

APPLICATION REPORT – 24/00252/FUL

Validation Date: 28 March 2024

Ward: Chorley South West

Type of Application: Full Planning

Proposal: Erection of building (Use Class E) and car park alterations

Location: Land 50M North Of Sycamore House Keepers Wood Way Chorley

Case Officer: Chris Smith

Applicant: Mr Lee Cain

Agent: Miss Courtney Evason

Consultation expiry: 12 September 2024

Decision due by: 14 February 2025 (extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions.

SITE DESCRIPTION

2. The application site is located within the settlement area of Chorley as defined by the Chorley Local Plan 2012-2026 and it occupies a broadly rectangular plot of land that sits between the B5252 to the west, Burgh Wood Way to the north and Keepers Wood Way to the east. To the south the site is bounded by a pair of retail units with a residential apartment block located behind these. There are noticeable changes in land levels between the site and the public highway to the west, which sits at a lower land level than the site. The character of the area is that of a residential suburb, whilst there is open countryside beyond to the west.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission for the erection of a building falling within the commercial, business and service use class. The proposed building would be a single storey structure of modern design measuring approximately 28m by 9m. It would have a flat roof of approximately 5.6m in height. The proposed building would be sited centrally within the site with the car parking area to be located above the retail unit. There would be a one-way access system with vehicles entering and existing the site from Keepers Wood Way.
4. The application is a resubmission of planning application ref: 17/00736/FUL, which was approved by the Council in January 2018, and which was not implemented with the permission no longer remaining extant. This current proposal has been submitted with the intention that it is used for a Pilates studio, however, it could be used for a range of uses within class E including retail.

BACKGROUND INFORMATION

5. A site development brief for the development of the Gillibrands estate was finalised in June 1996. This first set out the principle of having a local centre near to what is now the

Gillibrand Link Road. A minimum of 700 square metres for the shop site was to be identified within the estate. This concept was formalised in a subsequent Development Agreement and planning permissions granted in the late 1990s. From the mid-1990s an Officer Working Group oversaw the Gillibrand development and was closely involved with the developers.

6. Within the agreement the developers are required to make provision for and market the site for local shopping provision. If at the end of the marketing exercise, there is no interest in the shopping site then the developers would be able to put forward schemes for additional housing development.
7. Outline planning permission was granted in 2007 (app ref: 06/00908/OUT) to develop the site as a shopping area to include use classes A1, A2, A3 and A5. This outline permission has lapsed as although the associated housing developments have been completed, the developers failed to highlight evidence of either marketing details or an application for Reserved Matters on the proposed retail site. The outline consent, which was for 4no. retail units, lapsed on 7th August 2009. Planning permission was then granted in 2013 (app ref: 13/00708/FUL) for the erection of 3no. retail units with associated access, parking and landscaping. This resulted in the development of the retail units that exist on site currently, with the notable absence of a neighbourhood convenience retail store.

REPRESENTATIONS

8. Nine representations have been received citing the following grounds of objection to the proposed development:
 - Impact on streetscene
 - Ecological impacts due to loss of trees and shrubs
 - Disruption to residents during construction
 - There are easier sites to develop
 - Questionable as to whether a Pilates studio would be viable
 - Traffic and highway safety
 - Impact on access for emergency services
 - The development should be for a shop
 - Drainage and flooding
 - No provision for any biodiversity net gain
 - No neighbour notification letters posted to residents
 - Noise
 - Out of keeping with the residential character of the area

CONSULTATIONS

9. Chorley Council's Tree Officer – Have stated that the proposed would result in the removal of 7no. semi-mature trees the loss of which should be mitigated with appropriate replanting.
10. Coal Authority – Have stated that in accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas a Coal Mining Risk Assessment is required to support the application. As no relevant information has been submitted they object to the proposed development.
11. Greater Manchester Ecology Unit (GMEU) – Have not raised any objections to the proposed development, subject to conditions.
12. Lancashire Highway Services (LCC Highways) – Have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site, subject to conditions.
13. United Utilities (UU) – Have no objections to the proposed development, subject to conditions.

PLANNING CONSIDERATIONS

Principle of development

14. The application site is located within the core settlement area of Chorley. Policy V2 of the Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
15. The application seeks permission for a building that would fall within the commercial, business and service use class E of the Town and Country Planning (Use Classes) Order 1987 (as amended), which includes a number of main town centre uses. The application site is located in an out of centre location. The National Planning Policy Framework 2024 (The Framework) at Annex 2: Glossary provides that an edge of centre location is one that is well connected to, and up to 300 metres from a primary shopping area, which is an area where retail development is concentrated. The application site is, therefore, located within an edge-of-centre location and proposes a main town centre use
16. Paragraph 91 of The Framework states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
17. Paragraph 92 of The Framework states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
18. Core Strategy policy 11 (Retail and Town Centre Uses and Business Tourism) of the Central Lancashire Core Strategy provides, among other things, that retail and other town centre uses of a scale appropriate to the retail hierarchy and in sustainable locations will be supported ; and that retail and main town centre uses will be delivered in a number of ways including maintaining, improving and controlling the mix of uses in the existing District and local centres so as to appropriately serve local needs.
19. Policy EP9 of the Chorley Local Plan 2012 - 2026 specifically relates to development in Edge-of-Centre and Out-of-Centre Locations and reflects the thrust of the Framework. This states that:
Outside the town, district and local centres, change of use and development for small scale local shopping and town centre uses (either as part of mixed use developments or in isolation) will be permitted where:
 - a) The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; and
 - b) Does not harm the amenity of an adjacent area; and
 - c) The Sequential Test and Impact Assessment are satisfied setting out how proposals do not detract from the function, vitality and viability of the borough's hierarchy of centres.
20. In this particular case it is not considered that a sequential test would be required on the basis that there is an extant planning obligation for the whole Gillibrand site to provide a local centre with approximately 700 square metres of retail provision within the estate. The application site was previously designated for retail within a masterplan prepared as part of planning permission ref: 96/00727/CB4, where the developers were required under the terms of a Section 106 Agreement to seek further consent for the provision of local shopping facilities. Outline planning permission was subsequently granted in 2006 through planning permission ref: 06/00908/OUT for 'enhancement of shopping area to include use classes A1, A2, A3 and A5'. While this permission lapsed, planning permission was subsequently granted for 3no. retail units under planning permission ref: 13/00708/FUL.

21. Consequently, it is clear from the planning history of the site, that it has always been intended that retail provision would be made on the application site. The Council are party to the original (and subsequent supplemental) S106 Agreement and Development Agreement on this site, which established the principle of retail provision. The same approach was also taken in the assessment of planning permission ref: 17/00736/FUL, which granted planning permission for the erection of 1no. retail unit identical to that which is now proposed. This demonstrates that the principle of commercial, business and service uses at the site is acceptable, as there have been no material changes in policy or circumstances affecting this site or such a proposal since planning permission was previously granted in August 2018.
22. As such, the principle of the proposal is considered to be acceptable in this location, subject to the other considerations as outlined below.

Design and impact on the character of the area

23. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012-2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
24. The character of the locality is that of a residential suburb, however, the immediate area of the site is relatively mixed and varied in its type and form with existing retail units located immediately to the south of the site and a 3-storey residential apartment block located to the rear of the units. Whilst the design of the proposed building would be relatively functional, the site sits somewhat apart from the residential development to the south and east, and the development would be viewed against the backdrop of the existing retail units with which it would form a cluster. Furthermore, the building would be constructed into the sloping bank, which forms the site and due to this and its low overall height it would not be an overly prominent addition despite being visible from the adjacent highways. The site would be most visible from within the car park area with only limited visibility from the public vantage points located within the residential areas to the south and east.
25. It is considered that the design and layout of the proposed development would be compatible with the appearance of the site and character of the area. The development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of design.

Impact on neighbour amenity

26. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012-2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
27. To the south the site is immediately adjoined by existing commercial units with a residential apartment block located to the rear of the units. The apartment block is sited at a higher land level than the proposed finished floor level of the proposed unit, which reduces the potential for impact upon the occupiers of the apartments, as does the degree of separation between the site and the apartment block of approximately 30m. Given that the proposed unit would be partially constructed into the banking within the site, the only element of the development that would be visible from the residential apartments would be the car parking court, which is to be built above the proposed unit. Due to this and the northern orientation of the development relative to the apartments, it is not considered that the proposed development would have any unacceptable adverse impacts on neighbouring amenity as a result of light loss or overbearing.

28. It should also be noted that previous approvals at the site (app ref: 06/00908/OUT) incorporated use classes A1, A2, A3 and A5, which were considered to be acceptable in respect of the impact on the amenity of the occupiers of residential developments adjacent to the site. Although the previous mix of uses had the potential to include late night opening uses, in particular takeaways, it was concluded that the uses would not have had an unreasonable impact upon neighbour amenities. The current proposals only incorporate those uses that fall within the commercial, business and service use class and are relatively low intensity uses that are less likely to impact on neighbour amenities through late night activity than a hot food takeaway from instance. However, it is proposed necessary to limit and control the hours of operation due to the residential nature of the area. This is to be secured by a suitably worded planning condition attached to any grant of planning permission.
29. On the basis of the above assessment, it is considered that the proposed development would not result in any unacceptable harm to the amenity and living conditions of nearby residents, and the development complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of amenity.

Highway safety

30. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
31. LCC Highways have stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
32. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for new development as the provision of 10no. spaces for a proposal of this size i.e. a retail establishment with approximately 144 square metres of floorspace (1 per 14sqm of public floorspace and 3no. disabled parking bays). The applicant has provided evidence to demonstrate that a total of 25no. car parking spaces and 3no. disabled car parking spaces would be provided across the entire site. Consequently, the proposal is considered to comply with Policy ST4 of the Local Plan and LCC Highways have confirmed that the car parking provision of 28no. spaces along with the proposed cycle stands is acceptable.

Ecology

33. Policy BNE9 of the Chorley Local Plan 2012-2026 of the Local Plan sets out how development should safeguard biodiversity. Any adverse impacts on biodiversity should be avoided, and if unavoidable should be reduced or appropriately mitigated and/or compensated.
34. Policy BNE11 of the Chorley Local Plan 2012-2026 states that planning permission will not be granted for development which would have an adverse effect on a priority species, unless the benefits of the development outweigh the need to maintain the population of the species in situ.
35. Whilst no ecological information was submitted in conjunction with approved planning application ref: 17/00736/FUL, since this time, biodiversity net gain (BNG) has become a mandatory requirement under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). Under the statutory framework for BNG, subject to some exemptions, every grant of planning permission in England is deemed to have been granted subject to the condition that the

biodiversity gain objective is met ('the biodiversity gain condition'). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the predevelopment biodiversity value of the onsite habitat. Chorley Borough Council have published a Biodiversity Net Gain (BNG) Policy Statement providing guidance on BNG.

36. In this case, however, the application was made valid by the Council from 28 March 2024, prior to the date on which mandatory BNG came into effect for non-major developments (2nd April 2024) and for this reason the proposal is exempt from mandatory BNG and is not subject to the general biodiversity gain condition. Notwithstanding this, the Council's appointed ecological consultant at the Greater Manchester Ecology Unit (GMEU) advised that although the proposal is not subject to mandatory net gain, the Framework still requires applications to achieve a measurable net gain in biodiversity. In order to demonstrate this, the application is supported by a Preliminary Ecological Appraisal, BNG Assessment and a BNG metric. GMEU have stated that the BNG metric demonstrates that the proposals will result in a net loss of biodiversity and to mitigate for this, offsetting will be required, however, no information has been provided to demonstrate as to where this will be. GMEU also stated that works that will impact on habitats where nesting birds may be present should not be undertaken in the bird breeding season (March-August inclusive), unless nesting birds have been found to be absent by a suitably qualified person.
37. Paragraph 193 a) of the Framework states that planning permission should be refused if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for. However, in this case it is noted that planning permission for an identical development albeit without any biodiversity gain was granted under planning application ref: 17/00736/FUL and as noted earlier in the report, it has always been intended to develop the site for a retail unit and due to the relatively small proportions of the site, it is not considered that the proposed development would cause significant harm to biodiversity. Neither the Council's ecology consultant or biodiversity net gain project lead have stated that the development would lead to significant harm to biodiversity. Having regard to the above, and subject to relevant conditions securing adequate mitigation, it is considered that the nature conservation interest would be sustained. The proposal is therefore considered to accord with Chorley Local Plan policy BNE9 and BNE11 in respect of ecology.

Flood risk and drainage

38. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
39. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
40. It is recommended that the applicant implements a scheme in accordance with the surface water drainage hierarchy outlined above

Coal mining risk

41. The site located within the defined Development High Risk Area in respect of coal mining features at surface or shallow depth, which can pose a potential risk to surface stability and public safety. For this reason, planning application ref: 17/00736/FUL was accompanied by a desk-based Coal Mining Risk Assessment Report (CMRA) (dated 30 July 2013) by LK Consult Ltd. The Planning Officer's delegated report for planning application ref: 17/00736/FUL stated that The Coal Authority's records indicate that the site is located in an

area where historic unrecorded underground coal mining activity has taken place at shallow depth. Records also indicate that a thick coal seam outcropped across the site.

42. The CMRA was informed by an appropriate range of sources of information, including a Coal Mining Report, historical mapping, geological mapping and borehole data. Based on this review of sources of geological and mining information, the Report correctly identified the coal seam outcrops within the vicinity of the site and confirms that an intrusive investigation will be required to confirm ground conditions and to identify any necessary remedial measures/mitigation.
43. In their formal written response to planning application ref: 17/00736/FUL, The Coal Authority stated that they concur with the recommendations contained within the CMRA; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to the development in order to establish the exact situation regarding coal mining legacy issues on the site. The CMRA and previous comments provided by The Coal Authority are still considered to be pertinent and, therefore, it is recommended that the necessary site investigation works be secured by means of planning conditions.

Community infrastructure levy

44. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development, and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

45. The proposed development is acceptable in principle, and it would not have an unacceptable adverse impact on the character and appearance of the existing site and the surrounding area or the amenity of neighbouring residents. Nor would it cause any significant harm to highway safety or ecology. Consequently, it is recommended that the application is approved, subject to conditions.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested Conditions

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. Prior to the commencement of development samples 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: To ensure that the materials used are visually appropriate to the locality.

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

Title	Plan Ref	Received On
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Location Plan	SAA.3878.1	28 March 2024
Proposed Elevations and Floorplans	MP126 (PL) 100 Rev B	28 March 2024
Proposed Site Plan	MP126 (PL) 101 Rev B	28 March 2024

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

4. No development shall commence until;

- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

5. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 189 and 190 of the National Planning Policy Framework.

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

- 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 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.

7. No works to trees, shrubs or hedgerows 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 put in place to protect nesting bird interests on site.

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

8. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

9. No development above DPC level shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

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

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

10. A scheme for the landscaping of the development and its surroundings shall be submitted prior to any works taking place above DPC level. These details shall include 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 changes of ground level or landform. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat and provide a net gain in the biodiversity value of the site.

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.

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.

11. Prior to the first use of the approved building, details of a scheme for the mitigation and biodiversity enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority.

These should include:

- o Bat bricks and/or boxes within the new development
- o Bird boxes

The approved mitigation measures shall be carried out prior to the occupation of the dwelling.

Reason: To create biodiversity enhancements, in accordance with the National Planning Policy Framework.

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

- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Wheel washing facilities;
- o 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)
- o Routes to be used by vehicles carrying plant and materials to and from the site;
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reason: to 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.

13. The car parking and manoeuvring areas shall be marked out in accordance with the approved plan before the use of the premises hereby permitted becomes operative and permanently maintained thereafter for communal use only and no spaces shall be reserved for individual premises.

Reasons: To allow for the effective use of the parking areas.

14. Cycling facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

Reasons: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.

15. The retail unit hereby permitted shall only operate between 07:00 and 21:00 on Mondays to Sundays.

Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.

16. The development hereby approved shall be used for Class E purposes 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: To define the development.

RELEVANT HISTORY OF THE SITE

Ref: 13/00708/FUL **Decision:** PERFPP **Decision Date:** 30 August 2013
Description: Erection of three retail units (Class A1) with access, parking and landscaping.

Ref: 15/00514/DIS **Decision:** PEDISZ **Decision Date:** 22 June 2015
Description: Application to discharge conditions 4 (material samples), 6 (landscaping), 14 (Construction Method Statement), 15 (fences and walls), 17 (permeable materials) 18 (ground

contamination), 19 (gas control measures), 20 (parking) and 21 (lighting) attached to planning approval 13/00708/FUL

Ref: 15/00591/FUL **Decision:** PERFPP **Decision Date:** 28 October 2015

Description: Section 73 application to vary condition 16 (surface water drainage) and condition 17 (permeable hard-standing areas) attached to planning approval 13/00708/FUL

Ref: 16/00058/FUL **Decision:** PERFPP **Decision Date:** 2 March 2016

Description: Section 73 application to vary conditions 7 (BREEAM), 8 (Design Stage Assessment) and 9 (letter of assurance) attached to planning approval 15/00591/FUL

Ref: 16/00104/DIS **Decision:** PEDISZ **Decision Date:** 4 April 2016

Description: Application to discharge conditions 12 (noise assessment) and 17 (gas protection measures) attached to planning approval 16/00058/FUL

Ref: 17/00736/FUL **Decision:** PERFPP **Decision Date:** 12 January 2018

Description: Construction of a new single storey unit for flexible use as retail or financial and professional (classes A1 and A2) and alterations to the car park layout.