

Item A. 1 **05/00392/FULMAJ** **Permit Full Planning Permission**
05/00393/FULMAJ **Permit Full Planning Permission**

Case Officer **Mr Simon Pemberton**

Ward **Chorley North East**

Location **Land Between M61 Motorway And Leeds And Liverpool Canal, Millennium Way, Chorley, Lancashire,**

Applicant **Bluemantle**

Site: The site comprises part of the land between the M61 Motorway and the Leeds and Liverpool Canal to the north of Botany Bay Mill. The northern boundary is the A674 (Millennium Way) from which access is gained from the existing roundabout. The site extends to some 5 hectares in total.

Background: This area of land has been the subject of lengthy discussions with your officers. There have been previous permissions on the site that are detailed below. This application forms part of a group of applications submitted for consideration, including:

Ref: **05/00392/FULMAJ**
Proposal: Erection of two storey office unit with associated car parking.

Ref: **05/00393/FULMAJ**
Proposal: Erection of 2 single storey industrial units with associated service yards and car parking.

Ref: **05/00394/OUTMAJ**
Proposal: A mixed-use development of mainly B1 (Offices & Light Industry), B2 (General Industry) and B8 (Warehousing & Distribution) use classes with site entrance allocated for C1 (Hotels) & A4 (Pubs & Bars) use classes (details of means of access only).

Ref: **05/00455/FULMAJ**
Proposal: The construction of a 100 bed hotel (C1) and public house/restaurant (A3/A4)

This report deals with the first two of the above applications, namely the two detailed applications for the office and the industrial buildings. The second two applications will be the subject of a separate report at a later date, as there remain a number of issues outstanding, particularly in respect of the appropriateness of the location for a hotel and pub development. Information required to assess the merits of the proposal remains outstanding, namely a sequential test and accessibility, sustainability and needs assessment. However, by way of background and due to the linked nature of the proposal reference is made to the other applications where appropriate below.

These applications were originally submitted in April 2005. The first three applications have been received submitted on behalf of Bluemantle, the potential purchaser of the site. Originally it was indicated that they were the owners of the site. It has since transpired that they were not, and Notice has had to be served on the current owners. As a consequence the applications were invalid until the correct certificate was received on the 25 November 2005.

The outline application (05/00394/OUTMAJ) covers most of the site allocated at EM1.9 (some 5.85 hectares allocated in total). The outline application only includes details of access (effectively by the existing access road). Whilst originally a set of illustrative material had been included (plans and elevations of some of the buildings) this has subsequently been withdrawn and no indicative siting is shown. In addition a Transport Assessment (and Travel Plan), an Ecological Assessment and a Design Statement have also been submitted.

The two detailed applications, references 05/00392/FULMAJ and 05/00393/FULMAJ are full planning applications for small parts of the site that are also covered by the outline application.

A transport assessment accompanies the applications, as does a sequential approach for the development of the site for offices outside the town centre. An ecological assessment of the site has also been submitted. Finally, a design statement has been submitted to support the rationale behind the form of the building and design principles.

A separate detailed application has subsequently been submitted on behalf of Mitchells and Butler (Vintage Inns) for a Hotel and Public House on the northernmost part of the site adjacent to the A674 roundabout. It is understood that the hotel operator is Ramada, although this is not specified in the application submission. The applicant originally incorrectly indicated that Bluemantle were the owners of the site. As a consequence the applications were invalid until the correct certificate was received on the 7 November 2005.

Planning History:

In addition to the current applications referred to above, there has been a previous outline planning permission for the redevelopment of the site, under reference 97/00247/OUT. This decision gave permission for a business and leisure development, including offices, research and development, light industry, general industry, distribution and warehousing, pubs and restaurants, hotel and leisure. However, no reserved matters were ever submitted. The permission has never been implemented and it has now lapsed as the period of time for submission of reserved matter has now expired.

A series of temporary planning permissions has been granted for the access road into the site serving the existing Mill, references 00/00237/FUL, 01/00173/FUL, 02/00312/FULMAJ,

03/00076/FULMAJ, 04/00116/FULMAJ, and 05/00207/FULMAJ. A further current application has been submitted to extend the consent for a further year, reference 06/00045/FULMAJ.

Proposals:

The proposed development is accessed from the A674 roundabout that has previously been already been constructed and adopted by the Local Highways Authority. A section of the road has already been constructed. It is proposed to remove the part that has temporary permission and construct a new road that serves all the proposed development and the existing Mill beyond.

The specific elements of the two applications the subject of this report are identified below:

Ref: 05/00392/FULMAJ

This application has been submitted in full and proposes the erection of two storey office building (unit C) together with associated parking and landscaping. The site extends to 0.3591 hectares (0.88 acres) and is adjacent to the canal and the main site access. The proposed building has some 929m² (10,000sq. ft) of floorspace and parking is provided for 33 cars. Two spaces have been identified for the disabled and provision made for cycle parking and bin storage.

The building measures 36.4m by 13.6m and is 6.4 metres high to the eaves and 7.5 metres to the ridge. There is a fire escape circular stair at either end. The building is indicated to be predominantly finished in brick with some elements of cladding. Areas for landscaping and tree planting have been indicated on the submitted plans.

The applicant has submitted amended plans that revise the elevational appearance of the proposed building. These take more of the design cues from the canal and existing mill building, with a greater vertical emphasis to the fenestration, better reflecting the type of building that may have been in this location historically. The materials proposed are a red brick on a plinth with terracotta gutters and downpipes. The fenestration has been indicated to be grey polyester powder coated with a similar coloured roof. Whilst the design remains modern, it is more appropriate to its location than the original scheme that was submitted. Internally the buildings proposed are largely open plan with a central atrium incorporating the reception, lift, stairs and toilets.

The majority of the existing hedge along the boundary with the canal is shown for retention, although provision is made for pedestrian access to the towpath.

Ref: 05/00393/FULMAJ

This application, submitted in full, proposes the erection of 2 single storey blocks of industrial buildings (unit J and H) together with associated parking, service yards and HGV manoeuvring

areas. The proposal is centrally located within the site with an existing area of woodland located between the proposal and the adjacent M61 slip road.

To the south of the proposed building is an existing ditch, which is proposed to be largely retained. This ditch has an existing culvert near the canal that it is proposed to re-open. The main site access road crosses the ditch that will entail a short section of culvert. However, this is equivalent to the existing length of culvert.

The two buildings proposed on the application are referred to on the plans as building H and J. Unit H has a floorspace of 1348m² (14510 sq. ft) divided into four units each of 334m² (3595 sq. ft). The building measures 50.6m by 27.5m and is 6.4m high to the eaves and 8.2m to the ridge. Unit J has a floorspace of 1964m² (21,140 sq. ft) and is divided into 5 units (four with a floorspace of 338m² (3650sq. ft) and the other with 595m² (6400sq. ft). Unit J measures 77.7m by 26m and is 6.4m high to the eaves and 8.2m to the ridge. Parking is shared in an area between the two buildings and includes 53 spaces, incorporating provision for the disabled and cyclists.

Both Buildings are indicated to be finished in brick with some elements of cladding. The elevations have been amended to improve the quality of the design of the proposed building. This has been to demonstrate greater regard for the context of the site, including the adjacent mill building. The applicant has introduced more brick into the elevational treatment, particularly at the prominent end of the building adjacent to the main access road. The fenestration has also been amended to introduce greater vertical emphasis to the external appearance of the proposed building.

Other Applications: In addition to the above two application, there are two other current applications submitted to the Local Planning Authority. There remain a number of outstanding issues for these applications. In particular the sequential test/need issues, the design of the proposal and the appropriateness of the location of the public house. Whilst these issues remain outstanding, it is hoped that the applicant will submit additional information that will enable this application to be presented to Committee on the 6 March 2006. The consideration of the applications the subject of this report will not prejudice the determination of these other applications in due course.

Application 05/00394/OUTMAJ is submitted in outline with all matters reserved except access (no details of siting, design, external appearance or landscaping to be agreed although some illustrative material has been submitted) and proposes a mixed-use development of mainly B1 (Offices & Light Industry), B2 (General Industry) and B8 (Warehousing & Distribution) but also includes a Hotel (C1) and pub/restaurant (A4).

Application 05/00455/FULMAJ proposes the construction of a 100 bed hotel (C1) and public house/restaurant (A3/A4) in the north western most corner of the site with frontage to the access and the A674. Finished floor levels are uncertain although the applicants have indicated they would wish to raise the ground levels to increase the prominence of the building. The pub is domestic in scale and has the appearance of an old cottage. It is similar to their recent development at Three Rings (Bamber Bridge) in South Ribble.

Development Plan: The site is allocated in the Chorley Borough Local Plan Review 2003 for employment purposes by policy EM1, which states:

“The following sites are allocated for business, general industrial or storage and distribution (Use Classes B1, B2 or B8 respectively). Sites EM1.3, EM1.12, EM1.16 and EM1.18 are also allocated for financial and professional services (Use Classes A2). Site EM1.9 is also suitable for a hotel, pubs, restaurants, and leisure uses.

<u>Ref</u>	<u>Location</u>	<u>Hectares</u>	<u>Use Classes</u>
4.	Botany/Great Knowley	14.1	B1, B2
9.	M61/Botany, Chorley	B 5.85	B1,B2,B8, C1”

The County Council have issued a Statement of Non-Conformity in relation to Policy EM1 in that there is an identified oversupply of employment land. The policy is therefore contrary to Policy 14 ‘Business and Industrial land Provision’ of the Joint Lancashire Structure Plan (2005). In addition the policy does not quantify the amount of land allocated for Offices. As such the policy is also contrary to Policy 17 ‘Office Development’ of the Joint Lancashire Structure Plan (2005). Policy EM1 therefore has no weight as part of the Development Plan.

Furthermore, in relation to the specific allocation at EM1.9 they have stated that this is not in conformity with Policy 16 ‘Retail, Entertainment and Leisure Development’ of the Joint Lancashire Structure Plan (2005) in that retail, entertainment and leisure development should be located in town centres. They advise that a sequential approach should be adopted to site selection. Furthermore, Policy 18 ‘Major Hotel Development’ states that exceptionally major new hotels can be located elsewhere where a need can be demonstrated and the site is accessible by public transport. In demonstrating need Lancashire County Council have advised that it is necessary to indicate that the need cannot be met in sequentially preferable locations.

In addition to the above, the following other policies in the Development Plan are relevant to the proposals:

Regional Spatial Strategy for the North West (RPG13):

DP1	Economy in the use of land and buildings
DP3	Quality in New Development

DP4	Promoting Sustainable Economic Growth and Competitiveness and Social Inclusion
EC2	Manufacturing Industry
EC7	Warehousing and Distribution
EC8	Town Centres – Retail, Leisure and Office Development
ER5	Biodiversity and Nature Conservation

Joint Lancashire Structure Plan (2005):

Policy 1	General Policy
Policy 2	Main Development Locations
Policy 7	Parking
Policy 21	Lancashire's Natural and Manmade Heritage

Chorley Borough Local Plan Review 2003:

GN5	Building Design and Retaining Existing Landscape Features and Natural Habitats
GN9	Transport Accessibility
EP9	Trees and Woodland
EM2	Development Criteria for Industrial / Business Development
TR1	Major Development – Tests for Accessibility and Sustainability
TR4	Highway Development Control Criteria
LT9	The Leeds Liverpool Canal
LT10	Public Rights of Way

Policies TR8, TR18, LT1 of the Chorley Borough Local Plan Review 2003 have been superseded by policies in the Joint Lancashire Structure Plan (2005).

Consultation:

The following comments have been received:

United Utilities – Have no objections subject to suitable controls being placed on surface water drainage, and that it may require a pumped connection to the public sewer.

English Nature – That a survey for the presence of water voles be carried out before permission is granted as they are protected under Schedule 5 of the Wildlife and Countryside Act 1981.

Head of Environmental Services – No comments to the original application however, a desktop study has been requested in response to the amended plans and any identified remediation works undertaken.

Lancashire Wildlife Trust – That further survey work is undertaken in respect of water voles, and that they object to the culverting of any watercourse.

LCC Ecology – Objected to the original application due to inadequacies in the submitted survey and ecological assessment.

LCC Planning – Have made comments on the development proposed as a whole. They have raise objection to the hotel and the public house but have raised no strategic planning issues in relation to the office and industrial development.

Environment Agency – The Agency originally objected to the applications on the basis of the additional culverting to the detriment of the aquatic environment and flood storage capacity. However, they have raised no objection to the amended submission as it offers suitable mitigation and the removal of the existing culverted ditch. They do however recommend the imposition of conditions to secure the appropriate mitigation.

British Waterways – Raise no objection to the principle of the proposed development although they wish to consider the detailed construction techniques of certain elements in due course. They request that no surface water is discharged into the canal.

LCC Highways – No comments received at the time of drafting the report.

Highways Agency – Originally issued a Direction preventing the determination of the application and requested detailed additional information to supplement the original transport assessment. This information has now been forthcoming and by letter dated 12 December 2005 they have raise no objection to the proposed development.

Ramblers Association – Question what provision has been made for the retention of the footpath that crosses the site (Chorley 26). They wish to secure adequate screening etc and ensure that it is not part of a vehicular access. They confirm that provided provision is made for its retention that they would have no objections to the proposed development

Neighbours:

The following comments have been received from nearby residents:

104 Blackburn Road – The proposal would have a detrimental impact on the area in terms of traffic congestion and associated environmental nuisance. They consider it will impact upon highway safety, result in increased pollution and represents an inappropriate use of the land and an unnecessary encroachment into the countryside.

94 Blackburn Road – The proposed development is totally unacceptable in terms of scale, appearance and design of the proposal bearing in mind its semi-rural context; the noise and disturbance arising from the activity; light pollution; additional traffic on Blackburn Road causing further congestion and highway safety problems; they would wish to see significant areas of landscaping if permission was granted.

118 Blackburn Road – Concerns regarding the scale of the development and the access arrangements with additional traffic at the motorway junction and other roads in the vicinity.

179 Town Lane – The proposal is totally out of character with the surrounding countryside, impacts significantly on the ecology of the site, and will exacerbate existing highways problems. They consider that the protection of the rural character is more important than constructing an industrial estate.

102a Blackburn Road – objects on the appropriateness of the proposed uses given that there is already a hotel and two pubs in the vicinity as well as the ongoing development at Buckshaw Village. That the proposal would exacerbate existing traffic problems, significantly affecting Blackburn Road, which is used by traffic to avoid the A6.

A further local resident, of unknown address, has written expressing concern regarding the impact of traffic generated by the proposed development, particularly at the junction of the A674 and Blackburn Road (B6228) and that a contribution be sought for its improvement, that a Travel Plan be prepared and that local pedestrian and cycle facilities be improved.

Issues:

The following general issues have been identified through the consideration of the application as being the most pertinent issues to the proposed development:

- Proposed Land Uses
- Sequential Testing
- Landscape
- Ecology
- Rights of Way
- Highways
- Design
- Drainage

These are considered in detail below.

Proposed Land Uses

Although the site the subject of this application is allocated for B1, B2, B8, and C1 uses including potential for a hotel and public house in the Local Plan. This has only limited weight due to the Statement of Non-Conformity issued by the County Council. In relation to Policy EM1 the County Council have identified an oversupply of employment land as the policy allocates too much land for these purposes. As such it is contrary to Policy 14 'Business and Industrial land Provision' of the Joint Lancashire Structure Plan (2005).

However, from the recorded take up of business and industrial land the proposed development would not, at this time, appear to result in the over supply of such land. As a consequence the

proposed development does not conflict with the strategic objectives of Policy 14 of the Joint Lancashire Structure Plan (2005). LCC Planning have raised no strategic objection to this element of the proposed development.

One of the other reasons that LCC issued the Statement of Non-Conformity for Policy EM1, was that in accordance with Policy 17 of the Joint Lancashire Structure Plan (2005) states that office uses should be located within main town centres or at transport hubs/corridors. It is not considered that the proposed office development is at such a location.

The applicant has prepared a sequential assessment of the sites available within more accessible locations elsewhere within the Borough. The sequential approach identifies that within the central core of the town centre, no existing sites of the scale required have been identified while site clearance/assembly appears difficult given the many adjacent terraced streets and large public buildings.

All the possible sites that have been identified have been dismissed as unsuitable either because of the size or shape of the developable site area. In terms of other allocated land the agent advises that Buckshaw Village is not as centrally located to Chorley and does not facilitate the easy access to the motorway, but in any event the first phase of the Matrix Office Park on Buckshaw is now sold out and this demonstrates the desirability of the provision of new office developments in the Borough. In general terms there is an absence of multi storey office development in the centre of Chorley, which over the years has safeguarded its original character as a market town. The agents advise that there has been some advance interest in an office development in this location close to the motorway.

It is not considered that there is anything in the submissions, with which your officers fundamentally disagree; the comments made in respect of the possible other sites at the edge of town centre are not considered unrealistic. The benefits of the site over the town centre probably outweigh the disbenefits while clearly there will be much shorter journeys from the motorway at peak times when Preston Road into Chorley and back is heavily congested.

Design

Policy EM2 of the Borough Plan identifies criteria, as applicable, for the development of new business or industrial premises. The main identified issues here relevant to this application are potential impact upon surface water/drainage, access, design, lay out and allowance for public transport penetration. Surface water drainage is dealt with in a section below, as is public transport and highway matters. However, the overall design and layout of the building and curtilage are considered to be generally satisfactory.

The original design approach for all the proposed buildings was not considered to be appropriate and the design statement was

deficient. Revised elevations and Design Statement have been received which have considered the context of the site to a greater degree (i.e. Botany Bay, the canal, and the semi-rural location).

The original submissions did not establish an appropriate strategic landscape framework and a revised report/plan is anticipated in due course.

As stated in the Ecological Assessment (paragraphs 5.1.13), the use and positioning of artificial lighting in the vicinity of the canal, drainage ditch and woodland edge must be carefully considered to avoid illumination and disturbance to wildlife. This could be the subject of a condition.

Highways

The applications have all been the subject of Article 14 Directions issued by the Highways Agency that has prevented the Local Planning Authority from determining the applications. This was in place for approximately 8 months. It was issued due to concerns they have on the impact of the proposed development on the motorway network.

The applicants Highways Consultants have been in detailed consultations with the Highways Agency and their agents in attempts to resolve the matter. As a result they have revised the Transport Assessment that was submitted with the application. The Highways Agency no longer objects to the proposed development and has lifted the direction no to determine the applications. No specific conditions or requirements have been suggested by the Highways Agency.

At the time of writing the report no comments have been received from LCC Highways. However, it is known that there will be a request for a contribution of £100,000 from the development as a whole towards improving accessibility of the area. The applicant has agreed to this contribution but has requested that this be phased across the various parts of the development. This is inevitable in any respect. This contribution will need to be the subject of a S106 agreement.

The alignment of the footpath through the site has been protected without the need for diversion. The proposals will incorporate works to provide a surface and fencing the footpath and there will be various landscape improvements to the sides of the footpath which runs in close proximity to the ditch across the site. These improvements are discussed in further detail below.

Ecology

The layout plans have been amended from the original submission to allow for the retention of the ditch that crosses the site and removes the additional length of culverting. The associated hedge is shown for retention. The trees to the north east of the application site are excluded from the allocation and

the proposed development. These are shown for retention although they are outside the applicants control.

The County Ecologist advises that works during the bird breeding season (March to July inclusive) should be avoided where there may be an impact on nesting birds. Although the Ecological Survey did not find any evidence of the presence of water vole but concluded water vole are highly likely to be present within the Leeds and Liverpool Canal. Paragraph 5.1.9 recommends that, if the construction start date extends into April, a pre-construction survey for water vole should be carried out. If water voles are found to be present at that time (or at any time during construction), then the applicant should submit a method statement detailing how impacts on water voles and their habitat will be avoided. This should be the subject of a planning condition.

Although the ditch is to be reinstated at the eastern end, culverting of the central section of the ditch to create an access road. The County Ecologist advises that the invert of the culvert should be below the bed-level of the ditch and the culvert should be a square culvert pipe of a maximum size such that the ditch is not narrowed through the culvert. It is also recommended that further opportunity be made to enhance the areas of grassland to be planted and the potential wildlife habitat along the ditch and that a buffer distance of 8m be established. This could be the subject of planning conditions.

The Environment Agency consider that the revised proposals for the site offer suitable mitigation for the section of ditch habitat lost to the proposed culvert. They no longer object to the proposed development provided conditions are imposed to ensure that the existing culvert be removed and the landscape and habitat improvements to the ditch and surrounding area be implemented. In this respect the suggested mitigation measures and habitat creation measures (section 5 of the Ecological Survey and Assessment report) should also be the subject of a planning condition.

Contaminated Land and Pollution

There is no substantive evidence to suggest that the site is contaminated, however, it is recommended that a condition be imposed to require a desktop study of the potential for contamination. This can be the subject of a condition. If any contamination is found, the condition would require a remediation scheme to be approved by the Local Planning Authority and then implemented.

Conclusions:

For the reasons discussed above, it is considered that the revised applications for industrial and office development are acceptable and are recommended for approval subject to the following conditions and subject to a legal agreement to secure a contribution to improve accessibility of the site and that the end users enter into a Travel Plan.

Recommendation: Permit Full Planning Permission Conditions

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date of this permission.
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The works hereby permitted shall be carried out strictly in accordance with the following plans:

Plan Ref:	Received On:	Title:
****	****	****
****	****	****
****	****	****
****	****	****

Reason: To define the permission and ensure a satisfactory form of development.

3. 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) together with details of all windows and doors 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 unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and EM2 of the adopted Chorley Borough Local Plan Review.

4. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, unless otherwise first agreed in writing by the Local Planning Authority, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5, and EM2 of the adopted Chorley Borough Local Plan Review.

5. Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.
Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.
6. Prior to the commencement of any development hereby permitted, full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.
Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.
7. Prior to the commencement of development plans and particulars showing the provision to be made for the storage and disposal of refuse and recycling, shall be submitted to, and approved in writing by, the Local Planning Authority. Such provision as is agreed shall be implemented concurrently with the development and thereafter retained. No part of the development shall be occupied until the agreed provision is completed and made available for use.
Reason: In order that the Council may be satisfied with the details of the proposal.
8. Details of all external lighting, including floodlighting, to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied without express written permission. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.
Reason: To safeguard the amenities of the area and to minimise the possibility of light pollution that would adversely affect the character of the area in accordance with policies GN5, LT9, EP10 and EM2 of the Chorley Borough Local Plan Review 2003..
9. Plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority, and development shall not be commenced before these details have been approved, unless otherwise agreed in writing. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.

Reason: To prevent pollution of the water environment in accordance with policy EP17, EP18 and EP19 of the Chorley Borough Local Plan Review 2003.

10. The area shown on the submitted plans as car parking spaces shall be constructed, laid out and maintained in accordance with the Local Planning (General Permitted Development) Order 1995 or any subsequent re-enactment, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto and its use as car parking.

Reason: Development without the provision for and maintenance of adequate accommodation for the parking or garaging of vehicles is likely to lead to parking inconvenient to other road users and detrimental to amenity and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review..

11. Before the development hereby permitted is first occupied, provision for cycle parking, in accordance with details first agreed in writing with the Local Planning Authority, shall have been made.

Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy TR18 of the Adopted Chorley Borough Local Plan Review.

12. No part of the development hereby permitted shall be occupied or used until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

13. A scheme for the translocation of the South Marsh Orchids (*Dactylorhiza praetermissa*) found within the site shall be submitted to and approved in writing by the Local Planning Authority. No development shall commence unless and until that scheme has been implemented in its entirety.

Reason: To secure the nature conservation interest of the site.

14. Before the development is commenced, proposals for the landscaping of the site, to include provision for the retention and protection of existing trees and shrubs, if any, thereon, together with any means of enclosure proposed or existing within or along the curtilage of the site shall be submitted to and approved by the District Planning Authority by means of a large scale plan and a written brief. All proposed and existing trees and shrubs shall be correctly described and their positions accurately shown. Upon approval such new planting shall be carried out during the planting season October/March inclusive, in accordance with the appropriate British Standards for ground preparation, staking, etc., in BS4428:1989 (1979), immediately following commencement of the development. The landscaping shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason:Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and the locality in accordance with policies GN5, and EM2 of the Chorley Borough Local Plan Review 2003.

15. The existing natural tree screen/hedgerow along the eastern boundary of the site with the canal shall be retained and reinforced where necessary

in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Any such reinforcement shall be carried out during the planting season October/March inclusive following the first occupation of the adjacent building maintained for a period of five years during which time any plants that are found to be dead or dying shall be replaced.

Reason: In order to protect the amenities of the area in accordance with policies GN5, EP9 and EM2 of the Chorley Borough Local Plan Review 2003.

16. No goods, plant or material shall be deposited or stored in the open or displayed for sale in the open on the site without the prior consent in writing of the Local Planning Authority.

Reason: In order to protect the amenities of the area, and to maintain adequate parking areas in accordance with policies GN5, EM2 and TR4 of the Chorley Borough Local Plan Review 2003.

17. Details of facilities to be provided for the storage and removal of commercial refuse and waste from the premises shall be submitted to and approved by the Local Planning Authority, and then implemented strictly in accordance with those agreed details before the building is first occupied and thereafter retained.

Reason: In the interests of amenity and to be satisfied about the details of the scheme in accordance with policies GN5 and EM2 of the Chorley Borough Local Plan Review 2003.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 8, Class A and Schedule 2, Part 2, Class A) or any Order revoking and re-enacting that Order no extension or alteration shall be carried out in respect of the building(s) to which this permission relates and no fences, gates or walls or other means of enclosure shall be erected (other than those expressly authorised by this permission) without the express consent of the Local Planning Authority.

Reason: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

19. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason: To reduce the risk of flooding in accordance with policy EP17, EP18 and EP19 of the Chorley Borough Local Plan Review 2003.

20. Prior to any discharge into any watercourse, surface water sewer or soak away system, all surface water drainage from vehicle parking and manoeuvring areas shall pass through an oil interceptor designed and constructed to have capacity and details compatible with the site being drained. The interceptor shall be installed and operational prior to any building hereby approved being occupied and shall thereafter be maintained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment in accordance with policy EP17, EP18 and EP19 of the Chorley Borough Local Plan Review 2003.

21. No development shall take place until a desktop study for the presence of contaminated land has been completed and submitted to and approved in writing by the Local Planning Authority. Such report that is submitted shall include a methodology for investigation and assessment of ground contamination as is appropriate depending on the findings of the desktop survey. The findings of any further investigation agreed with the Local Planning Authority (including all testing specified in the approved scheme and the results of the investigation and risk assessment) shall be submitted to and approved in writing by the Local Planning Authority together with any remediation proposals to render the site capable of development. The agreed remediation proposals, which shall include an implementation timetable and monitoring proposals, shall be completed in their entirety. Furthermore, prior to the commencement of any further development and upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.
