
ITEM 3I – 21/01473/FULMAJ – The Boatyard, Bolton Road, Houghton**The recommendation is updated as follows:**

It is recommended that Members be minded to approve the application subject to conditions and that the application be referred to the National Planning Casework Unit to determine whether the Secretary of State wishes to call the application in for a decision in accordance with the provisions of Part 4 of the Town and Country Planning (Consultation) (England) Direction 2021 because the proposal involves Green Belt development (which consists of or includes inappropriate development) comprising the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.

The following conditions are suggested:

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Title	Plan Ref	Received On
Site Boundary Treatment	P2101_SP(90)03 B	25 May 2022
Proposed Entrance Gate and Integrated Bin Store	P2101_SK(20)03 A	25 May 2022
Site Location Plan	P2101_SP(90)01	23 December 2021
Proposed Site Layout	P2101_SP(90)02 B	4 April 2022
Ground Floor Plan	P2101_PL(20)01 A	23 December 2021
First Floor Plan	P2101_PL(20)02 A	23 December 2021
Roof Plan	P2101_PL(20)05	23 December 2021
Site layout entrance visibility splay	P2101_SP(90)10 RevA	4 April 2022
Proposed Elevations	P2101_EL(20)01 A	23 December 2021
Annex Proposed Floor Plan	P2101_PL(20)07	23 December 2021
Annex Proposed Elevations	P2101_EL(20)04	23 December 2021
Drainage Strategy	2337-SCE-00-00- DR-C-0001-P01	22 March 2022
Attenuation Crate and Catchpit Details	2337-SCE-00-00- DR-C-0003-P01	22 March 2022
Drainage Construction Details	2337-SCE-00-00- DR-C-0002-P01	22 March 2022
Tracking Plan Marina Parking	P2101_SP(90)11 Tracking Plan Marina Parking Fire Tender Turn (new drawing)	4 April 2022
Tracking Plan Main Car Park	P2101_SP(90)12 Tracking Plan Main Car Park (new drawing)	4 April 2022
Tracking Plan Annex Car Park	P2101_SP(90)13	4 April 2022

	Tracking Plan Annex Car Park (new drawing)	
Tracking Plan Vehicle Turn Left In / Out	P2101_SP(90)14 Tracking Plan Vehicle Turn Left In/Out (new drawing)	4 April 2022
Tracking Plan Vehicle Turn Right In / Out	P2101_SP(90)15 Tracking Plan Vehicle Turn Right In/Out (new drawing)	4 April 2022

Reason: For the avoidance of doubt and in the interests of proper planning

3. The main office building hereby approved shall be used for Class E(g)i Office purposes only. The former annex building shall only be used for the following flexible uses:

Class E(a) display or retail sale of goods, other than hot food

Class E(b) sale of food and drink for consumption (mostly) on the premises

Class E(c) i financial services

Class E(c)ii professional services (other than medical services)

Class E(g)i office

And for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order

Reason: For the avoidance of doubt and to define the permission as other uses would warrant wider consideration in this location.

4. Prior to the commencement of development details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In the interests of the appearance of the development and to ensure that the materials used are visually appropriate to the locality.

5. Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CMP shall include and specify the provisions to be made for the following:-

a) The parking of vehicles of site operatives and visitors;

b) Loading and unloading of plant and materials used in the construction of the development;

c) Storage of such plant and materials;

d) Wheel washing and/or power wash and hardstanding area with road sweeping facilities, including details of how, when and where the facilities are to be used;

e) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)

f) Routes to be used by vehicles carrying plant and materials to and from the site;

g) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

6. No part of the development shall be brought into first use until the visibility splays shown on drawing P2101_SP(90)10 Rev A (as received by the Local Planning Authority on 4 April 2022) has been provided in full. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures

Reason: To ensure adequate visibility at the site access in the interest of highway safety.

7. No part of the development shall be brought into first use a scheme for the construction of the site access works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include, but is not limited to, the following:

Site access

An assessment of the street lighting

Provision of tactile paving

The approved access scheme and highway works shall be completed un full prior to first use of any part of the development.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interest of highway safety.

8. The car parking and manoeuvring areas shall be marked out in accordance with the approved site layout plan (Ref: P2101_SP(90)02B as received by the Local Planning Authority on 4 April 2022), prior to first use of any part of the development and shall be permanently maintained thereafter.

Reason: To allow for the effective use of the parking and turning areas to serve the development.

9. Lux levels from proposed lighting shall be limited to 1 lux at the site boundary.

Reason: To ensure that the proposal would not adversely affect bats.

10. The development shall be carried out in accordance with the measures in section 7.3 of the Preliminary Ecological Appraisal (Envirotech reference 7493 submitted 23rd December 2021).

Reason: To ensure that the proposal would not adversely affect badgers.

11. No works to trees, shrubs or hedgerows or demolition of any building shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and that appropriate measures in place to protect nesting bird interests on site. Written confirmation of such shall be submitted to the Local Planning Authority.

Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

12. Prior to any earthworks commencing a method statement setting out biosecurity measures for *Cotoneaster horizontalis* shall be submitted to and approved in writing to the Local Planning Authority. The approved method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: Due to the presence of invasive plant species on site.

13. No development shall take place until a statement is submitted to and approved in writing by the Local Planning Authority which outlines specific measures to ensure that there will be no negative impact on the ecological potential of the Leeds Liverpool Canal resulting from the disposal of any foul and surface water into the canal following the development of the site. The development shall be carried out in complete accordance with the approved details and retained thereafter.

Reason: To protect the ecological quality of the canal.

14. Prior to the commencement of development, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify how the canal will be protected during the works, including details of any protective fencing, the location of construction equipment and stockpiles, and steps that will be taken to prevent the discharge of contaminated surface water, silt-laden runoff, materials, dust, debris or any accidental spillages towards the canal. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent the exposure of the canal to pollution, and to protect the biodiversity of the canal corridor in accordance with the aims of paragraph 174 of the National planning Policy Framework.

15. Prior to the first use of any part of the development a biodiversity and landscape mitigation and enhancement plan including but not restricted to the use of native trees and provision of bird nesting opportunities shall be submitted to and approved in writing to the Local Planning Authority. This shall also include a timeframe for implementation. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the proposals enhance biodiversity.

16. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

17. The development hereby permitted shall be carried out in complete accordance with the tree protection measures set out in section 5 of the Tree Survey (Updated January 24th 2022) submitted 24th February 2022, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise impacts on retained trees.

18. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 2337-SCE-00-00-DR-C-001, Rev P01 (prepared by Shape - Dated 14th March 2022) For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of any part of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

19. No development shall commence until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;

iii. 1% (1 in 100-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep.

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
- vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

d) Evidence of an assessment of the existing on-site surface water drainage systems to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

f) Evidence of an agreement in principle with the third-party asset to connect to the off-site surface water body. The sustainable drainage strategy shall be implemented in accordance with the approved details

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance, Defra Technical Standards for Sustainable Drainage Systems and Policy 17 of the Central Lancashire Core Strategy.

20. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- 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.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

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 during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

21. No part of the development shall be brought into first use until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

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 sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

22. No part of the development shall be brought into first use until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, 5 outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

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 the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

23. No development shall take place until a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal has been submitted to and approved in writing by the Local Planning Authority. The details shall:

- o Include the design, depth and means of construction of the foundations of the building, together with any other proposed earthmoving and excavation works required in connection with the development;
- o demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal or canal infrastructure;
- o Include a methodology for any proposed piling works, including measures to reduce the impacts of any vibrations on the canal;

o Include a methodology for works associated with the marina vehicle parking area including cross sections showing relevant measurements relative to the canal, and steps to prevent additional loading;

o Include details specifying how the canal will be protected during the works and include any details of proposed protective fencing to be erected to safeguard the waterway infrastructure during construction;

The development shall only be carried out in strict accordance with the agreed Risk Assessment and Method Statement.

Reason: To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 183 and 184 of the National Planning Policy Framework.

24. Prior to commencement of development a report that identifies any potential sources of contamination on the site and where appropriate, necessary remediation measures shall be submitted to and approved in writing by the Local Planning Authority. The report should include an initial desk study, site walkover and preliminary risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development should thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report

Reason: To ensure any potential contamination is identified and treated appropriately.
