern edge of the allocation, separated from the remainder of the allocation by a roundabout and adopted highway. It will not prejudice the development of the remainder of the allocation and will not prevent the residual areas being delivered for the intended uses in the allocation.
 - The site is separated from three other sites within the allocation which have already been granted planning permission.
 - Other permissions within the allocation have been granted in advance of a masterplan, including 20/01087/FULMAJ for the creation of a food processing park and the associated demolition applications. For that site the Council did not consider the lack of a masterplan would harm the achievement of the Local Plan objectives for the site allocation as it would not prejudice a coherent development of the overall site, its location was acceptable and was appropriate to surrounding uses.
 - The application proposal meets all other policy requirements for the allocation as well as meeting other Development Plan requirements, and provide over 34000 sq metres of B2 (employment) floorspace and positively contribute to the overall Policy requirement.
 - This is a relocation of an existing business which has operated on the existing site since 1974. The use is already established in the local vicinity. Fisherman's Friend currently export their products to over 100 countries worldwide and employ approximately 285 staff.
 - The existing premises is outdated and does not meet the current needs of the business in terms of accommodating modern production line equipment and storage facilities.
 - A new facility is required and the site has the capacity to accommodate a modern facility aiming to meet the needs of the business to at least 2035. It will allow the business to continue to operate in its historical location whilst retaining existing employees (many who come from the local area).
- 9.5 It is considered that the proposal would not prejudice a coherent development of the allocated site in the future, given it represents only a part of the wider land, and is separated by the remainder of the allocation by Windward

Avenue. Given the position of the site between Amounderness Way and Windward Avenue, it is considered appropriate in the context of its relationship with surrounding land uses. An objective of Local Plan SA3/1 site allocation is one of economic development and it is considered the proposed scheme as a largescale employment proposal as a manufacturing production facility, and as a new replacement facility for a significant employer ensuring its future retention and expansion within Fleetwood would support this objective. On the basis of the above, it is considered that the lack of a masterplan would not result in any real harm of achieving the Local Plan objectives for this site allocation and furthermore there are clear economic benefits which outweigh the lack of an approved masterplan in this instance. The existing business currently has around 285 employees (as stated in the submitted Planning Statement) and the proposal would result in approximately 300 full-time employees at the site. The proposal would remove a potential barriers to the retention of staff and potentially enable addition to the number of staff employed currently. The applicants submitted Design and Access Statement details building options have been considered at the existing Fisherman's Friends facility. It details that the applicant has ruled out these options as they would not provide facilities and accommodation needed, would not rectify the issues with the existing building fabric and services, and would not be practical trying to purchase land and construct additional sections to the factory or alter accesses and re-build parts of the factory whilst keeping it fully operational. One option would also mean the business would have to find a separate site elsewhere. A new production facility large enough to accommodate and operate the equipment required would therefore provide the necessary accommodation to facilitate the retention of the business in Fleetwood.

- 9.6 Overall, the proposed development is considered to be acceptable in principle, subject to consideration of all other material impacts. Whilst the principle is acceptable this it is subject to matters considered below in this report. Furthermore as the remainder of the allocation further north of the site would be left available for the other land uses specified in the allocation it is considered the delivery of a mixed use allocation would not be prejudiced.

Visual Impact / Design / Impact on the street scene

- 9.7 The immediate surrounding area comprises industrial buildings to the north, north east and also west of the site across Amounderness Way as the existing buildings of Fisherman's Friends. There are a mixture of design of industrial units in the area; some with a modern design in more modern corrugated materials, and some as brickwork warehouse style buildings. Some are large in scale, and reasonably tall such as the existing building west of the site across Amounderness Way, and others are a lower more modest height and scale. There is also a public house to the north of the site across Windward Avenue which is two storey height with pitched roofing.
- 9.8 The application site is currently fenced off from Amounderness Way by security fencing, but has an openness from views from Amounderness Way. The proposed building would have the appearance of a typical modern industrial unit, with a utilitarian design, but with a glazed two storey office section at the northern extent. It would appear large in scale, particularly the main extent of the building alongside Amounderness Way. The building would be also be raised an average of 3m above the level of Amounderness Way to achieve flood mitigation, but sited with a 21m set back from the proposed site

boundary, which in turn would be a 27m set back from the pavement alongside of Amounderness Way.

- 9.9 The finished floor level of main building would be 8.90 above ordinance datum (AOD) which is an average of 3m above the existing road level of Amounderness Way. The office building would have a finished floor level of 7.20 AOD which is on average 1.4m above the current road level of Amounderness Way and 1.2m above Windward Avenue. The finished floor level of the gatehouse is proposed at 7.60 AOD. The submission states that the main building level is proposed as such to provide sufficient flood risk protection, and due to existing contours, ground conditions, and the need to retain spoil for both ecological and financial reasons.
- 9.10 The size and scale of the building and any possibility of reducing the height of the building has been explored with the applicant. However due to the type of equipment needed for production it is not considered the height of the building can be reduced. Given the scale of the proposed building the applicant has been asked to provide street scenes and comparison to the scale of existing Fisherman's Friends buildings to the west. The applicant has provided street scene visuals. It is clear from these visuals that the building would appear prominent from views along Amounderness Way, and the junction of Amounderness Way with Windward Avenue. However as an industrial building being sited between existing industrial sites, whilst large in scale and the set-back proposed, it is not considered it would look out of place in the area. From immediate views it would be read as an industrial building adjacent existing industrial premises. From a wider approach it would also represent a gateway building into Fleetwood along Amounderness Way and also to the main industrial area of Fleetwood.
- 9.11 The proposed materials of the main building, attached office, and detached security lodge are considered to be acceptable. The materials are typical of modern industrial buildings and business premises. It is considered that due to the use and location of the materials on the main building, with the use of glazed curtain walling, and lighter coloured cladding in certain areas to provide vertical features, this use of materials will help to break up the massing and length of the building. Also the attached office block being in a different colour and at a lower height than the main extent of the building would help to reduce the scale an impact of the building on approach from the north.

Impact on residential amenity and noise

- 9.12 There are no existing residential properties immediately bounding the application site. The nearest residential use in the area is the managers accommodation within The Three Lights public house on the opposite side of Windward Avenue. There is also a housing development (developed by Redrow Homes) 432m away from the proposed gatehouse as the crow flies to the north east. It is considered that due to the separation distances involved to the Redrow housing estate and because of the road of Windward Avenue separating the site from these dwellings and the manager's accommodation at the Three Lights that there would be no unacceptable impact upon any existing residential properties through overlooking, overbearing or loss of light.

- 9.13 The applicant has submitted a Noise Assessment with the application. The Council's Environmental Health Officer (amenity) has been consulted for comments as to whether the proposed uses would result in any harm to the amenity of existing residents. The Environmental Health Officer has stated the applicant has not used the correct British Standard to measure noise impact from the development and has requested the applicant submit a revised noise assessment. Through officer discussion with the Environmental Health Officer it is understood he considers the nearest residential receptor to the application site is the manager's accommodation at the Three Lights public house. He has objected to the proposal on the basis that he considers any night time HGV deliveries to the site would result in significant noise impact at night upon this premises. The applicant's consultant has provided letters disagreeing with the Environmental Health Officer's response and stating that there is a difference of opinion in the use of the standards. The applicant has also stated that night time deliveries would be limited, whereas the Environmental Health Officer considers that any night time deliveries still have to be considered as a worst case scenario no matter how infrequent.
- 9.14 It is considered that the manager's accommodation above the public house is part and parcel of that particular commercial use, rather than a stand-alone residential use. Any occupier of the public house would expect noise as part of the overall commercial use which would be open until late night hours. The submitted noise assessment states that night time HGV deliveries are 'not proposed to be a normal part of operations at the site'. The applicant's noise consultant argues that on infrequent occasions where night time deliveries could occur, 'the predicted sound level is significantly below the threshold for potential disturbance of residents who could be sleeping with open bedroom windows'. The delivery yard which any potential late night deliveries would use would be over 100m away from the public house. Any late night deliveries through the night could cause harm through noise to the manager's accommodation. However it is not considered reasonable to add a condition to control the frequency and times of late night deliveries as the business would need to operate 24 hours, and the application is not proposing frequent late night deliveries. If that were the case that infrequent late night HGV deliveries resulted in noise impact there are separate regulations outside of planning regulations to manage noise nuisance. Whilst the applicant hasn't produced a revised Noise Assessment to the British Standard requested by Environmental Health it is considered in the planning balance that this matter would not be a reason for refusal in this case as the impact of any potential late night deliveries through noise to one manager's accommodation associated with a commercial use would be far outweighed by the significant benefits of the scheme.

Impact on Highway / Parking

- 9.15 National Highways and LCC Highways have been consulted on this application. Additional information has been requested by National Highways to take into account figures for the existing facility as this would have to be operational for a time to allow transition to the newly proposed building.
- 9.16 National Highways has considered the submitted Transport Assessment and subsequent Transport Assessment Addendum. In assessing some matters National Highways has appointed an independent consultant. National Highways have raised no objections to the proposal and consider the applicant's highways consultant has addressed concerns raised by them (and

LCC) in regard to the cumulative impact of the proposed development site and the existing premises. Their response states that new traffic surveys have been undertaken including at the strategic network junctions. An independent assessment in the form of a desktop study of the operation of the strategic network junctions has been carried out and it has been concluded this accords with what has been presented by the applicant highway consultant. In terms of traffic growth the approach used by the applicants highways consultant was not agreed with National Highways. However an independent exercise has been carried out to obtain suitable traffic growth factors and this confirms the traffic growth factors presented are acceptable for use in this assessment in regard to value rather than methodology.

- 9.17 Collision data has also been reviewed for the A585 Amounderness Way / Herring Arm Road / Denham Way Roundabout. This shows one collision in the most recent five years. National Highways has not raised any concerns about highways safety as a result of the proposal. Modelling has also been carried out. The modelling outputs show there will be a small increase in traffic flow and queuing on some arms of the strategic network junctions between the 2025 baseline and development scenarios, though these are considered minimal and within reasonable levels of capacity. National Highways has therefore raised no objection in terms of highway capacity. National Highways has also provided comments on drainage which are discussed below in this report.
- 9.18 LCC Highways have also been consulted and have reviewed the submission, Transport Assessment and Addendum. LCC Highways are satisfied that the proposed development will not have an adverse impact on the local highway network. The proposed access arrangements into the site off the existing 'stub-end' (existing start of an access into the site) are considered to be acceptable to LCC. The amount of parking proposed at the site and its layout is also considered acceptable. LCC Highways consider the travel plan section in the transport assessment 'is brief but sufficient to build upon' and therefore support the approach in the applicants submission subject to a condition requiring commencement of a travel plan. The proposal is therefore considered acceptable in terms of impact upon highway capacity and safety, and access and parking. It is noted that LCC Highways have raised a concern about drainage from the site discharging into their highways drain on Copse Road. This matter is discussed in more detail in the flood risk and drainage section of this report.
- 9.19 In terms of parking provision on the site a total of 186no. parking spaces are proposed, including 9no. mobility spaces and 10no. spaces with electric vehicle charging points. Based on the production and office floorspace proposed the required amount of parking would be 250 parking spaces. However the facility would operate with a turnover of three shifts a day and therefore it is not considered 250 parking spaces would be required at any one time. It is considered the amount of parking proposed would be appropriate for any one shift and the amount would also allow for turnover of staff leaving and arriving the site. Furthermore the parking on site cannot be extended without impacting upon ecological areas of the site near to the existing Marsh to the east. Overall it is agreed with LCC's highways view that the amount of on-site car parking is acceptable. The submitted Design and Access Statement mentions cycle parking is proposed as Sheffield type cycle stands located under the link to the services building for approximately 30 cycles. Should Members resolve to approve the application it is considered a

condition would be required to ensure full details of the cycle parking is provided.

- 9.20 It is considered the site would also be accessible by modes of sustainable transport. The site can be accessed at walking distance from the existing wider public transport system including the no. 75 bus service along Amounderness Way stopping on Denham Road to the west of the site, and stops on the Blackpool Tramway to the west of Copse Road.
- 9.21 Policy CDMP6 (2) of the Adopted Local Plan requires development which includes parking provision to make appropriate provision for electric vehicle charging points (EVCP). The application proposes 10no. electric vehicle charging points across the proposed parking areas in the site. No response has been received from the Council's Environmental Health Air Quality Officer in this case. However it is usual practice for the authority to consider provision of electric vehicle charging points as measure to help to improve air quality. It is considered that subject to a conditions requiring provision of the charging points the proposal meets the requirements of Policy CDMP6(2) of the Adopted local Plan.

Flood Risk and Drainage

- 9.22 The NPPF states development should not be permitted in areas at high risk of flooding if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Policy CDMP2 of WLP31 states that where development is proposed in areas at risk of flooding, unless specifically proposed in this Local Plan, it must be demonstrated that the Sequential Test has been applied and there are no reasonable available alternative sites at lower risk, considering the nature of the flooding and vulnerability of the development.
- 9.23 The north western part of the site and the west and south peripheries are within Flood Zone 2/3. A Flood Risk Assessment (FRA) has been submitted and the relevant drainage bodies consulted. The sequential test for this site was carried out by the Local Planning Authority during the development of the Adopted Local Plan and allocations. Therefore the applicant is not required to submit a sequential test. The use proposed is consistent with the uses for which the site was allocated.
- 9.24 KDC5 of Policy SA1/3 states that residual surface water should drain to the River Wyre via the dock. Whilst this land is part of the wider site allocation SA1/3, it is considered that as this site is the southern parcel of the allocation away from and separated from the dock by Windward Avenue and intervening uses it is not appropriate for the site to drain to the dock.
- 9.25 The applicant has submitted a drainage scheme with the application. This has been amended during the course of the application due to objections and concerns from the Council's Drainage Engineer and the Lead Local Flood Authority (LLFA). The original proposal sought to discharge all surface water to a watercourse to the west of Amounderness Way which discharges to Springfield pumping station and is pumped from there to the River Wyre. The pumping station is already overwhelmed during heavy rainfall and any additional load is likely to increase the flood risk to Cala Gran caravan site.

- 9.26 The drainage proposal has therefore been amended during the course of the application following drainage investigations near the site. The application still proposes for surface water to drain into a new proposed attenuation pond within the site boundary, however the drainage outfall from this pond is now proposed to drain into a pipe under Amounderness Way further north than originally proposed and to connect to a drain on the other side of the road within the existing Fisherman's Friends site. This drain discharges into a Highways drain under Copse Road further west of the site.
- 9.27 Following receipt of the amended drainage scheme all relevant drainage bodies have been re-consulted. The Council's Drainage Engineer has removed his objection to the proposal and is satisfied with the amended drainage proposals. United Utilities have raised no objections to the original or revised drainage proposals and suggest conditions be attached. The LLFA have withdrawn their objection following the revised drainage proposals and response from National Highways that drainage would need to be adopted. The Environmental Agency also has no objections subject to conditions. However LCC Highways have included in their response that they will not accept surface water drainage into the highway drain on Copse Road and that instead the water should drain into the existing culvert adjacent. The Council's drainage engineer believes that the existing Fisherman's Friends site already drains into the existing highway drain on Copse Road and then into the culvert. It is considered there is a drainage solution for the proposal as a result of the revised drainage scheme but as the point of outfall needs to be finalised it is considered the Council's standard pre-commencement drainage condition should be attached in his case. Such a condition is also recommended by external drainage consultees, as well as a condition requiring accordance with the submitted Flood Risk Assessment, a construction surface water management plan, maintenance and management of sustainable drainage systems and a surface water verification strategy. It is considered these conditions are reasonable and necessary and should be attached should Members resolve to approve the application.
- 9.28 National Highways have also provided comments on drainage and have suggested conditions in relation to the drainage pipe that would go under Amounderness Way to the existing drain within the existing Fisherman's Friends site. One of the suggested conditions requires United Utilities agreement in writing that the drainage pipe will be adopted. This condition is considered unreasonable and unnecessary as any agreement with United Utilities is separate to the planning process. The applicants revised drainage plans indicate the drainage scheme would be put forward for adoption.

Landscaping

- 9.29 KDC3 of Policy SA3/1 states that development should be supported by a landscape and green infrastructure framework incorporating structured tree planting, on-site open space to include formal and informal play and pedestrian and cycle connectivity within and where possible outside the site. However it is important to note that the Local Plan only requires green infrastructure provision (including play provision) and pedestrian and cycle connectivity for housing and retail development proposal. The requirement does not apply to employment proposals such as this manufacturing proposal for Fisherman's Friends.

- 9.30 Notwithstanding the above the applicant has submitted a Landscape Masterplan for the site. The Council's Tree Officer and Senior Parks Development Officer have both been consulted. The Tree Officer has responded that the landscape masterplan has been reviewed by both officers consulted and states the landscape masterplan needs to include the details of the schedule and specifications of the planting. The applicant has been asked to provide this information and has submitted further plans with details of the tree planting species. The Council's Senior Parks Development Officer considers the tree species proposed are acceptable but recommends a condition requiring full details of all other planting. Should Members resolve to approve the application this condition would need to be attached to ensure the specifications of the landscaping is agreed.

Ecology, Trees and Biodiversity

- 9.31 KDC8 of Policy SA1/3 requires a Habitat Regulation Assessment (HRA) as the site allocation is situated adjacent to the Wyre Estuary/Morecambe Bay which is a designated Special Protection Area (SPA), Ramsar Site and a Site of Special Scientific Interest (SSSI). KDC9 states that as a Biological Heritage Site is located within part of the south eastern extent of the site potential ecological impacts should be considered.
- 9.32 The applicant has submitted a Shadow HRA (sHRA), and a Revised Shadow HRA to correct an error in relation to trees with the planning application site. GMEU have confirmed the revised sHRA is sufficient to be adopted by the Local Planning Authority as the responsible Authority. The SHRA recommends mitigation measures including conditions requiring a construction environmental management plan, and a lighting strategy for biodiversity. The CEMP should include details for timings for the piling works, some precautionary mitigation measures for other species such as fox, and measures to translocate northern march orchids.
- 9.33 An Ecological Impact Assessment has also been submitted which includes an Ecological Desk Study, multiple protected species surveys including for breeding birds, bats, great crested newts, invertebrates and badgers, and an invasive species and management survey. No bats were found roosting on the site and no great crested newts were on the site or in adjacent ponds. The surveys found some common Herptiles on the site (such as common toads, frogs and common lizards), and birds, a barn owl and some invertebrates. The surveys include desk top studies and results of on-site surveys. The wider surrounding area and Marsh accommodate many other species and it is likely some of the species have been found as a result of migration (transient species) from the neighbouring Marsh and band of trees outside the eastern boundary. The Reptile Study and Mitigation strategy confirms that the site contains some rubble piles and has been subject to some disturbance through trespass. However reptiles are in existence and without mitigation the proposed development is likely to have a significant impact on reptiles at site level only, but impact is unlikely to be significant at a local, regional or national level. Overall the surveys propose a reptile mitigation strategy, a breeding bird mitigation strategy recommending timing of works avoid bird nesting season, and a lighting strategy to avoid impact on bats activity in the area. Invasive species found on site were Japanese knotweed, montbretia, Japanese rose, and sea buckthorn and recommendations for their management have been proposed.

- 9.34 The Ecological Impact Assessment also details that the proposal will result in the temporary loss of 0.73ha and a permanent 0.27ha of the Fleetwood Marsh Industrial Lands Biological Heritage Site (BHS) that runs along the eastern boundary of the site. It is proposed to compensate for these losses by restoring 1.41ha of the Biological Heritage Site. The applicant was asked to clarify during the course of the application whether the restoration was proposed off or on site. An Addendum to the Ecological Assessment has been submitted by the applicant's ecological consultant. This confirms that the proposed restoration is to the part of the Biological Heritage Site that falls within the application site boundary. The Addendum removes some originally proposed tree mitigation at the north east part of the site and the applicant has explained this is because tree planting would reduce the available reptile (common lizard) habitat on site and the amount of the Priority Habitat Open Mosaic Habitat on Previously Developed Land on site in the post-development phase.
- 9.35 Both Natural England and GMEU have been consulted on the application. Natural England have no objections to the application subject to the mitigation in the sHRA of a construction environmental management plan (CEMP), timing restrictions of noisy works, appropriate visual screening, and a lighting strategy being secured. Their response following the submission of the Ecological Addendum confirms that tree planting is not required to the north east of the site agreeing with the reasons provided by the applicants ecologist. GMEU have raised no objections to the proposal subject to the same mitigation of the sHRA. GMEU have also considered in more detailed ecological matters and have raised no objections subject to conditions requiring a landscape and ecological management plan (LEMP), works in accordance with the submitted Reptile Survey and Mitigation Strategy, and an invasive non-native species protocol. Subject to these conditions it is considered the proposal would comply with Policy CDMP4 of the Adopted Local Plan and the requirements of the NPPF.
- 9.36 The applicant has also submitted a Biodiversity Impact Assessment (net gain calculations) and an associated matrix. This shows that there will be a 28% net loss of biodiversity as a result of the proposal. GMEU have stated this is contrary to the National Planning Policy Framework which requires developments to achieve a measurable net gain in biodiversity, and consider that off-site compensation, particularly for grassland and scrub, should be provided. However the NPPF states in paragraph 180 that 'opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate'. The current NPPF is therefore only seeking biodiversity net gains where appropriate but sets no definitive requirement or specific figure on the amount. Furthermore biodiversity net gain from development proposals is not yet a legal requirement and is not expected to become so until November 2023. Whilst some Local Planning Authorities have sought and secured biodiversity net gain through planning applications, those authorities have been able to do so by having a 'policy hook' within their current Local Plans to enable them to require and insist upon biodiversity net gain. There is no such policy hook within the current Wyre Adopted Local Plan policies making biodiversity net gain a requirement. Therefore both because the requirement for biodiversity net gain has not yet become law and as the Wyre local plan does not outright require it, it is not considered that biodiversity net gain can

be secured or enforced for development proposals in Wyre before November 2023.

Odour

- 9.37 United Utilities requested an Odour Impact Assessment (OIA) in their initial response to the application and have maintained their objection in the absence of such assessment. It is understood that the objection is on the basis that their asset, Fleetwood Waste Treatment works, which is to the south of the site, is a source of odour. In this case it appears that United Utilities have requested an Odour Impact Assessment to establish whether there would be any problems from their own site in relation to the proposal in the future. It is not considered that the application proposal itself as a production facility for lozenges is a use that would result in significant odours.
- 9.38 Paragraph 187 of the NPPF provides that businesses should be integrated effectively, and existing businesses should not have unreasonable restrictions places on them. If there is evidence of significant impact then applicants should provide mitigation. In this case United Utilities have asked the applicant to provide a report, however this has not been provided. The applicant has been in contact with United Utilities and has attempted to obtain odour data needed to carry out an OIA. However agreement has not been reached for United Utilities data to be shared. Instead the applicant's consultant has carried out an Odour Risk Assessment and an Odour Technical Note including two 'sniff tests' at twenty-nine locations in the site. For the majority of the locations no odour was detected. Where odour was detected it was considered negligible, and therefore the tests concluded there were no significant odour effects. United Utilities maintain that the submitted Odour Risk Assessment and sniff test are not sufficient and an OIA is required, and also consider that the proposal is contrary to paragraph 187 of the NPPF. The applicants submitted odour risk assessment and technical note do not show any significant effects, and United Utilities have provided no evidence as owner/occupier of the treatment works of any significant harm from odour. Therefore it is considered that the threshold in paragraph 187 of the NPPF of 'significant adverse effect' has not been met, and a reason for refusal based on impact from odour cannot be substantiated. Further, the purpose of the planning system is to control the development of land in the public interest and is not intended as a substitute for any private rights.

Contamination

- 9.39 KDC10 of Policy SA1/3 states that completion of appropriate ground investigation work will be required to establish the extent of any ground contamination and whether any mitigation measures are required due to current and previous uses on the site.
- 9.40 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.
- 9.41 The applicant has submitted a Geo-environmental Investigation Report. The report identifies chemical contamination exceedances on the site and

remediation but does not provide a strategy as to how remediation will take place. The Council's Environmental Health Officer (Contamination) has been consulted. The contamination officer has no objections to the application subject to a pre-commencement condition requiring a remediation strategy and verification strategy to validate any agreed remediation. It is considered such a condition would be required to make the development acceptable. 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.

Climate change

- 9.42 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.
- 9.43 The applicant has submitted a sustainability statement which looks at a series of options for energy efficiency for the site and building, producing a list of feasible options. The measures mentioned include the use of natural ventilation measures to be incorporated into the development as much as possible, heat recovery mechanical ventilation systems in the office and production areas, design of water fittings to incorporate low flush toilets, spray or aerated flow taps, low-flow showers, and potentially some rain water recovery for the toilets and landscape irrigation. The statement also mentions that the occupied areas have been designed to benefit from high levels of natural light, and that thermal calculations have been done to ensure offices don't have excessive solar gain. Air source heat pumps are mentioned for the main occupied areas where these are to be heated and cooled by 4-pipe fan coil units. It is not known at present exactly which measures will be the final measures incorporated into the building, and whether this will be some or all of the above, however it is clear the applicant has considered the challenge of climate change in the design of the building.
- 9.44 Other possible options being considered are the further use of air source heat pumps to provide heating and cooling to reduce the use of gas boilers, LED lighting, the use of solar panels to provide solar thermal heating, and photovoltaic panels for electricity. An indicative location of solar panels has been indicated on the roof of the west elevation. A condition can be attached that should solar panels be proposed, full details of such proposed panels should be provided.
- 9.45 The applicant's submission also states that the proposal will be built to Building Regulations Part L2 'A' (the latest regulations brought in in 2022), and that the proposal has been designed to exceed the 2010 standards for conservation of fuel and power. The latter may be increased further on implementation of Building Regulations 2022. Lighting levels are to be designed to Chartered Institution of Building Services Engineers (CIBSE).
- 9.46 Aside from the building design, the proposed building would be sited with land levels to take into account flood risk levels, and planting and landscaping is proposed as part of the scheme which is considered a benefit in meeting the effects of climate change. There will also be encouragement of cycling with cycle parking provided on the site. It is considered that the above measures can help towards meeting the challenge of climate change and that that the

matter of climate change has been taken into account adequately. It is therefore considered that the proposal would comply with Policy SP2 (6) of the Adopted Local Plan.

Other matters

Environmental Impact Assessment

- 9.47 An Environmental Impact Assessment (EIA) Screening Opinion has been undertaken the by LPA for this application, given the proposed development represents Schedule 2 development under the EIA Regulations. The Screening Opinion concludes that any potential effects on the surrounding environment (water quality, nature conservation, ecology, coastal heritage and air quality) from the development would be very localised and considered to be insignificant for all receptors both alone and cumulatively/in-combination with other plans, projects and ongoing activities. The scheme does not therefore represent EIA Development requiring further Environmental Assessment. Natural England have also provided their expert opinion that an Environmental Assessment is not required, therefore agreeing with the view of the LPA.

Waste Management and Fire Service Access

- 9.48 The National Planning Policy for Waste (NPPW) 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.
- 9.49 The submitted plans show a waste refuse area would be provided to the east of the main production building and south of the main car park. It is therefore considered that provision for waste storage has been taken into account for the proposal. The Council's Waste Management Officer has been consulted for comment on waste collection, and is of the view waste collections will not be an issue from the site. It is also noted the submitted Design and Access Statement states that the company will commit to recycling as much waste as possible, and this will be in accordance with their own company policy.
- 9.50 The submitted site plan also shows a turning head to the south of the waste refuge area. This is identified as a fire fighting access immediately adjacent to the main production building. It is also considered that this turning head would also be sufficient for use by refuse collection vehicles. Overall it is considered the proposal would be acceptable in terms of both waste storage and collection, and would also provide for firefighting access alongside the extent of the proposed built development.

Poulton to Fleetwood Railway

- 9.51 Network Rail have submitted comments to this application which states that they would like to keep the land available in case it is required to support the options identified in the Strategic Outline Business Case (SOBC) they have been working on with LCC and local Councils. In 2012 a Fleetwood Railway Line Reopening feasibility study, referred to as an SOBC, was prepared by Atkins on behalf of Lancashire County Council and was submitted to central government. The SOBC looked into the feasibility of re-opening five miles of

railway from Poulton to Fleetwood to passengers and looked at three options by rail for the Fylde Peninsula: restoration of a heavy rail link, extending the tram network, and a tram/train hybrid scheme for use by light rail vehicles. In June 2022 the Department for Transport announced that it will fund the scheme through its next phase of development.

- 9.52 Each option in the SOBC identifies a different area of land as a terminus point. The land subject to this application is identified as the heavy rail terminus in the SOBC. Further phases of studies are required to progress the development of re-opening the railway line, such a more detailed business case, arriving at a preferred option, and costings. These processes are expected to take some time and there are no firm or final proposals at this stage. The application proposal has come forward well in advance of the progression of the matter of re-opening the rail link and as the land is identified is merely an option at this stage, it is not considered reasonable to withhold planning permission for the proposal which has been submitted and is currently before the council. Furthermore the application site currently forms part of the Council's Local Plan allocation SA3/1 for mixed use development, and is a use which accords with those envisaged by the allocation.

10.0 CONCLUSION

- 10.1 The principle of an employment use on the land subject to this application is supported by allocation SA3/1 which is a mixed use allocation within the Local Plan. The proposed is considered to be in accordance with the aims and objectives of the allocation requirements with the exception of the masterplan requirement. However in the absence of a Masterplan it is considered there would be no resultant harm from allowing the development in advance of approval of a masterplan and there are significant economic benefits to allowing the development which outweigh the statutory harm.
- 10.2 The proposal would result in a large scale building. However it is considered it would be sited on a gateway site to Fleetwood and its employment area, and is needed at the scale proposed to accommodate the machinery and operations of the business. The general design and materials is considered to be appropriate.
- 10.3 The proposal would result in some noise impact upon the manager's accommodation of the Three Lights pub at night time. It is considered however that in the planning balance any harm from late night deliveries would be considerably outweighed by the significant economic and social (by means of jobs) benefits of the proposal. There is no current evidence that there is an existing odour issue from the site.
- 10.4 Overall it is considered that planning permission should be granted for the scheme given the significant benefits in the planning balance, and as matter such as drainage, ecology mitigation, landscaping, air quality, and contamination can be mitigated and considered acceptable though planning conditions. The required Travel Planning financial contribution can be secured through a planning obligation.

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 That the revised submitted shadow HRA as outlined in the report is adopted by the Council.

12.2 Grant full planning permission subject to conditions and a planning obligation to secure a financial contribution towards a Travel Plan. That the Head of Planning and Regeneration be authorised to issue the decision following the satisfactory completion of a planning obligation.

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 01.08.2022 including the following plans/documents:
 - 2050-GTA-XX-XX-DR-A-1001 Revision A Site Location Plan
 - 2050-GTA-XX-XX-DR-A-1006 Revision B Proposed Site Plan (True North) (Not inclusive of Images A-D)
 - 2050-GTA-XX-XX-DR-A-1007 Revision H Proposed 'Cleaned Up' Site Key Plan
 - 2050-GTA-XX-XX-DR-A-1033 Proposed 'Cleaned Up' Site Plan
 - 2050-GTA-XX-XX-DR-A-1040 Proposed Site Plan (Presentation)
 - 2050-GTA-XX-XX-DR-A-1008 Revision J Proposed Part Site Plan & Fencing Details
 - 2050-GTA-XX-XX-DR-A-1009 Revision F Proposed Part Site Plan (Buildings North) Office & Warehouse
 - 2050-GTA-XX-XX-DR-A-1010 Revision H Proposed Part Site Plan (Production Buildings South)
 - 2050-GTA-XX-XX-DR-A-1011 Revision A Proposed Part Site Plan (South) Catchment Pond
 - 2050-GTA-XX-XX-DR-A-1013 Revision A Proposed Part Site Plan (North East)
 - 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule
 - 2050-GTA-XX-00-DR-A-1015 Revision C Proposed Production, Warehouse & Offices Overall Ground Floor Plan
 - 2050-GTA-XX-00-DR-A-1016 Revision C Proposed Production & Warehouse Ground Floor Plan
 - 2050-GTA-XX-00-DR-A-1017 Revision B Proposed Office Building Ground Floor Plan

- 2050-GTA-XX-01-DR-A-1018 Revision C Proposed Production, Warehouse & Offices Overall First Floor Plan
- 2017-GTA-XX-01-DR-A-0119 Revision C Proposed Production & Warehouse First Floor Plan
- 2050-GTA-XX-01-DR-A-1020 Revision D Proposed Offices First Floor Plan
- 2050-GTA-XX-02-DR-A-1021 Revision D Proposed Production, Warehouse & Offices Overall Second Floor Plan
- 2050-GTA-XX-02-DR-A-1022 Revision D Proposed Production & Warehouse Second Floor Plan
- 2050-GTA-XX-00-DR-A-1024 Revision C Proposed Roof Plan
- 2050-GTA-XX-XX-DR-A-1025 Revision G Proposed Overall Elevations
- 2050-GTA-XX-XX-DR-A-1026 Revision C Proposed Office Elevations
- 2050-GTA-XX-XX-DR-A-1027 Revision D Proposed Enlarged (Part) Production Elevations
- 2050-GTA-XX-XX-DR-A-1029 Revision B Proposed Elevations (Coloured) and Materials Schedule
- 2050-GTA-XX-XX-DR-A-1030 (Proposed Undercroft Plan)
- 2050-GTA-XX-XX-DR-A-1031 Revision A Proposed Engineering & Services Building Proposed Ground & First Floor Plans
- 2050-GTA-XX-XX-DR-A-1032 Revision A(Proposed Engineering & Services Building Proposed Second Floor Plans and Elevations
- 2050-GTA-XX-XX-DR-A-1034 Revision A Proposed Security Lodge/ Gatehouse Plans, Elevations & Images
- 2050-GTA-XX-XX-DR-A-1038 Proposed Office Block Sections
- 2050-GTA-XX-XX-DR-A-1035 Proposed Highway/ Site Entrance Alterations Plan
- 2050-GTA-XX-XX-DR-A-1036 Proposed Building Sections Sheet 1
- 2050-GTA-XX-XX-DR-A-1037 Proposed Building Sections Sheet 2
- 2050-GTA-XX-XX-DR-A-1039 Revision A Proposed Site Sections
- 021.038.PL01 Rev P1 Proposed Electrical Services External Lighting for Planning

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.

2. The development shall be carried out strictly using those materials specified on the approved plan(s) (Drawing No. 2050-GTA-XX-XX-DR-A-1029) 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).

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [Fisherman's Friends Factory, Fleetwood Flood Risk Assessment, Final Report v2.0, dated 15 October 2021, by Weetwood Services Ltd] and all mitigation measures detailed within section 5 of the FRA, including:
 1. Set the finished floor level at 6.72 m AOD

2. Finished floor levels of the buildings should be set at a minimum of 0.15 m above adjacent ground levels following re-profiling of the site.
3. Any proposal to modify ground levels should demonstrate that there is no increase in flood risk to the development itself, or to any existing buildings which are known to, or are likely to flood.
4. Access and egress to the site is available via Windward Avenue to the north of the site, leading to Amounderness Way (A585) to the west of the site.
5. Preparation of a Flood Warning and Evacuation Plan

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.

5. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with 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 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

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 nor drain into the National Highways existing highway drainage system.

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. Notwithstanding the submitted Flood Risk Assessment, prior to the commencement of development 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. 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 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.

7. No development shall commence until details of how surface water and pollution prevention will be managed during the construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include as a minimum:
- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, details of the discharge rate shall be proposed.
 - b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.
 - c) A detailed construction plan working method statement to detail measures taken with regards development, earthworks and drainage alongside the trunk road.

The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere; and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies; and in the interests of safety and maintaining the integrity of the A585 trunk road.

8. No part of the development hereby approved shall be commenced until the full design and construction details (including details of confirmation of compliance with the current Design Manual for Roads and Bridges, and a Construction and Earthworks Management Plan) of the surface water drainage pipe to be installed under A585 Amounderness Way has been submitted to and agreed in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water so it does not pose an undue flood risk on site or elsewhere in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework, and in the interests of safety and maintaining the integrity of the A585 trunk road.

9. Prior to the first use of the development hereby approved a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to and approved in writing by the Local Planning Authority.

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

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

10. Notwithstanding the submitted Geo-environmental Investigation Report, prior to commencement of the development, a remediation strategy (which shall also include any sampling of the groundwaters on the site, groundwater profiling and how affected) shall be submitted to and approved by the Local Planning Authority in writing. The approved scheme shall be implemented in full and validation of the agreed and approved remediation measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The potential for contamination and remediation of the site must be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31). The remediation of the site must take place prior to commencement of any development as such measures need to be taken early on to ensure remediation of the ground and any groundwater flows and watercourses has been carried out at the appropriately practical time before construction and occupation.

11. 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 (including 24 hour emergency contact number)
- (c) hours and days of deliveries and construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 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 (including swept path analysis showing access for the largest vehicles regularly accessing the site during construction and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures)
- (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)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (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 protect vulnerable road users (pedestrians and cyclists)

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).

12. Prior to the first occupation of any of the development hereby approved, a full Travel Plan comprising immediate, continuing, and long-term measures to

promote and encourage alternatives to single-occupancy car use, and including targets for monitoring and review, 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 development hereby approved for a period of not less than five years from the date of full occupancy of the development. The approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan Targets.

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. The development hereby approved shall not be brought into use until the parking and turning areas shown on the approved plans 2050-GTA-XX-XX-DR-A-1040 Proposed Site Plan (Presentation) and 2050-GTA-XX-XX-DR-A-1007 Revision H Proposed 'Cleaned Up' Site Key Plan, has been laid out, surfaced and drained. The parking and turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

14. Prior to the commencement of development, including ground works or vegetation clearance, a Construction Environmental Management Plan (CEMP) for Biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The CEMP Biodiversity shall include and specify the provision to be made for the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of 'biodiversity protection zones'.
 - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including the erection of appropriate visual screening at the north east part of the development and strategic tree planting to screen the functionally-linked land from the development.
 - e) The location and timing of sensitive works to avoid harm to biodiversity features.
 - f) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

- h) Use of protective fences, exclusion barriers and warning signs.
- i) Details of timings for piling works to avoid the wintering bird season (September to March inclusive) and the monitoring of breeding terns which are qualifying species of Morecambe Bay SPA whilst the piling works are taking place.
- j) Precautionary mitigation measures for species (such as fox)
- k) Measures to translocate northern march orchids

The development shall be implemented in full accordance with the approved CEMP Biodiversity.

Reason: Such details were not submitted with the application and need to be in place throughout the construction period in the interests of ecology and biodiversity in accordance with Policy CDMP4 of the Wyre Local Plan (2011-31).

15. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

For the avoidance of doubt the LEMP should include details of the long term management/enhancement of the habitat for reptiles, details of mitigation via off-site compensation for Grasshopper Warbler, Willow Warbler, Sedge Warbler and Whitethroat if it is not possible to retain habitat suitable for these species on site, and details of measures for other bird species (as set out in paragraph 8.1 of the document titled Annex Report 1: Ecological Desk Study November 2021 by Appletons).

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP shall be implemented in accordance with the approved details.

Reason: To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy CDMP4 of the Adopted Wyre Local Plan and section 15 of the National Planning Policy Framework.

16. The development hereby approved shall be implemented in full accordance with the submitted Annex 2: Reptile Survey And Mitigation Strategy by Appletons dated September 2021 including all the mitigation measures set out in section 6 of that report.

Reason: For the protection of reptiles and 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.

17. Prior to first use of the development and the erection of any external lighting, a 'lighting design strategy for biodiversity' for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and species associated with Morecambe Bay & Duddon Estuary SPA & Morecambe Bay Ramsar and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, (for example, for foraging or winter feeding grounds); and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

REASON: To prevent to disturbance to foraging bats and ecological species in accordance with Policy 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.

18. Prior to the commencement of development (including ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved by the Local Planning Authority. This protocol shall detail the containment, control and removal of Japanese Knotweed, Japanese rose, montbretia and sea buckthorn on site. The approved measure shall be thereafter carried out strictly in accordance with the approved scheme.

Reason: To ensure invasive non-native species of plants (controlled species) are effectively mitigated in accordance with the Wildlife and Countryside Act 1981 (as amended).

19. Notwithstanding the submitted Landscape Masterplan and Habitat Creation plans, no development shall take place until full details of habitat creation and

both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, details of restoration of 1.41 hectares of the biological heritage site within the site, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development 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, and to ensure adequate hardstanding surfaces within the site for highway access and drainage and manoeuvring in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

20. The development shall take place in accordance with the proposed finished floor levels and proposed land levels as shown on the following plans:
- 2050-GTA-XX-XX-DR-A-1009 Revision F Proposed Part Site Plan (Buildings North) Office & Warehouse
 - 2050-GTA-XX-XX-DR-A-1010 Revision H Proposed Part Site Plan (Production Buildings South)
 - 2050-GTA-XX-XX-DR-A-1011 Revision A Proposed Part Site Plan (South) Catchment Pond, and
 - 2050-GTA-XX-XX-DR-A-1013 Revision A Proposed Part Site Plan (North East)

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

21. Full details of the ten electric vehicle recharging points (EVCP) as shown with a 'lightening symbol' on plans 2050-GTA-XX-XX-DR-A-1040 (Proposed Site Plan (Presentation)) and 2050-GTA-XX-XX-DR-A-1007 Revision H (Proposed 'Cleaned Up' Site Key Plan), including type and mode of charging, shall be submitted to the Local Planning Authority prior to first use of the development hereby approved. No building shall be occupied until the electric vehicle recharging points have been provided in the car parking area for the

associated building to which they relate, and such electric vehicle recharging points 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).

22. Prior to commencement of any above ground works full details of the cycle parking/storage within the site (including location, design, and number) shall be submitted to and agreed in writing by the Local Planning Authority. The approved cycle parking/storage shall be installed prior to first occupation of any part of the development and thereafter maintained and retained.

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

23. The external waste refuse are as shown on plan no 2050-GTA-XX-XX-DR-A-1040 Proposed Site Plan (Presentation), shall be laid out and installed prior to first occupation of any building within the site. The external waste refuse area shall thereafter be retained for the lifetime of the development.

Reason: In order to ensure that waste storage is properly provided and managed for the development within the site in the interests of visual amenity in accordance with the provisions of Section 12 of the NPPF and Policy CDMP3 of the Adopted Wyre Borough Local Plan 2011-2031 (WLP31).

24. Prior to the installation of any solar panels on any of the buildings hereby approved full details of the design of the solar panels (including location, number, size and type), shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt any solar panels shall be installed as flush to the roof slopes of the building unless it is first demonstrated that this is not practical.

The solar panels shall thereafter be installed and retained in accordance with the approved details, unless any variation to the details is first agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with Policy CDMP3 of the Adopted Local Plan 2011-2031.

25. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) or Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) the entire rectangular three storey production and warehouse building (in the footprint shown at ground level shaded light pink, dark pink, green, and teal on plan 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule and including its floors above as shown at first floor level and second floor level respectively on plan 2050-GTA-XX-00-DR-A-1014 Revision A Proposed

Floor Area Plan & Schedule (referred to in this condition and condition 26 below as "Main Building") and its entire linked building to the north in the footprint shown shaded dark pink, dark blue and light purple to the north at ground floor level on plan 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule" on plan- 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule and including its floors above as shown at first and second floor respectively on the last said plan (referred to in to in this condition and condition 26 below as "Linked Building") shall be used for the purposes of classes B2 (general industrial) and B8(storage and distribution) only and for no other purpose or purposes whatsoever without prior express permission from the Local Planning Authority. No mezzanine floor shall be installed in any part of the Main Building without prior express planning permission from the local planning authority.

Reason: The use of the Main Building and the Linked Building for any other purpose, including offices, would require further consideration by the Local Planning Authority in accordance with Policies SP1, SP2, EP2, EP4, EP5, SA3/1, CDMP3 and CDMP6 the Wyre Local Plan (2011-31).

26. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking and re-enacting that Order with or without modification) or Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) Other Buildings hereby permitted and all open land within the site shall be used only for purposes which are ancillary to the use of the Main Building and Linked Building hereby permitted for the purposes of classes B2 (general industrial) and B8 (storage and distribution) and for no other purpose whatsoever without prior express planning permission from the local planning authority, and no part of the Other Buildings and no open land within the red edge of the application site shall be used as separate unit without prior express planning permission from the local planning authority.
- For the avoidance of doubt in this condition "Other Buildings" means all other buildings hereby permitted within the red edged site other than the Main Building and the Linked Building, being the security lodge/gatehouse, link area (in the footprint shown at ground floor level shaded light blue and grey on plan 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule and as shown at first and second floor level on the last said plan), and the office block containing staff facilities (in the footprint shown shaded yellow, orange, brown a and light blue at ground floor level on plan 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule and shown at first and second floor level on the last said plan) as shown on the following plans:
 - 2050-GTA-XX-XX-DR-A-1001 Revision A Site Location Plan
 - 2050-GTA-XX-00-DR-A-1014 Revision A Proposed Floor Area Plan & Schedule
 - 2050-GTA-XX-XX-DR-A-1034 Revision A Proposed Security Lodge/ Gatehouse Plans, Elevations & Images

Reason: For the avoidance of doubt, to prevent the over-development of the site, and as other such uses would require further consideration by the Local

Planning Authority in accordance with SP1, SP2, EP2, EP4, EP5, Policies SA3/1, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

27. If at any time during the implementation of the development hereby approved, contamination is encountered which has not been previously identified, the additional contamination shall be fully assessed and a specific contaminated land assessment and associated remediation strategy including timetable shall be submitted to and agreed in writing by the Local Planning Authority before the additional remediation works are carried out. The agreed strategy shall be implemented in full in accordance with an agreed timetable. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To prevent harm to human health and pollution of the environment in accordance with the aims and objectives of Policy CDMP1 of the Wyre Local Plan (2011 - 2031)

Reasons: -

Notes: -

1. This permission does not relate to the display of any advertisements which may require consent under the Town and Country Planning (Control of Advertisements) Regulations 1989.
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.
3. The applicant should be aware that the decision is subject to a separate legal agreement.