

Item 4d **11/00837/FULMAJ**

Case Officer **Mrs Nicola Hopkins**

Ward **Astley And Buckshaw**

Proposal **Erection of 2 no. distribution centre/industrial buildings (Use Class B1c, B2, B8) with ancillary office accommodation, service yard areas, car parking, access, internal circulation areas and landscaping.**

Location **Site 7 And 9 Buckshaw Avenue Buckshaw Village Lancashire**

Applicant **Evander Properties Ltd**

Consultation expiry: 4 January 2012

Application expiry: 22 December 2011

Proposal

1. This application relates to the erection of 2 distribution centre/industrial buildings (Use Class B1c, B2, B8) with ancillary office accommodation, service yard areas, car parking, access, internal circulation areas and landscaping at the Strategic Regional Site, Buckshaw Village (now known as The Revolution).
2. The application occupies site 5, 7 and 9 which are the last remaining parcels of land at the Strategic Regional Site and occupy 10.20 hectares.
3. The largest of the 2 buildings proposed occupies sites 7 and 9 which covers approximately 7.7 hectares. The proposals incorporate the erection of a single distribution centre/ industrial unit (Use Class B1c, B2 or B8) extending to 34,383sqm in total. This floorspace is made up of 32,641sqm of distribution/ industrial space and 1,742 sqm of ancillary office accommodation.
4. The other smaller proposed building occupies site 5 which covers approximately 2.85 hectares and incorporates the erection of a single distribution centre/ industrial unit (Use Class B1c, B2 or B8) extending to 10,590sqm in total. This floorspace is made up of 10,033sqm of distribution/ industrial space and 557.5 sqm of ancillary office accommodation.

Recommendation

5. It is recommended that this application is granted conditional planning approval

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Background information
 - Green Belt
 - Levels
 - Design and Layout
 - Noise
 - Flood Risk
 - Traffic and Transport

Representations

7. 2 letters of objection have been received raising the following points:
 - Scale- loss of light and loss of privacy
 - Adjacent to houses that are currently being built- occupants cannot object
 - Noise disruption
 - Effect on local nature and trees

- Proposed offices and car park should be used as a buffer adjacent to the neighbouring residential properties
8. 1 letter has been received commenting on the application stating that red cladding is out of place with all other units on development
9. **De Pol Planning & Development Consultants** have submitted an objection letter on behalf of Barratt Homes & Stewart Milne Homes raising the following concerns:
- The letter confirms that they raise no objection whatsoever to the principle of the application site being developed for employment uses. However they are equally of the opinion that this should not be at all costs and in this respect they wish to raise strong objection to the proposals as currently submitted.
 - The scale and bulk of the main industrial building relative to the dwellings under construction to the west, would create a wholly unacceptable relationship for existing and future residents particularly as it would be located only 14 - 25 metres away from the rear gardens and only 25 - 34 metres away from the rear facades of the affected dwellings.
 - A 15 metre high industrial building particularly with a length of approximately 209 metres in such close proximity to dwellings would result in an adverse effect for those residents most affected.
 - The distance between the residential properties and the main industrial building is wholly inadequate. Whilst a landscaped area is proposed to the west of the building 7/9, this is only 5 – 17 wide (after allowing for the fire track) which is felt would be incapable of satisfactorily alleviating the overall adverse effect on residential amenities created by the length, scale and bulk of the building. It is in this respect somewhat incredulous to note from paragraph 4.3 of the submitted Design & Access Statement that the position of industrial building 7/9 was "... orientated to create a visual and acoustic buffer..." between the operational parts of the site and the adjacent residential development.
 - A further issue for consideration is noise, there is potential for the proposed B2 / B8 development to result in adverse noise impact on the amenity of the residents of the approved housing site. There should be an increased separation distance between the western boundary of the residential development and the main industrial building 7/9 and the HGV parking /service area to the north and furthermore, that the acoustic screening of the HGV area to the North West should be improved.
 - The applicants should be requested to amend the proposals in an attempt to lessen the overall impact on the residential development. One option would be to seek the removal of a bay from the western end of the building which would not only have the effect of increasing the separation distance of the building and northern HGV parking / service area by around 30 metres, but would also enable a greater degree of screen planting with additional landscaped mounded areas to be introduced. The latter element would also help to more instantly reduce the overall visual impact of the mass and bulk of the very long façade of industrial building when viewed from the dwellings and gardens to the west. Such amendments would still enable a very substantial distribution / industrial building to be erected in a manner which was consistent with existing recent development within Revolution Park but which also more appropriately respected the amenities of the adjoining residential development.
 - The proposals would not accord with the following policies of the Chorley Borough Local Plan Review:-
 - Policy EM1A criterion (d) which requires industrial development to integrate with its surroundings and criterion (g) which requires such development to have no significant adverse effect on the residential amenities of nearby residences;
 - Policy EM2 criteria (c) which seeks to avoid unacceptable harm to surrounding uses. It is noted that criterion (g) of this policy requires peripheral landscaping ranging between 5 & 10 metres where industrial sites adjoin residential areas;
 - Policy GN5 which seeks to ensure that the design of proposed developments is well related to their surroundings.
 - Policy EP20 which seeks to prevent noise-generating uses close to noise sensitive areas unless adequate measures can be implemented.

- The original masterplan for this general area of the overall site, had the concept of residential parcels separated from the southern commercial / industrial area by landscaped road network. The plan also indicates that the location of the proposed distribution / industrial building would in that context have adjoined the Southern Commercial Area and not a residential development as is currently the
- Our clients have no objection in principle to appropriate employment development for the application site and indeed fully support the potential that such a development could generate for economic growth and creation of jobs in the Chorley area.
- It is however considered that the sheer scale, length and bulk of the proposed distribution centre / industrial building 7/9 in such close proximity to the adjoining residential development to the west would result in a loss of amenity for existing and future residents and indeed could also potentially prejudice future sales of those dwellings which are most affected by the proposals as currently submitted.
- It is requested that further discussions are entered into with the applicant in an attempt to seek amendments to the submitted scheme in a manner which more appropriately took account of the amenities of the adjacent residential development.
- If appropriate amendments to the proposals are however not undertaken, then the planning application as currently submitted should be refused planning permission.

10. **Stewart Milne Homes** have appointed Hepworth Acoustics to comment on the submitted noise assessment. They have made the following comments:

- There are no planning conditions requiring any noise mitigation measures on the residential development site, so it is incumbent upon the developer of the proposed industrial site to incorporate adequate noise mitigation on their development site in order to safeguard the amenity of the new residents, as well as existing residents.
- The Resound Acoustics noise report is dated September 2011 and so should take full account of the adjoining approved residential site – however no background noise readings were taken at the eastern boundary of the approved residential land.
- The B1/B2/B8 development is a speculative proposal with an illustrative layout only, so there is uncertainty as to what will actually be built:
 - The current illustrative layout shows a B8 proposal with a large warehouse building very close to the approved housing site, with parking spaces to the north of the building for heavy goods vehicles which could come and go at any time of day and night.
 - Some types of B2 'General Industry' involve noisy manufacturing processes. Such industry may involve noise generating equipment/processes not only inside buildings but also external plant such as industrial fans, motors, compressors, pumps, valves, pipework, etc.
- The large warehouse building that is shown on the illustrative layout is proposed to be within 20 metres of the western site boundary. Thus the building will be very close to the approved houses. These types of building are invariably built with lightweight cladding walls and roofs which provide only a low level of sound insulation. A larger stand-off distance would therefore be appropriate. Any development close to the housing development should be restricted to B1 uses only, which by definition would be compatible with the residential area.
- No background noise readings were taken at the nearest noise-sensitive location to the site i.e. the location of the approved houses which will adjoin the western boundary of the employment land. Thus, in the noise report, there is no background noise data at the nearest noise-sensitive location on which to base the subsequent assessment of noise impact.
- The measurement data shows that the prevailing background noise climate of the area to the west of the site, particularly in the evening and night, is very low. Clearly, the lower the level of existing background noise, the greater the potential noise impact will be from an adjacent B2/B8 development.
- Because the background noise level is low, the recommended noise limit for plant and machinery at night is extremely low. It may not be feasible for some types of B2 uses to comply with this very low noise limit, without a very large stand-off distance and extensive noise mitigation measures.

- For most B8 operations, the most significant noise emission is from HGV movements and this type of intermittent vehicle noise would be noticeable above the low background noise climate.
- The character of the night-time noise climate will be changed. Also the peaks of noise inside the bedrooms would exceed the 45 dBLA_{max} criterion that is recommended in British Standard 8233.
- The mitigation proposed by Resound Acoustics to reduce noise from on-site HGV activity is an acoustic fence of only 2.5 metres in height. This does not appear to be sufficient. The bedrooms of the approved houses in the northern area adjacent to the site boundary will overlook the B8 site. These houses will have first-floor bedroom windows at a height of approximately 4 metres and some houses will have Velux windows at a height of approximately 6 metres. Therefore an acoustic fence of 2.5 metres would not provide significant noise screening for the bedrooms of the nearest houses on the approved residential site.
- From the above we conclude that there is potential for the proposed B2/B8 development to result in adverse noise impact on the amenity of the residents of the approved housing site. Therefore, we recommend that the separation distance between the western boundary and the start of the development (i.e. the building and HGV area) should be increased, and the acoustic screening of the HGV area improved.

11. **Following receipt of these comments the applicants noise consultants have provided the following comments:**

- It was not possible to measure at, or close to the boundary between the residential site and Plots 7/9 as construction works were ongoing in this area. The location selected by Resound Acoustics was within a completed part of the housing development, further to the west.
- At the time of the survey, there were completed houses to the north of the monitoring position, and various site buildings to the east
- It was considered to be acoustically similar, if not slightly quieter than the boundary between the two sites, as the measurement position was enclosed on most sides by residential properties, whereas the boundary between the two sites had a more open aspect to the dominant noise sources such as the surrounding roads.
- The acoustic performance of any proposed building can be conditioned.
- As noted above, the selected position was within a completed part of the new development and was considered representative of, and potentially quieter than, the part of the residential development closest to plots 7/9
- The basis of the describing background noise levels as 'very low' is not clear. BS4142 provides a description of what constitutes a very low background noise level, for situation where that standard is used. The background noise level in this instance is higher than that described in BS4142 as very low.
- Notwithstanding the semantics of what is a low, or very low background noise level, the background noise level at that measurement position if reported and used in the assessment. An exact description of the noise level is not relevant to the analysis
- In terms of the ability of a particular design or process to achieve those limits, a planning obligation would take precedence. The specific scheme would need to ensure that fixed items of plant achieve the noise limit.
- The approach to the assessment, in terms of which sources were assessed against which standards, was agreed in advance with Chorley Council
- The fact that the unmitigated maximum noise levels exceed the World Health Organisation guidance on sleep disturbance is acknowledged in the report and is the reason mitigation was recommended. The mitigated maximum noise levels meet the World Health Guidance recommended limits.
- In acknowledgement of residual concerns raised by the Environmental Health Officer at Chorley Council, it is proposed to increase the height of the acoustic fence to 3.5 metres.

12. **Councillor Mark Perks** originally objected to the application however following the receipt of amended plans he has withdrawn his objection.

13. **Stewart Milne Homes** have sent a further letter raising the following points:
- The amended plans received do not consider our initial objection or noise comments. Our concerns have not been properly considered.
 - The Masterplan for Buckshaw Village is flawed in this area. The Stewart Milne Homes approval was in context of the current application site having no extant approval. The original masterplan for this part of the site assumed the Stewart Milne Homes land was commercial land. It is wrong to use the outline approval on the Evander Properties site as the fallback position as the outline approval was approved in a completely different context to the current situation.
 - The noise report is flawed and makes no reference to the completed houses or those under construction. The Council are making a decision using inaccurate and misinterpreted information. The Council's noise consultant has not been provided with a copy of our noise report. The Council must request that the applicants do an updated survey
 - There is no other relationship between commercial and residential development elsewhere on Buckshaw Village. Across the Village the stand off is between 50 and 100 metres. The Evander proposal is, at its closest 19 metres away from Parcel L
 - Evander Properties have an approval for the Waitrose distribution centre in South Ribble. The stand off distance between the approved residential development on Group 1 and the distribution centre is 75 metres. We are not aware of any reason why it is suitable to reduce the distance between the commercial and residential development
 - There is a contractual obligation between Bae Systems and Redrow PLC that affects the land between Parcel L and the Evander Properties Lane. There are covenants created by this contract that allowed for Redrow Homes and Barratt Homes to apply for planning permission without the requirements of a landscape buffer within Parcel L. the responsibility of the appropriate stand off was on BAE Systems and the subsequent developments on Parcels 7 and 9.
 - The expired outline approval has been cited as the fallback position by Evander Properties. Unfortunately Evander only apply elements of the fall-back position that is convenient for their application. The expired outline requires the provision of not less than 20 metres of structural landscaping and shows an indicative stand off distance from Parcel L of 50 to 60 metres. The current Evander application shows 12 metres of landscaping and a stand off distance of between 19 and 25 metres
 - The proposed landscaping does not provide adequate screening of the proposed building. Evander properties are relying on an ineffective and reduced landscape area to justify the height and scale of the proposal. A decision should be made on the appropriateness of the proposed building in this location by reference to design principles, planning policy, amenity, public health and visual impact
 - If the above application is approved it would threaten the delivery of this part of Buckshaw Village. This will affect the timing and payment of S106 monies due from Barratt Homes and Redrow Homes.
 - We feel the full impact of the proposals on the 59 homes being built is not being fully considered and this application is being accelerated through the planning process. We feel that the full relationship can only be assessed on site.
14. **In response to these concerns:**
- The Council's Environmental Health Officer was forwarded a copy of Stewart Milne's Noise report and have commented accordingly below.
15. Following the receipt of amended plans **Stewart Milne Homes** have sent an e-mail raising the following points:
- There are only three areas of interface between residential and commercial across Buckshaw Village of less than 150 metres. It is clear that Chorley Borough Council have been consistent in their approach to the appropriate stand off distance between residential and industrial land uses.
 - The distance between the occupied Kimberley Clark Building and Parcel L ranges from 113 metres to 149 metres.
 - The stand off distance between the industrial buildings located on Buckshaw Avenue and Parcel L is 50 metres.

- The stand off distance between the industrial buildings located on Matrix Park and the existing residential development ranges from 69-90 metres.
16. However it should be noted that there is no set specific distance set out within the Masterplan for the interface between residential and commercial development to ensure that a mixed use village accommodating both residential and commercial units is achieved on the Village. Each application is considered on its own merit.
17. **Concerns** have been raised by the property advisor for unit 3 (Wolseley) in respect of the impacts of a shared access on their clients operation.
18. Following the receipt of amended plans **De Pol Planning & Development Consultants** have submitted a further objection letter on behalf of Barratt Homes & Stewart Milne Homes raising the following concerns
- Whilst our clients welcome the slight increase in distance from the proposed industrial unit 7/9 to their respective residential developments to the west, together with the additional mounding and planting, they nevertheless wish to continue to object to the proposals essentially on the understandable basis that the scale and nature of the proposed building continues to be much too close to the residential properties.
 - Trevor Bridge Associates have concluded that the distance from the proposed building to the residential properties should be increased which would thereby also enable the mounding to be increased in height.
 - CGIs have been submitted which demonstrate the unacceptability of the closeness of the proposed industrial building to the residential properties.
19. **Stewart Milne Homes** have appointed Trevor Bridge Associates to comment on the submitted landscaping details. They have made the following comments
- Concerns are raised about the effectiveness of the proposed screen planting between the residential development and the proposed units. The concerns are as follows:
 - Suitability of species in relation to the residential development
 - The real screening value in the early stages of establishment (first twenty years)
 - Possible future maintenance issues
 - **Suitability of species** – The extensive use of native or native derived species limits the choice of plants, particularly where evergreen species are concerned. A reasonably high % of evergreens are required if a screen is to have year round effect. The only coniferous tree included is Pine. These are at intervals along the buffer but do not provide a continuous screen, also the habit of this species means that once mature they will have a fairly high canopy, with no screen value at the lower level. The only other evergreen species is the Holly in the Structure Planting and there is only 5% of this species, so they are unlikely to have any significant impact at the lower level.
 - The remainder of the trees planted all have the benefit of being fairly fast growing but are unlikely to have dense canopies. The native structure planting has a much greater variety of species, although with the shortfall in evergreens as described previously.
 - Suggest that the Ash and the Oak are potentially too big for the location. They both have potential to overhang the boundary fences into gardens and Oak is a high water demand tree with implications for foundation calculations. With their proximity to garden space they also have potential to cause problems by shading. They would be OK if located further into the business park.
 - **Possible solutions** –More scope to diversify the tree planting. Some medium sized, native trees planted at the bigger sizes, could be added which are compatible with the original concept, but would increase the canopy type. With the native structure planting a higher % of (Holly) say 10-15% and some Yew say 5-10% is suggested.
 - **Real Screen Value** – The fact that the planting is on a mound helps to increase the impact slightly by raising the height and it also reduces noise nuisance.
 - The trees planted at nursery stock sizes do not have fully developed crowns and the height is to the extreme growing tip. As a result they are not substantial in terms of screen value when first planted. The native structure planting is transplants so will have a planted size of 1.0m maximum. The planting is likely to remain in this condition for the first couple of years with only slight growth.

- Need to know what the mound will be formed from in order to ensure that good quality soil is used to adequate depths. What is likely to happen is that the larger trees will not put on a great deal of growth for the first few years but the structure planting will grow more quickly once established – so after the first couple of years. The growth of new planting tends to concentrate on making height, before the crown develops, so whilst trees may become tall the canopies are unlikely to be dense.
- The sections submitted are optimistic in their prediction of 8-9m in height at seven years. A realistic height is around 5 metres at 7 years old. Anticipate that by year 15 the trees are more likely to be only 6-7 metres tall, as opposed to the 9-10m shown in the section. Predicting the growth rate of new planting is very difficult as many factors come in to play.
- **Possible Solutions** –the mound should be increased in height. This height is currently restricted by the width of the mound and whilst it would probably be possible to get another 1.0m in the current format it would be better if the mound was wider. If this width was increased to a minimum of 20m wide then it should be possible to easily get a height of 4-5.0m. The increase in the width of the mound would also allow the inclusion of bigger growing trees.
- The sections submitted are over optimistic and the impact of the proposed building on adjacent housing will be great during the establishment period.
- **Maintenance Issues** – For this planting to establish well there needs to be an agreed maintenance programme which should be submitted and approved as part of the planning application. A maintenance Obligations document has been submitted which ensures that future works such as thinning and pruning works are properly carried out.
- The LPA should also consider the making of a Tree Preservation Order on the new planting, thereby ensuring that the screen is safeguarded in the long term.
- Including a hedge on the boundary will be a maintenance liability. With a fence on one side and dense planting on the other it will not be possible to gain access to cut it and keep it in shape at a sensible height.
- The landscape scheme, in its present form, will offer little screening benefit to occupants of the residential development. The residents will have a minimum ten year period until a reasonable screen is achieved by planting and twenty before full cover is established.
- It would be better if the overall site layout was re-considered, in terms of the siting of the building. If the proposed building were sited further from the boundary then it would reduce the reliance on screen planting to lessen its impact.
- Recommend that the bund and structure planting is carried out prior to the remainder of the development and fenced off to protect it. Not only will this allow for early establishment of planting, but it will afford residents protection from the site operations.

20. **Stewart Milne Homes** have sent a further e-mail raising the following points:

- The revised proposal still results in an unsatisfactory relationship in planning terms between residential and commercial use.
- Images of the relationship have been produced because Evander Properties have not provided this level of information within the application.
- We are also concerned that Evander Properties have not produced a Shadow Path Analysis of the proposed building and landscaping that will screen the building in accordance with British Standard 8206.
- We are also not aware of any evidence that the current proposal meets the BRE tests for sunlight and shadowing in relation to the existing homes on Parcel L.
- The reluctance of Evander Properties to provide full supporting information for the application is unhelpful and further highlights the lack of consideration for neighbours and future occupiers of Parcel L.
- Can you please confirm if the Planning Committee will visit the site before the application is discussed at the Development Control Committee? I would also suggest it would be helpful for Members to visit the Waitrose Distribution site in South Ribble currently under construction by Evander Properties as the building is of similar size to the current proposal by Evander Properties.

Consultations

21. **Environmental Health (Noise)** have made several comments on the proposals which are addressed below
22. **The Environment Agency** originally objected to the application however following discussions with RPS, the applicant's engineers, the Agency have withdrawn their objection to the proposed development but recommend that any subsequent approval is conditioned.
23. **The Architectural Design and Crime Reduction Advisor** has no objection
24. **United Utilities** have no objection subject to various conditions/ informatives
25. **Lancashire County Council (Highways)** have no objection. Their specific comments are addressed below.
26. **Chorley's Waste & Contaminated Land Officer** has no objection

Assessment

Principle of the development

27. The site constitutes plots 5, 7 and 9 on the Regional Investment Site (RIS) originally identified in Regional Planning Guidance for the North West. This designation was carried through into Policy 15 of the Joint Lancashire Structure Plan, although the Structure Plan has now been removed.
28. Policy EM1A of the Adopted Chorley Borough Local Plan Review reserves the land for strategic investment of regional significance, and lists a number of criteria that proposal should comply with including the scale of development, impact on surroundings and nearby occupiers, satisfactory vehicular access, occupation by a limited number of occupiers, comprehensive planning for the site as a whole, and safe links for pedestrians and cyclists.
29. This site constitutes 10.20 ha, (divided between site 5- 2.85 hectares and sites 7 and 9- 7.7 hectares) which equates to approximately 47% of the RIS.

Background Information

30. Reserved matters approval has already been granted at this site however this was never implemented and the permission has now expired. When outline planning permission was originally granted for the development the associated Section 106 required not less than 40% of the overall site to be used for High Quality Generic Manufacturing uses and Knowledge Based Industry. Sites 2, 3, 4 and 6/8 were granted reserved matters approval on a speculative basis including B8 uses and are all occupied by B8 uses. The Council's aims for the site included a mixed use B2/ B8 site and as such when reserved matters approval was granted on this site previously is was for B2 (High Quality Generic Manufacturing uses and Knowledge Based Industry) use only.
31. This 60/40% split was dictated by the associated S106 Agreement. The agreement stated:
The Owner hereby covenants with the Council that not less than 40% of the site shall be used for High Quality Generic Manufacturing Uses and Knowledge Based Industry provided that:
 - the Owner will use reasonable endeavours to secure that a greater percentage of the Site is used for such uses and industry;
 - if the Site has been marketed in accordance with the approved marketing strategy for a period of 5 years to the reasonable satisfaction of the Council in writing then the Owner shall be entitled to market the Site for uses not falling within the definition of High Quality Generic Manufacturing Uses and Knowledge Based Industry.
32. The marketing, referred to above, began in 2005 and as such from 1st October 2010 the site, including plots 5, 7 and 9, could be marketed and occupied for uses other than High Quality Generic Manufacturing and Knowledge Based Industry.

33. This application is not a reserved matters application as the time period for submitting reserved matters, in accordance with the original outline permission, has expired. However as set out above alternative industrial uses, other than B2, can be considered on this site.

Green Belt

34. This site is located within the Green Belt and as such Policy DC1 of the Chorley Borough Local Plan Review is applicable. Policy DC1 advises that planning permission will not be granted, except in very special circumstances, for development other than agriculture, forestry, recreational facilities, cemeteries, the re-use of buildings, replacement dwellings and affordable housing in certain circumstances, and the redevelopment of Major Developed Sites in accordance with Policy DC6. The application site is within the Major Developed Site designation.

35. Policy DC6 states:

The re-use, infilling or redevelopment of major developed sites in the Green Belt, as shown on the Proposals Map, will be permitted providing all the following criteria are met:

- a. the proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;
- b. the development is in scale and keeping with the main features of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance;
- c. the development does not exceed the height of the existing buildings;

and in the case of infill

- d. the proposal does not lead to a major increase in the developed portion of the site, result in a significant additional impact on the surrounding countryside or give rise to off-site infrastructure requirements;

in the case of redevelopment

- e. the proposal contributes to the achievement of the objectives for the use of land in Green Belts;
- f. the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive long term plan for the site as a whole;
- g. the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction if this is appropriate;
- h. the new buildings do not occupy a larger area than the buildings they replace nor result in a significant additional impact on the surrounding countryside.

36. The landscape of the Royal Ordnance site is essentially a very artificial one, having been subject to massive earth movements to form underground bunkers and blast mounds with a variety of buildings and infrastructure. The application site is now a levelled formed building platform with access laid out in accordance with the outline application.

37. When outline planning permission was originally granted the artificial landscape of the area was taken into consideration and the parameters of building heights were identified to be 12-16m which was considered to be acceptable in respect of Policy DC6. The other approved buildings on The Revolution have been built in accordance with the Masterplan and are approximately 14 metres high.

38. Although this application is a full application which is not related directly to the original outline approval the original design concepts are still applicable particularly when assessing an application against criteria (f) of Policy DC6. This application cannot be viewed in isolation in respect of this site as it would not achieve a *comprehensive long term plan for the site as a whole*. Concerns were originally raised that the scheme did not accord with the original Masterplan for the site as it did not incorporate a 20 metre structural landscape strip along the western boundary. However the plans have been amended to incorporate a buffer landscaping strip and mound (which extends from 10 metres at the narrowest point to 23 metres at its deepest point adjacent to the proposed building), a drainage ditch and a turf laid

fire path along the western boundary. This results in the building being sited further away from the common boundary and respects the original Masterplan in terms of a 20 metre landscape strip along this boundary.

39. It is considered that the amended proposals reflect the originally envisaged design principles for the whole site in accordance with the original Masterplan and are in accordance with the criteria of Policy DC6 for this major developed site within the Green Belt.

Levels

40. The proposed finished floor levels are 65.7 for the building on site 7 and 9 and 70.4 for the building on site 5. This reflects the fact that the site steps up. The building on site 7 and 9 is adjacent to the residential dwellings on parcel L of Buckshaw Village currently being constructed by Stewart Milne Homes (11/00149/REMAJ) and Barratts Homes (10/00792/FULMAJ). The finished floor levels of the dwellings along the common boundary range from 65.00 to 66.25 (at the north west corner of the site) which ensures that the maximum level difference between the dwellings and the buildings is 0.7 metres however they are proposed to be separated by a landscape strip which is addressed below and as such it is not considered that the level difference will adversely impact on the neighbours amenities.

Design and Layout

41. When outline planning permission was originally approved for the whole Strategic Regional Site there was accompanying S106 which incorporated several clauses. Clause 5 of this agreement incorporated the design principles which were required to be incorporated into the reserved matters approvals for the site. these included:
- a. The provision of not less than 20m depth of structural landscaping between the edge of the road corridor and the front elevation of any building which may include staff and customer car parking with each phase of the Development;
 - b. The provision of not less than 20m depth of structural landscaping between the boundaries of each plot within each phase of the Development;
 - c. The provision of not less than 15m depth of structural landscaping between the rear elevation of the buildings and the boundary of each plot with the railway line within each phase of the development;
 - d. The design of each of the buildings shall accord with the following principles:
 - the main front façade will incorporate windows and doors, the main entrance reception and offices
 - profiled and flat metal panels will be the main cladding materials for the warehouse and factory elements with curtain wall glazing and flat metal panels for the office and reception elements
 - elevation treatments will include cladding in light colours and large areas of the same colour and profile of cladding will be avoided
 - window and door frames will be anodized or powder coated aluminium
 - the roof will be shallow pitched with ridges running east-west or a parapet to give a horizontal profile to the link road.
42. Additionally the S106 included a Masterplan which indicatively detailed the layout of the buildings and the proposed landscaping. This Masterplan was subsequently amended removing the landscape strip between site 7 and 9 to allow more flexibility within the layout.
43. These design principles have been established across the remainder of the site and as such are the starting point for the consideration of this application.
44. As set out above concerns were originally raised from the adjacent land owners that the buildings on site 7/9 were too close to the residential dwellings currently under construction. This was mainly due to the fact that the scheme did not incorporate a 20m structural landscaping strip as indicated within the original S106 Agreement, the height of the proposed building and the fact that the building is closer to the common boundary than the Masterplan originally envisaged.
45. As detailed earlier the height of the building is within the range originally envisaged for this

site and the Masterplan was only indicative in respect of the siting however at pre-application stage the agent and the applicant were advised that the western boundary was the most sensitive location of the site due to the proximity of the residential dwellings and a 20m structural landscaping strip was envisaged when the scheme was originally approved. The applicant was advised that any deviation away from this original design concept would require justification.

46. In this regard there have been several versions of the layout and landscaping plan submitted as part of this planning application which has including increasing the depth of the landscaping and the distance between the boundary and the building. The most recent plans detail the proposed landscaping at year 1, year 7 and year 15 to detail how the landscaping will develop through the years to provide a buffer strip between the proposed building and the adjacent dwellings. Additionally the landscaping is incorporated onto a mound to increase the height of the landscaping when viewed from the adjacent residential dwellings.
47. The width of the landscaping itself does vary along the common boundary (adjacent to the building) from 10 metres at its narrowest to 23 metres at its greatest however this area also incorporates a meadow and a 'green' turf laid fire track to ensure that there is a minimum 20 metres separation between the boundary and the building. It is noted that Policy EM2 states that on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping ranging between 5 and 10 metres in width. It is considered that this is provided within this scheme.
48. The agent has confirmed that the applicant is also proposing to create a series of landscape mounds on which the proposed screening vegetation will be planted. The agent has confirmed that *the landscape buffer area is currently in the ownership of BAe. In developing the site, there will be a legal obligation placed upon BAe to carry out the landscaping works in accordance with the approved plans. The landscaping area will subsequently be transferred to the Revolution Park Management Company Ltd which has now been set up. The management company will be directly responsible for maintaining the landscaping area in accordance with the approved maintenance scheme thereafter.* Plant species proposed are essentially native and planted at one-metre centres in order to develop dense natural woodland that is ecologically appropriate to the site. However, in order to strengthen the winter screening effects of the proposals, evergreen species have also been incorporated in the form of Holly in the mix of young woodland transplants and Pine trees as specimens amongst the larger trees. The largest trees to be planted will be native Ash trees which establish well as extra-heavy standards, whereas the Oaks and Birch often fail at this size, so will be planted as slightly smaller feathered stock.
49. It is considered that the inclusion of a mound, which was not a requirement of the original outline approval, increases the effectiveness of the screening and the landscaping proposed will provide a high quality landscape scheme along this boundary. Additionally the applicant has agreed to a condition which requires the landscaping to be planted within the first planting season following any approval which will enable the planting to begin maturing prior to the construction of the building (which would be in the next few months).
50. As set out above Trevor Bridge Associates, on behalf of Stewart Milne Homes, have raised concerns in respect of the effectiveness of the landscaping proposed. The Council's Parks Open Spaces Team are undertaking an assessment of the submitted details and further comments will be reported on the addendum.
51. The proposed building will be 20 metres from the common boundary at its closest point and 30 metres from the common boundary at its furthest point. It is acknowledged that this will result in a large building relatively close to residential dwellings however the landscaping proposed will assist in alleviating the visual impact. Concerns have been raised in respect of noise which is addressed below.
52. The proposed materials are also a consideration to ensure that the buildings 'fit into' the character of the remaining site and from the neighbouring residents perspective a 207 metre long elevation will be visible from their properties. The materials include grey profiled metal

cladding on the roof and duck egg blue horizontally spanning profiled metal cladding panels and silver vertically spanning profiled metal cladding panels for the walls on the warehouse element of the building. For the offices the materials include grey profiled metal cladding panels for the roof, horizontally spanning composite micro-rib metal panels in Silver for the walls, PPC frames in graphite grey with grey tinted glazing and grey lookalike panel spandrels where required for the doors and windows. For the entrance lobby and canopy grey profiled metal cladding panel roof in grey with grey eaves soffit and fascia and grey composite micro-rib metal panels in grey above glazing.

53. The buildings incorporate windows within the main front façade profiled metal panels, a mix of materials to break up the elevations and the roof is designed to give a horizontal profile to the link road all in accordance with the original design concept for the Strategic Regional Site. The materials match those used elsewhere on the site with the exception of the red feature band. One letter has been received stating that the red cladding is out of place with all other units on development. The inclusion of this red banding is a branding inclusion by the applicant and only introduces a small amount of red into the buildings facades. It is not considered that this small inclusion will result in buildings which are out of character with the surrounding area.
54. As set out above Stewart Milne Homes have raised concerns that a Shadow Path Analysis has not been produced and whether the current proposal meets the BRE tests for sunlight and shadowing. As set out elsewhere within this report the site is allocated for industrial/commercial development and the adjacent parcel (Parcel L) is allocated for residential development. As such the interface between commercial and residential uses was always going to be a consideration. The building on plot 7/9 is east of parcel L which will affect sunlight within the morning. A shadowing and sunlight analysis has been requested and this will be addressed on the addendum.

Noise

55. Noise is a particular concern to the adjacent land owners due to the proximity of the building on site 7/9 to the dwellinghouses and the fact that the building is being constructed on a speculative basis (no end user identified) which means the applicants are seeking 24 hour operation.
56. In this regard the applicants have submitted a noise assessment in support of the application.
57. The proposed service yard for this building is situated within the rear elevation close to the common boundary of the site which raised concerns with the Council's Environmental Health Officer. He confirmed that on the whole the noise report is quite comprehensive and offers some mitigation measures to deal with noise that may affect noise sensitive dwellings at the site boundary (which originally included a 2.5m acoustic barrier (now increased to 3.5 metres in height) along the western edge of the loading bays which returns for a distance of 25meters along the northern edge).
58. The EHO considers that the fence would afford protection to the ground floors and garden areas of domestic dwellings during the day. However he did have concerns that noise maybe able to be heard at domestic dwellings at the other side of the acoustic fence under certain circumstances.
59. The EHO's past experience with loading bays means that areas of concern with regards to noise are: reversing alarms on vehicles, general vehicle manoeuvring and operation of air brakes, operation of chiller units onto of the cab areas of HGV's, general activities with the unloading of HGV's fork lift trucks, trolleys being rolled along the ground, trolleys being rolled about in the rear of HGV's, tannoy noises.
60. He has also noted that the operation of chiller units, HGV noise through engine exhausts, trolley movements in the rear of the HGV and in the loading bay (building) would be at an elevated position.
61. Taking the above into account the EHO originally considered that there are really only two

proposals which would ensure that the receipt of complaints about statutory nuisance is reduced is (1) the implementation of strict hours of operation or (2) a re designing of the site with the loading bay being relocated to the other side of the site near to existing commercial buildings.

62. Following further discussion between the applicants' noise consultants and the EHO the EHO considers that there are two issues (1) HGV noise and associated vehicle movement noise (2) noise from plant / machinery from the building. In this regard he considers that there is a potential for a larger acoustic barrier which would be better sited on an earth mound to increase its height (for obvious reason of stability of the barrier). The EHO considers that an increased height barrier (for the HGV area) coupled with an increased separation distance between this and the dwellings would protect future residents from noise.
63. The agent for the application has made the following comments in respect of noise. It is noted that the Council has previously approved an application for the development of a B2 use on the application site which included a service yard located in the approximate position of that currently proposed to the north of the Plot 7/9 building. Furthermore it is noted that the distance between the western edge of the previously approved service yard and the western boundary of the site ranged from between 28 and 40 m. In contrast, the current proposal will provide a separation distance of between 35 m and 45 m between the western boundary of the northern service yard and the western boundary of the site.
64. The agent comments that whilst the residential developments currently under construction to the west of the site had not been approved at the time of the previous reserved matters application, this land was allocated for residential development at this point and it was known by the Council that this land would come forward for residential development in the near future. As such the Council has previously accepted the principle of locating a service yard to serve an industrial development closer to the site's common boundary with a residential site than is now proposed through the current application. In the circumstances, the principle of the location of the northern service yard is considered to be acceptable based on this precedent. Notwithstanding this, it is acknowledged that the requirement for noise mitigation measures must be considered.
65. To further this the agent confirms that the current application is supported by a comprehensive noise assessment which considers the noise impact of the service yard on surrounding residential properties. This identifies the requirement to provide a 2.5m acoustic fence (now increased to 3.5 metres in height) running along the length of the northern service yard's western boundary and a section of its northern boundary. As evidenced within the submitted noise assessment, the provision of this fence would mean that the noise impact of the northern service yard would not breach World Health Organisation (WHO) standards at the most sensitive/vulnerable residential properties.
66. Notwithstanding this conclusion, the Council's Environmental Health Officer has requested that the applicant consider further mitigation to provide additional certainty that the WHO standards will not be breached. The applicant has considered a range of measures to achieve this. Whilst restricting the use of the northern service yard or controlling the activities which can take place within this area may have some positive effect, such measures would undermine the operational efficiency of the facility as a distribution centre/industrial use. This will in turn impact upon the commercial appeal of the facility and put the development at a significant competitive disadvantage in securing an end user and delivering resultant employment for Chorley. In the circumstance, such controls are not considered to be appropriate although this area will be restricted by condition to parking only with no loading/unloading permitted in this area.
67. The agent therefore concludes that the optimum solution would be to increase the height of the proposed acoustic screen by a further 1m to 3.5m. Increasing the height of the barrier represents a more robust approach to mitigating the potential noise impact of the northern service yard, providing added certainty that this will not result in WHO standards being breached. As a result it can be concluded, with further confidence, that the operation of northern service will not give rise to any unacceptable impacts on the amenity of nearby

residential properties.

68. The agent has considered the Environmental Health Officer requirement to be aware of additional noise generating activities at the site, such as the operation of plant and internal noise; however the agent has noted that such noise can be readily mitigated and adequately controlled by condition so as to not exceed an unacceptable level at the nearest noise sensitive receptor. External lighting can also be controlled by condition to ensure it does not give rise to any amenity impact. Appropriate conditions are attached in this regard.
69. The EHO has reviewed the report from Hepworth acoustics which criticises the report submitted by Resound acoustics. The EHO acknowledges that they do point out that as a B1/B2/B8 development the proposal is a speculative proposal and there is uncertainty as to what will be actually built and recognises that the 'large warehouse building' will be very close to the yet to be built housing and that they point out that for a B2 use background levels may be so low that uses under B2 find compliance difficult. However the EHO has confirmed that the assessment is not entirely 'flawed' and that they **do** consider dwellings which have not been built yet. (hence they talk about an acoustic fence line specifically located in a position in order to protect these residents).
70. Amended plans were received on 25th November which detail a 3.5 metre high acoustic fence and the building is sited further away from the common boundary. These plans have been forwarded to the EHO. Additionally the applicant's noise consultants, Resound acoustics, have submitted a further letter responding to specific comments received from the EHO.
71. Following receipt of these amended plans and letter the EHO has confirmed that he has no further comments to make on the proposals. As such from a noise perspective the proposals are considered to be acceptable subject to specific conditions.

Flood Risk and drainage

72. The application is supported by a Flood Risk Assessment and Drainage Strategy which has been reviewed by the Environment Agency (EA) The Environment Agency initially objected to the proposals as they were concerned that the scheme did not clearly establish the surface water drainage scheme for the site.
73. These concerns were forwarded to the agent for the application and the applicant's drainage consultants have had further discussions with the EA. There are two issues, one who is responsible for the maintenance of Pond 5a and confirmation that Evander Properties have the ability to enforce this maintenance thereby ensuring Pond 5a is able to function effectively.
74. The other matter relates to the proposed surface water discharge rate. The EA initially did not consider that the rate proposed by Evander was acceptable and requested a lower discharge rate.
75. The Environment Agency has subsequently confirmed that they have discussed the site with RPS, who are the applicants' engineers, and they have received additional information on 29 November 2011 (their ref. AMS/NK016970). The EA consider that the additional information addresses their previous concerns regarding the maintenance of the surface water drainage system. The EA have also reviewed the additional details submitted in relation to the surface water run-off rates. They still do have concerns about the proposed surface water run-off rates from the proposed development however they are satisfied that these concerns could be addressed by condition. In this regard appropriately worded conditions have been attached to the recommendation.
76. The proposals include a landscape mound along the western boundary and relocating the existing drainage ditch. The agent for the application has confirmed *RPS have been consulted regarding surface water runoff from the proposed landscaped bunding to the western of the building occupying Plots 7 and 9. The landscaped area in question would itself be permeable and therefore rainwater which falls upon it would normally be expected to be absorbed via infiltration into the ground. The dense planting of the landscaped zone would*

also significantly arrest the rate at which none-absorbed rainwater would runoff this area.

77. Based upon a typical “greenfield” runoff rate this mound is *very unlikely to present any significant risk of flooding of the gardens of residential properties beyond the western boundary.*
78. In this regard the Environment Agency have confirmed that they have no concerns in relation to surface water and the proposed landscape mound. As such it is not considered that this mound will create any surface water flooding issues.

Traffic and Transport

79. The application is supported by a Transport Statement which has been reviewed by the Highway Engineer at Lancashire County Council. The Highway Engineer has no overriding highway objection to the proposed development in principle. However he has made specific comments which are addressed below.
80. The Highway Engineer understands that provision for a Bond for Phase 2 Highway Works was put in place with the S106 with Chorley B.C. This is addressed below within the S106 section
81. In respect of access it is proposed that the larger unit (site 7/9) will be via the two existing access points off Buckshaw Avenue. One access point will cater for private cars and the second access will be for HGVs.
82. Vehicular access to the second smaller unit is proposed by utilising the existing private access road serving Unit 3 (Wolseley) to form a new spur access point. This access has been constructed on site and formed part of the planning approval for unit 3. The Highway Engineer has commented however that the limit of highway adoption is 10m back from the nearside edge of the carriageway on Buckshaw Avenue (i.e. 10m into the access road). As such the access road is essentially private from this point onwards and the new access point to serve the proposed Unit is to be taken off the private section of the access road. The Highway Engineer considers that whilst this in itself would not constitute a reason for highways objection, the existing access road is privately maintained and the Applicant should check with their solicitors that they have a right to use the private road for access to the proposed new Unit.
83. Additionally in this regard concerns have been raised by the property advisor for unit 3 (Wolseley) in respect of the impacts of a shared access on their clients operation. In response to this the agent for the application has commented that the cumulative traffic generated by the development on Plots 3 and 5 will be less than that generated by development on some of the individual plots on the opposite side of Buckshaw Avenue which provide a greater level of floor space.
84. The application is also supported by a tracking plan for the largest HGV vehicle permitted on UK road. This demonstrates that the proposed access to Plot 5 off the shared Plot 3/5 access road can adequately accommodate large service vehicles of the type which are likely to serve the development.
85. The Highway Engineer considers that the principle of access is already agreed and as such there are no grounds for any highway objection at this stage. The Highway Engineer has confirmed that the capacity of the T-junction at Buckshaw Avenue is of sufficient capacity to cope with the proposed level of traffic generation from the combined Units. The proposed access arrangements for Unit 5 would therefore be deemed acceptable.
86. In terms of car parking provision for private cars and operational space for HGVs. The Highway Engineer is satisfied that the proposed levels should prove adequate for B1c/B2/B8 Use. The proposed levels of operation space including parking for HGV's are also considered appropriate.
87. However the Highway Engineer has requested that the number of disabled parking spaces

for unit 7/9 should be increased to 12, that cycle parking should be provided along with 12 motorcycle spaces for unit 7/9 and 4 motorcycle spaces for unit 5. This can be addressed via condition.

88. The Highway Engineer has commented that a Travel Plan has not been submitted as part of the application. As such Transport contributions will be sought by LCC to enable Travel Plans to be developed for both of the sites/units: Unit 7/9 - £18,000 and unit 5 - £6,000.
89. For any S106 requests the Council are required to ensure, in accordance with the Community Infrastructure Levy Regulations, that the following tests are met:
 - (a) necessary to make the development acceptable in planning terms
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development
90. The application is however supported by a Framework Travel Plan which demonstrates the applicant's commitment to providing a full travel plan. If has not been demonstrated that the above request meets the CIL tests and as such it is proposed to deal with the requirement for a travel plan via condition.

Section 106 Agreement

91. When outline planning approval was originally granted for this site there was an associated S106 Agreement. As this is a full application which is not associated with the outline planning approval there is a requirement to ensure that all of the originally agreed obligations have been satisfied and any outstanding would have to be secured via a new S106 Agreement. All of the obligations within this agreement have been met apart from clause 8 which the Highway Engineer refers to above.
92. Clause 8 relates to phase II highway works and requires works to be done at the junction with the A6 when certain triggers are met. These triggers have not yet been met. The owner was required to provide a bond or a parent company guarantee to the Council to cover the cost of the phase II highway works.
93. BAE, as the owner, were responsible for securing this bond/ guarantee and they have confirmed that their bondsman asked BAE on 28th April 2011 if they wanted to retain the bond for 'highways works at A6 Chorley'. A letter was issued from BAE on 17th May requesting that it be retained.
94. As the necessary arrangements are in place in respect of clause 8 and the remainder of the obligations have been satisfied there is no requirement for a S106 in respect of this application.

Overall Conclusion

95. It is acknowledged that this is a 'stand alone' application for the erection of 2 industrial units at The Revolution however the fact that in the past it has been established that this type of use is appropriate for this site is a material consideration. The site is allocated within the Local Plan under Policy EM1a as a regional investment site which reserves land at the Royal Ordnance Site for strategic inward investment of regional significance. The applicants have confirmed that the proposed units will generate in the region of 600 new jobs into the Borough. PPS4 advocates that (policy EC10) planning applications that secure sustainable economic growth should be treated favourably and as such the proposals are considered to be acceptable in this regard.
96. It is acknowledged that the building on plot 7/9 will be close to the residential dwellings on Parcel L (currently under construction by both Barratt Homes and Stewart Milne Homes) and this is the most sensitive location of the site. The building height accords with that originally envisaged for the whole site, as set at outline stage, and although the proximity in respect of the siting of the building is closer than that agreed on the Masterplan at outline stage this plan was only indicative. It is considered that the suggested landscaping on a mound, which was not a requirement of the original outline approval, will achieve a high quality landscape

scheme which was the original intention of the outline approval.

97. Noise is a concern particularly due to the potential for 24 hour working however it is considered that adequate mitigation measures can be accommodated and secured via condition to ensure that the proposals do not create a statutory nuisance.
98. As such the proposals are considered to be acceptable and the application is recommended for approval.

Other Matters

Concerns raised

99. Concerns have been raised about the fact that the landscaping plan shows land adjacent to the site shaded green and does not incorporate the approved housing layout. In response to this the landscape proposals plan has been amended purely removing the green shading originally included outside the application site. In respect of the approved housing layout the agent for the application has confirmed that *viewing the landscaping scheme in the context of the other submission plans, including the site layout plan (ref: 5050-60) which shows the adjacent houses in situ, provides further clarification that no works are proposed outside of the site boundary and that the submitted plans correctly reflect the extent of the proposed development.*

Public Consultation

100. In accordance with the Council's Statement of Community Involvement the applicant carried out a consultation exercise prior to submission. This was in the form of an informal exhibition event. 16 members of the public attended and 10 questionnaires were completed. 8 supported the scheme and 2 raised concerns in respect of the impact on the highway network, the scale of the development and potential overshadowing to the neighbouring properties and the effects on the local landscapes.
101. Concerns have been raised from neighbouring land owners about the extent of consultation undertaken. In response to this the agent for the application has confirmed that the applicant worked closely with the BVCA to design an appropriate community consultation programme to ensure the local community, including residents, businesses and landowners, were given the opportunity to meet the applicant and view and comment on draft development proposals at an appropriate stage of the planning process.
102. The principal consultation exercise took the form of an exhibition held on 31st August between 3pm and 8pm at the Buckshaw Village Community Hall. Advertisement of this event was largely co-ordinated by the BVCA and consisted on the following:
- An emailed advert of the proposed exhibition sent to over 1,200 members of the Community Association's Community Forum on 5th August 2011;
 - Display of the aforementioned advert on the BVCA website from 5th August to 31st August;
 - Display of the aforementioned advert on seven notice boards across Buckshaw Village on 6th and 7th August 2011;
 - Distribution of 150 copies of the aforementioned advert to residential properties located close to the application site.
103. Whilst the applicant did not originally approach individual landowners direct, the above advertisement was intended to reach as many realistically interested parties as possible, including businesses and landowners. The advertisement was proven to be successful in this respect as an employee of Barratt Homes, who are developing land immediately to the west of the application site, attended the exhibition.
104. Following their attendance at the exhibition a meeting was held with Barratt Homes on 7th September. At the meeting a number of matters were discussed and concerns explained which were taken on board. It was agreed that a full set of the application documents would be issued to Barratt Homes following submission and that a further meeting would be considered. An email was subsequently sent to Barratt Homes on 20th October suggesting a further meeting to discuss the proposals. No response was received to this invitation.

Sustainability

105. In September 2008 the first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), was adopted. The applicants have provided an Energy Efficiency/Resources Conservation Statement which sets out how they propose to meet the requirements of Policy SR1 of the Sustainable Resources DPD. Policy SR1 requires these types of developments to achieve BREEAM 'Very Good' and incorporate a 15% reduction in carbon emissions through the use of low/ zero carbon technology.
106. The submitted document confirms that the development will be designed to achieve a BREEAM 'Excellent' rating, which is a measure of high all round sustainability performance, and will incorporate numerous measures to conserve the use of natural resources including energy, water, materials and land.
107. The energy and carbon performance of the proposed development has made best use of the functional characteristics of the site and its future use to deliver 15% carbon reduction below Building Regulations 2010 through a carefully conceived package of energy efficiency and conservation measures.
108. Energy efficiency will be delivered through the use of high levels of insulation, air tightness, protection against thermal bridging, lighting specification, use of daylight where practical, and the general use of efficient systems throughout the design.
109. The applicants have considered the full range of potential low carbon generation technologies and should additional measures be required to meet the 15% threshold, then air source heating and/or cooling offers the best solution and will be included as part of the energy solution for the office spaces only. In this way, the overall 15% carbon reduction below 2010 Building Regulations is ensured using the most resource efficient methods while minimising risks and ongoing costs to the final occupier.
110. This is considered to be the most appropriate solution for the buildings proposed and the above requirements can be addressed by suitably worded conditions.

Planning Policies

National Planning Policies:

PPS1, PPS4

Adopted Chorley Borough Local Plan Review

Policies: GN5, DC6, EM1A, EM2, EP18, EP20, EP21A, TR4, TR11, TR18 (ACBLPR)

Supplementary Planning Guidance:

- Statement of Community Involvement

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

Site:

04/00029/FULMAJ - Remediation and reclamation earth works. Approved 28 April 2004.

04/00882/OUTESM - Outline application for employment development including full details of a link road – Approved December 2004

07/01395/REMAJ- Reserved matters application for the erection of 3 buildings for B2 use with ancillary parking areas. Approved March 2008

Adjacent Sites:

06/00589/REMAJ – Site 6/8- Erection of regional distribution centre, including warehouse/storage, ancillary offices, car and lorry parking, access and part circulation space, gatehouse, MHE store and fuel point (site area 6.6 Ha) – Approved September 2006

06/00590/REMAJ – Site 6/8- Part gatehouse, circulation space, MHE store and fuel point, associated with the erection of Regional Distribution Centre (Site area 1.0 Ha) – Approved September 2006

06/00601/REMAJ – Site 2 - Reserved Matters Application for the erection of 18,353 Sq m building for B2/B8 use with ancillary parking areas and landscaping – Approved July 2006

06/00602/REMAJ – Site 3- Reserved Matters Application for the erection of 9,821 Sq m building for B2/B8 use with ancillary parking areas and landscaping- Approved July 2006

06/00674/REMAJ- Site 4- Reserved Matters Application for the erection of 21,563 Sq m building for B2/B8 use with ancillary parking areas and landscaping. Approved October 2007

06/01078/REMAJ- Site 6/8- Part RDC, access, parking gatehouse, circulation space, part MHE store, bottle gas store and fuel point and landscaping. Approved December 2006

06/01079/REMAJ- Site 6/8- Erection of regional distribution centre, including warehouse/storage, ancillary offices, car and lorry parking, part circulation space and landscaping. Part MHE store, pallet store, bottle gas store and compactor machine. Approved December 2006

10/00792/FULMAJ- Erection of 42 No 2 and 2½ storey dwellings. Approved November 2010

11/00149/REMAJ- Reserved Matters Application for southern part of Parcel L for the construction of 59 No dwellings together with associated works. Approved May 2011

Recommendation: Permit Full Planning Permission 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. The approved plans are:

Plan Ref.	Received On:	Title:
EVAM2000	15 September 2011	Site Location Plan
5050-60	14 December 2011	Site Layout Plan
5050-48	15 September 2011	Proposed Building Plan and Office Plans (Plot 5)
5050-61	14 December 2011	Proposed Elevations (Plot 7/9)
5050-46	15 September 2011	Proposed Office Plan (Plot 7/9)
5050-57	17 November 2011	Proposed Building Plan (Plot 7/9)
NK016970_0300 Rev A	15 September 2011	Foul & Surface Water Layout
D18940/Plot7-9/JM/A	15 September 2011	Lighting Plot 5
D18940/Plot7-9/JM/A	15 September 2011	Lighting Plot 7/9
5050-49	15 September 2011	Proposed Elevations (Plot 5)
2018-DL003 (2) Rev A	14 December 2011	Cross Sections showing proposed planting at Year 15
2018-DL003 (1) Rev A	14 December 2011	Cross Sections showing proposed planting at Year 15
2018/DL002 (1) Rev B	14 December 2011	Cross Sections showing proposed planting at Year 7
2018/DL002 (2) Rev B	14 December 2011	Cross Sections showing proposed planting at Year 7

2018/DL001 (1) Rev B	14 December 2011	Cross Sections showing proposed planting at Year 1
2018/DL001 (2) Rev B	14 December 2011	Cross Sections showing proposed planting at Year 1
2018-PL001 Rev G	22 December 2011	Landscape Proposals
NK016970_SK800	14 December 2011	Site Access Layout

Reason: To define the permission and in the interests of the proper development of the site.

3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall include details of the surface water discharge rates from the site in accordance with the Buckshaw Village Drainage Strategy and details of how the scheme shall be maintained and managed after completion. The scheme shall also include details of surface water from yard storage areas, vehicle washing areas, loading and unloading areas. Any areas which are likely to be contaminated by spillage should be connected to the foul sewer. In the absence of a sewerage system, such drainage must go to a tank(s) with no discharge to watercourse.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system. In accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review.

4. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking / servicing areas shall be passed through an oil interceptor in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority, notwithstanding the previously submitted plans. The scheme shall be designed and constructed to have a capacity and details compatible with, the site being drained.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To protect water quality. In accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review.

5. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) 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, to protect the amenities of occupiers of nearby properties and in accordance with Policy Nos. GN5 and EM2 of the Adopted Chorley Borough Local Plan Review.

6. Before the development commences full details, of the 3.5 metre high acoustic fence, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

7. Prior to the first use of the development hereby permitted, a Business Travel Plan shall be submitted to and approved in writing by, the local planning authority. The measures in the agreed Travel Plan shall then thereafter be complied with unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.

8. Before the development hereby permitted is first commenced full details of lighting proposals for the site shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, to prevent light pollution, in the interests of public safety and crime prevention and in accordance with Policy Nos. GN5, EM2 and EP21A of the Adopted Chorley Borough Local Plan Review.

9. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

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 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first occupied details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be in accordance with the approved details.

Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.

11. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park shall include provision for 12 disabled parking spaces (unit 7/9), 12 motorcycle spaces (unit 7/9) and 4 motorcycle spaces (unit 5). The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.

12. No phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD and PPS4

13. Within 6 months of occupation of each building hereby approved a 'Post Construction Stage' assessment shall be carried out and a Final Certificate, certifying that a BREEAM standard of minimum 'very good' has been achieved, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising the environmental impact of the development and to accord with the requirements of Policy SR1 of the Sustainable Resources DPD and PPS4

14. Prior to the commencement of the development full details of the on-site measures to reduce the carbon emissions of the development (related to predicted energy use) by

15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

15. The buildings hereby approved shall be constructed in accordance with the mitigations measures set out within the submitted Noise Assessment. In particular:
- the noise limits set out in Table 5.5 of the report should be applied to all service plant;
 - the external building fabric envelope will be designed to optimise the containment of noise to reduce noise emissions from the site.
 - The noise emission limits set out in Table 5.5 shall be incorporated into the building design; and
 - intrinsically quiet plant shall be utilised.

Prior to the occupation of the buildings hereby permitted full details of the measures which have been installed to achieve the above measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

16. Prior to the occupation of unit 7/9 by a B2 operator the following noise mitigation measures must be installed/implemented
- Penetrations through the building fabric shall be minimised;
 - The number and sizes of doors and windows in noisy areas shall be minimised;
 - The building materials shall have sufficient mass to contain the noise generated
 - by any plant or machines that generate low frequency noise;
 - The buildings shall be designed such that their natural frequencies do not coincide with the dominant frequencies of the plant;
 - All personnel openings shall be fitted with self-closing doors; and
 - Fast-closing roller doors will be used where large openings are required.

Prior to occupation full details of the measures which have been installed in accordance with the above criteria shall be submitted to an approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the occupation of the buildings hereby permitted full details of any external fixed plant shall be submitted to and approved in writing by the Local Planning Authority. Any fixed plant shall be designed, located and installed to ensure that the recommended noise limits in Table 5.5 of the submitted Noise Assessment are achieved. The development thereafter shall be carried out in accordance with the approved details.

Reason: To protect the amenities of the neighbouring residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.

18. Prior to the commencement of the development full details of the pump house associated with plots 7/9 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include elevations of the pump house along with any acoustic mitigation measures proposed. The development shall thereafter be carried out in accordance with the approved details.

Reason: in the interests of the visual amenities of the area and to mitigate any potential noise impact. In accordance with Policies GN5 and EP20 of the Adopted Chorley Borough Local Plan Review.

19. Prior to the commencement of the development hereby permitted full details of the

public footpath along the eastern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the levels of the footpath and the surrounding land, the gradient of the footpath and the route. The footpath shall be completed and open to the public prior to the occupation of the building on site 5.

Reason: To ensure that safe and adequate links for pedestrians and cyclists are incorporated into the development connected to the surrounding area. In accordance with Policy EM1a of the Adopted Chorley Borough Local Plan Review.

20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the grant of this planning approval 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

21. The external facing materials detailed on the approved plans shall be used and no others substituted.

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

22. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.

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 of the Adopted Chorley Borough Local Plan Review.

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 Government advice contained in PPS23: Planning and Pollution Control

24. No materials or equipment shall be stored on the site other than inside the building.

Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

25. The development hereby permitted shall be carried out in accordance with the submitted 'Obligations And Maintenance Operations For Landscape Works Post Completion Landscape Management (5 Years) & Woodland Establishment (15 Years)', dated December 2011.

Reason: In the interests of the proper development of the site. In accordance with Policy EM1a of the Adopted Chorley Borough Local Plan Review

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 8, Classes A, B and C) or any Order revoking or re-enacting that Order, no extension or alteration shall be carried out in respect of the buildings to which this permission relates.

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.

27. The Lorry Parking Bays to rear of plots 7/9 shall be used for the parking of vehicles only and shall not be used for loading and unloading purposes.

Reason: To define the permission and to protect the amenities of the neighbours. In accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.