

<b>Item 3i</b>	<b>15/00383/FULMAJ</b>
<b>Case Officer</b>	<b>Nicola Hopkins</b>
<b>Ward</b>	<b>Euxton South</b>
<b>Proposal</b>	<b>Demolition of existing buildings. Erection of a vehicle storage and maintenance workshop and offices. Erection of purpose built offices and storage building for scaffolding business.</b>
<b>Location</b>	<b>Land Opposite Chancery Road, West Way, Astley Village</b>
<b>Applicant</b>	<b>Bugle Inn Motor Company and The Trustees of Marjon SSAS</b>
<b>Consultation expiry:</b>	<b>9<sup>th</sup> June 2015</b>
<b>Decision due by:</b>	<b>4<sup>th</sup> August 2015 (time extension agreed until 14<sup>th</sup> August 2015)</b>

**Recommendation**

**It is recommended that this application is approved subject to no objections being raised by the Council's Regulatory Services Officer regarding noise.**

## Representations

**Euxton Parish Council** has no concerns with the proposed vehicle storage and maintenance workshop and offices.

However the Parish Council does have concerns with the scaffolding business and in particular with the storage yard. They have made the following comments:

- Movement of scaffolding is very noisy and storage of scaffolding is often unsightly
- This development is in a particularly sensitive location, where the green belt is supported by an Area of Separation.
- It is separated only by open fields from the nearby housing in Euxton.
- Therefore request that the Borough Council be satisfied that the proposal meets all its requirements for the development within the green belt.
- If the Borough Council is minded to approve the development, it ensures that measures are in place to protect nearby housing areas from the visual and noise impacts.

### **In total 3 representations have been received which are summarised below**

**Lancashire Fire and Rescue Service**, as a neighbour, has made the following comments:

- The existing access onto Westway has been widened by the addition of a lane strictly for egress of emergency service vehicles only and the full width of the existing access cannot be considered in this application.
- Egress onto Westway is controlled by a legal deed with the Woodlands Trust, who own the landscaping area adjacent to the highway.
- The additional lane and associated visibility splays onto Westway, by removal of trees on Woodlands Trust land to meet highway authority requirements, is upon the understanding it is only to benefit egress of emergency service vehicles from the new Chorley Community Fire Station.
- Any proposed development of the subject application site must exclude this area from use as access/egress and the potential for congestion at the junction with Westway must be taken into account as egress of emergency service vehicles cannot be impeded

**Following receipt of the above representation a further representation has been received from M Jones Planning Consultancy on behalf of Lancashire Fire and Rescue Services making the following representations:**

- My client does not wish to formally object to the proposal, but would like the Council to take into account some issues that may affect the effective operation of Washington Hall as a working fire station as well as training centre.
- On a procedural matter, the red line location plan submitted with the application does not include the site access road, which links the development to West Way (B5252). My client owns the access road and whilst the owner of the application site has the right of access across this land the appropriate planning notice has not been served. More importantly the red line application site boundary and site layout plans do not show the Council how delivery vehicles and cars are to safely gain access/egress from the site to the public highway at West Way.
- The application site was formerly a low key forensic laboratory with few daily visitors, which also afforded the site to be more secure by this type of occupation, the proposed development would have security implications due to the nature of its proposed uses. Whilst my client is pleased that the site is to be regenerated and visually improved, concern is raised with regards to the increase in traffic and deliveries of vehicles on transporters to and from the site. It would appear from considering the planning submission and layout plans articulated vehicles will access/egress the site from two access points to the north and east. The site layout plans seem to show the vehicle storage and workshop use gaining using the eastern access with

the scaffolding business using the northern access. Lancashire Council, as Highway Authority, has not requested a detailed Transport Assessment because it believes the former use was on a slightly larger scale than the proposal.

- The former use was a forensic laboratory and this would fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended. It was a low key business use that generated very few vehicles. The proposals would appear to fall within a mixed use development (Sui Generis) with uses predominantly falling within Class B2 General Industry and B8 Storage or Distribution. On this basis, it is requested that a detailed Transportation Assessment is submitted and formally considered by the County Council as Highway Authority. In addition, the forensic laboratory operated only during normal office hours (09.00 – 18.00) and the proposed use will operate 06.00 – 19.00 Monday to Friday and 08.00 – 18.00 at weekends. The highway authority needs to take into account the increased hours of use and its impact on the road junction as well as my client's emergency activities.
- My client operates a 24 hour, 7 days each week emergency fire station and urban search and rescue facility. In addition, the site is a training facility and a central store for vehicles and equipment. More importantly the fire service headquarters is to be relocated to the site in the future with over 130 staff being relocated as well as the centre offering regional training facilities. The yard area to the north of the site is used on a daily basis for training purposes including the use of the fire house and towers. If the application site is used more intensively than at present my client is concerned that the junction of the site with West Way might not be sufficient to cater for the increased vehicular traffic and more importantly be a grid lock when emergency vehicles are needed.
- It is therefore requested that before a decision is made on this application a detailed Transportation Assessment is prepared that considers the impact of the proposed use on the future highway network as well as its impact on its neighbours as Lancashire fire and Rescue Service. It is requested that the assessment should include:
  - A detailed assessment of how the traffic generated from the proposed use will impact on the junction of the site with West Way especially during peak times and how it will impact on traffic flows generated from the adjoining uses both now and in the future when the fire service headquarters is relocated to Washington Hall;
  - Whether the junction with the access road and West Way requires any improvements such as traffic lights and/or traffic management to cater for the increased use, especially to ensure unrestricted access for emergency vehicles;
- The access to the northern part of the site is proposed to be re-opened and used solely by the scaffolding business. It is close to the training yard and the access often needs to be restricted when training takes place, especially when the towers and fire house are in use. By re-opening this access to articulated vehicles and other vehicles there are safety and access implications, which are material planning considerations in determining the application. It is requested that the Council consider imposing restrictions or seek revised plans that allow only one access to be provided to the east of the site with all vehicles entering and leaving the site by this access only

**Prior to Committee on 14<sup>th</sup> July the following comments have been received on behalf of Lancashire Fire and Rescue Service:**

- Speaking neither for nor against the development but stating facts that you need to be aware of in reaching a decision.
- The medium term plan is to potentially relocate other emergency service and support functions to the Washington Hall site and the private access road also serving the application site will provide the main, if not the only, access onto Washington Hall.
- My client can only honour the right of way to the application site to the extent contractually permitted as it would not wish to allow increased capacity

that may risk further development of its own site. As you are aware there have been a number of demolitions on the Washington Hall site in recent years but this is to remove redundant buildings in readiness for more focused operational development rather than a permanent downsizing of the site.

**1 neighbour** has expressed the following concern must be given to the wisdom of vehicle access to the site. West Way is a very busy road and a freeway. The Fire Service vehicles already experience difficulty accessing the road from their station.

### **Consultees**

<b>Consultee</b>	<b>Summary of Comments received</b>
Greater Manchester Ecology Unit	No objection subject to suitable conditions
Environment Agency	No objection subject to suitable conditions
CBC Economic Development	Support the application. Their comments are included within the body of the report
LCC Highways	No objection subject to suitable conditions
Lancashire Constabulary Designing Out Crime Officer	No objection- provided some security recommendations
Lead Local Flood Authority	Initially requested the submission of a flood risk assessment. Following receipt of this document no objection is raised subject to conditions.
CBC Regulatory Services Officer	Has commented on the noise impacts of the development

## **Proposed Development**

1. The application relates to the demolition of all of the existing buildings/ structures on the site and the erection of two new buildings. The current buildings/ structures were used as a Forensic Science Laboratory however the site has been vacant for a number of years now.
2. One of the proposed buildings will be occupied by the Chorley Group who will vacate their current site on Friday Street and use the building for offices, car storage and car repairs. The other proposed building will be occupied by a scaffolding business (Speedier Scaffolders) with purpose built offices, workshop and outside storage areas.
3. The site is located within the Green Belt, accessed via Westway off Southport Road and is opposite the fire station.
4. The Chorley Group will use the new accommodation as their new head office and will employ approximately 25 full time members of staff in the offices and 35 full time staff in the workshop area, comprising 15 technicians, 2 MOT, 6 service advisors/warranty/manager, 3 parts people, 6 valeters and 3 drivers.
5. The building for the Chorley Group will consist of:
  - 812m<sup>2</sup> of office space over 2 floors
  - 2,131m<sup>2</sup> of workshop space
6. Speedier Scaffolders will employ approximately 100 people from this site, 25 of whom will be based within the office/ yard on a permanent basis. The remaining staff will be drivers and operatives who come into the premises to collect the scaffolding and go to their required destinations. The scaffolders do not visit the premises to collect material only the drivers, at the current site at Westhoughton there are between 30 and 40 movements in and out during a normal day. They have already acquired an operator's licence which demonstrates that this site is considered suitable in operational terms to accommodate the 10 vehicles which will be based here.
7. The building for Speedier Scaffolders will consist of:
  - 526m<sup>2</sup> of office space over 2 floors
  - 600m<sup>2</sup> of workshop space

## **Assessment**

### **Green Belt**

8. The site is located within the Green Belt. Policy 1 of the Adopted Core Strategy, which was adopted post Framework and as such is compliant with The Framework, states:

Focus growth and investment on well-located brownfield sites and the Strategic Location of Central Preston, the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble, whilst protecting the character of suburban and rural areas. Some Greenfield development will be required on the fringes of the main urban areas. To promote vibrant local communities and support services, an appropriate scale of growth and investment will be encouraged in identified Local Service Centres, providing it is in keeping with their local character and setting, and at certain other key locations outside the main urban areas.

Growth and investment will be concentrated in:

(a) The Preston/South Ribble Urban Area comprising:

- i. The Central Preston Strategic Location and adjacent inner city suburbs, focussing on regeneration opportunities in Inner East Preston, the Tithebarn Regeneration Area and the New Central Business District Area in particular.
- ii. The northern suburbs of Preston, focussing on Local Centres, with greenfield development within the Cottam Strategic Site and the North West Preston Strategic Location.
- iii. The settlements south of the River Ribble, comprising:

- Penwortham, focussing on the regeneration of the District Centre, but with some greenfield development at the South of Penwortham and North of Farington Strategic Location.
- Lostock Hall, focussing on the regeneration of brownfield sites.
- Bamber Bridge, focussing on the regeneration of the District Centre and brownfield sites.
- Walton-le-Dale, Higher Walton, focussing on brownfield sites.

(b) The Key Service Centres of:

- ii. Leyland / Farington, focussing on regeneration of Leyland Town Centre\* and brownfield sites.
- iii. Chorley Town, focussing on the regeneration of the Town Centre\* but with some greenfield development.
- iv. Longridge, where land within Central Lancashire may be required to support the development of this Key Service Centre in Ribble Valley.

(c) Strategic Sites allocated at:

- i. BAE Systems, Samesbury – employment
- ii. Cuerden (Lancashire Central) – employment
- iii. Buckshaw Village – mixed use

(d) Some growth and investment will be encouraged at the following Urban Local Service Centres to help meet housing and employment needs:

- i. Adlington
- ii. Clayton Brook/Green
- iii. Clayton-le-Woods (Lancaster Lane)
- iv. Coppull
- v. Euxton
- vi. Whittle-le-Woods

(e) Limited growth and investment will be encouraged at the following Rural Local Service Centres to help meet local housing and employment needs and to support the provision of services to the wider area:

- i. Brinscall / Withnell
- ii. Ecclestone
- iii. Longton

(f) In other places - smaller villages, substantially built up frontages and Major Developed Sites - development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes.

9. This part of the Borough is not identified for growth and although Policy 1 does allow for small scale development, limited to appropriate infilling, conversion of buildings and proposals to meet local need states, in other places such as Major Developed Sites, a large scale scheme as proposed will only be considered acceptable where there are exceptional reasons for a larger scale redevelopment scheme.
10. A large scale scheme as proposed will only be considered appropriate on this site in exceptional circumstances. It is acknowledged that the re-use of previously developed sites within the Green Belt is not necessarily inappropriate development and where the historic use of a large site in the Green Belt may cease the site owners may consequently seek an alternative use however such sites are generally not in the most accessible locations, which is the case in respect of this site, so are normally not appropriate for uses that would generate large numbers of trips to access-off site services.
11. The overall spatial vision of what Central Lancashire aspires to be like is what guides the Core Strategy. The Core Strategy includes locally distinctive Strategic objectives which are the key issues which need to be addressed. Each of the relevant Strategic Objectives

are set out within the relevant sections below. In respect of Policy 1 Strategic Objective SO1 seeks to foster growth and investment in Central Lancashire in a manner that:

- Makes the best use of infrastructure and land by focussing on the Preston/ South Ribble Urban Area, and the Key Service Centres of Leyland and Chorley.
- Marries opportunity and need by focussing investment in Preston City Centre and other Strategic Sites and Locations, and Leyland and Chorley town centres.
- Supports service provision in rural areas, particularly in the Rural Local Service Centres.

12. National guidance on Green Belt is contained in Chapter 9 of the Framework which states:

*79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*80. Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

*87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

*89. A local planning authority should regard the **construction of new buildings as inappropriate** in Green Belt. **Exceptions** to this are:*

*...  
limited infilling or the **partial or complete redevelopment of previously developed sites (brownfield land)**, whether redundant or in continuing use (excluding temporary buildings), **which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.***

13. The application site constitutes previously developed land within the Green Belt which would engage within the exception contained within paragraph 89 of The Framework involving the complete redevelopment of a redundant previously developed site on the proviso that the development does not have a greater impact on the openness of the Green Belt and the purpose of including land within it.

14. Policy BNE5 of the Local Plan relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:

The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:

In the case of re-use

- 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 respects the character 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.

In the case of infill:

c) The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In the case of redevelopment:

d) 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 plan for the site as a whole.

15. The construction of the new buildings will constitute inappropriate development unless one of the exceptions in the Framework is engaged. To benefit from the relevant exception in the case of this site, the applicant must demonstrate that the construction of the new buildings constitute:
  - The partial or complete redevelopment of previously developed land;
  - Which would not have a greater impact on the “openness” of the Green Belt; and
  - Which would not have a greater impact on the purposes of including land in the Green Belt.
16. The site is occupied by various vacant buildings which were used as a forensic science lab but have been empty for some time now. The site falls to be considered previously developed land and the proposals will result in the complete redevelopment of previously developed land.
17. In terms of openness whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of ‘openness’. It is noted that the existence of buildings on the current site has an impact on the openness of this area of Green Belt.
18. The total volume of the existing buildings equates to 21,328m<sup>3</sup>. The building proposed for Speedy Scaffolding has a volume of 7000m<sup>3</sup> and the building for Chorley Group has a volume of 14,200m<sup>3</sup> which results in a volume marginally below the existing buildings on site. Although an assessment of scale, heights and footprint is no longer the test in respect of the Framework, it is considered that replacing a large range of mis-matched buildings and structures with two buildings which have less volume than the current buildings/ structures on site it is considered that from an openness perspective the perception is that the impact on openness will be less.
19. The five purposes of the Green Belt are as follows:
  - to check the unrestricted sprawl of large built-up areas;  
*The development proposes to restrict the built development to the existing site boundaries.*
  - to prevent neighbouring towns merging into one another;  
*Development of the site would not lead to the coalescence of neighbouring towns (Chorley and Standish).*
  - to assist in safeguarding the countryside from encroachment;  
*The development would not result in encroachment of the countryside as the development involves the redevelopment of previously developed land*
  - to preserve the setting and special character of historic towns; and  
*This does not apply as the site is not located near a historical town*
  - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.  
*It is not considered that the development of this site would prejudice the development of other non-Green Belt sites within the Borough*
20. As such it is considered that the proposed new buildings are not inappropriate development within this Green Belt location.



21. However, the proposed development also proposes to change the use of an area of existing car parking to create an area of outside storage associated with the scaffolding business. Paragraph 89 of the Framework lists types of built development which are not necessarily inappropriate and paragraph 90 lists certain other forms of development that are also not necessarily inappropriate in Green Belt however change of use of the car park into an open storage area does not form development which falls within paragraph 89/90 and as such falls to be considered inappropriate development. In such cases the tests of paragraph 88 are engaged which requires very special circumstances to be provided.

#### Visual Impact

22. It has been established in case law that openness and visual impact are different concepts in terms of Green Belt Policy. However they can relate to each other and as such the visual impact is a material consideration. In *Heath & Hampsted Society v LB of Camden* [2007] EWHC 977, the difference between openness and visual impact was explained as follows:

*21. Paragraph 3.6 is concerned with the size of the replacement dwelling, not with its visual impact. There are good reasons why the relevant test for replacement dwellings in the Green Belt and Metropolitan Open Land is one of size rather than visual impact. The essential characteristic of Green Belts and Metropolitan Open Land is their openness ... The extent to which that openness is, or is not, visible from public vantage points and the extent to which a new building in the Green Belt would be visually intrusive are a separate issue...*

*The fact that a materially larger (in terms in footprint, floor space or building volume) replacement dwelling is more concealed from public view than a smaller but more prominent existing dwelling does not mean that the replacement dwelling is appropriate development in the Green Belt or Metropolitan Open Land.*

*22. The loss of openness (ie unbuilt on land) within the Green Belt or Metropolitan Open Land is of itself harmful to the underlying policy objective. If the replacement dwelling is more visually intrusive there will be further harm in addition to the harm by reason of inappropriateness, which will have to be outweighed by those special circumstances if planning permission is to be granted (paragraph 3.15 of PPG 2, above). If the materially larger replacement dwelling is less visually intrusive than the existing dwelling then that would be a factor which could be taken into consideration when deciding whether the harm by reason of inappropriateness was outweighed by very special circumstances.*

23. When interpreting paragraph 89 of the Framework the Judge in *Timmins v Gedling BC and Westerleigh Group Limited* [2014] analysed the relationship between openness and visual impact. He held inter alia:

***74. Any construction harms openness quite irrespective of its impact in terms of its obtrusiveness or its aesthetic attractions or qualities. A beautiful building is still an affront to openness, simply because it exists. The same applies to a building this is camouflaged or rendered unobtrusive by felicitous landscaping.***

24. In this case the Judge concluded that:

*78. In short it seems to me that there are three points which arise from the above analysis. First, there is a clear conceptual distinction between openness and visual impact. Secondly, it is therefore wrong in principle to arrive at a specific conclusion as to openness by reference to visual impact. Thirdly, when considering however whether a development in the Green Belt which adversely impacts upon openness can be justified by very special circumstances it is not wrong to take account of the visual impact of a development as one, inter alia, of the considerations that form part of the overall weighing exercise.*

25. As part of the development falls to be considered inappropriate development the landscape/ visual impact of the proposed development as a whole is a key material consideration in terms of the overall balance as to whether there is harm.
26. In terms of the current situation on site there are a number of buildings and structures on site which range in height from single storey buildings, two storey portacabins and a three storey element to the building which exceed 5 metres in height. The proposed buildings will exceed the height of the existing buildings on site (with the Chorley Group building extending to 7.5m in height and the scaffolding building extending to 8.1m in height) which will have a greater visual impact.
27. However from a visual impact perspective it is considered that the site is currently occupied by a 'mis-match' of dilapidated buildings and portacabins and it is considered that redeveloping the site with a more modern scheme will benefit the visual characteristics of the area which is a material planning consideration when assessing the harm created to the Green Belt.
28. In terms of the area of open storage for the scaffolding business it is considered that this would have a greater impact visually than the previous use as a car park. However it is important to note that this part of the site will be viewed in the context of the built development proposed, additional boundary planting can be secured to mitigate the impact of this part of the site and the height of the stored materials can be controlled by condition. As such it is considered that visual impacts of the storage area can be reduced by the imposition of conditions.

#### Overall Conclusion Green Belt

29. The development falls to be considered inappropriate development within the Green Belt and as such the above very special circumstances are taken into account when balancing the harm created by reason of inappropriateness with any other harm and against other considerations as per the test contained within Paragraph 88 of the Framework.
30. The following very special circumstances exist in respect of this site:
  - The site is previously developed land and its redevelopment is encouraged both at a national level within the Framework (one of the 12 core planning principles is to encourage the effective use of land by reusing land that has been previously developed (brownfield land)- paragraph 17) and a local level with a brownfield target of 70% of all new housing.
  - The existing site already has an impact on the openness of the Green Belt by the presence of existing structures, buildings and areas of hardstanding.
  - The site is currently a derelict site which does not make a positive contribution to the character or appearance of the rural location. Nor does the current site contribute to the 5 purposes of Green Belt which is assessed below in respect of the proposed development.
  - The development will create a visual benefit by the removal of the existing mis-match of buildings/ structures on the site.
  - The development will create jobs. At a national level the Framework confirms that *the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future* (paragraph 18). Paragraph 19 goes on to confirm that *the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.*
31. In relation to the 5 purposes of the Green Belt (para 80 of the Framework) it is considered:
  - to check the unrestricted sprawl of large built-up areas;

*The development proposes to restrict the built development to the existing site boundaries.*

- to prevent neighbouring towns merging into one another;  
*Development of the site would not lead to the coalescence of neighbouring towns (Chorley and Standish).*
- to assist in safeguarding the countryside from encroachment;  
*The development would not result in encroachment of the countryside as the development involves the redevelopment of previously developed land*
- to preserve the setting and special character of historic towns; and  
*This does not apply as the site is not located near a historical town*
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

*It is not considered that the development of this site would prejudice the development of other non-Green Belt sites within the Borough*

32. As such although the development falls to be considered inappropriate development it is considered that the proposed development would contribute to the purposes by recycling derelict land which is one of the 12 core planning principles contained within the Framework.
33. The proposals constitute a re-use of this previously developed land which constitutes efficient and effective use of brownfield land. As set out above there are very special circumstances which do exist to support the redevelopment of this site which outweigh the harm the development would have on the Green Belt

### Employment Land

34. As this application proposes redevelopment of employment premises (former forensics laboratory) for mixed uses purposes it should be assessed under the criteria in Policy 10 of the Core Strategy and the provisions in the SPD on Controlling the Re-Use of Employment Premises, which aim to protect all existing employment premises and sites last used for employment uses. Policy 10 states:

All existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that 'Best Urban' and 'Good Urban' sites will be retained for B use class employment use. Proposals on all employment sites/premises for re-use or redevelopment other than B use class employment uses will be assessed under the following criteria:

- (a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;
- (b) the provision and need for the proposed use;
- (c) the relative suitability of the site for employment and for the alternative use;
- (d) the location of the site and its relationship to other uses;
- (e) whether the ability to accommodate smaller scale requirements would be compromised;
- (f) there would be a net improvement in amenity.

Any proposals for housing use on all employment sites/premises will need to accommodate criteria (a)-(f) above and also be subject to:

- (g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;
- (h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

35. Although the uses proposed are considered to be sui-generis uses as mixed use facilities it is noted that both the Chorley Group premises and the scaffolding business will generate a number of jobs. The Council's Economic Development Section support the proposals and make the following comments:

- The Chorley Group are a well-established Chorley company that is growing and expanding. The Chorley Group showroom is attracting more customers resulting in an increased demand on the number of vehicles being stored and valeted.
- The storage and valeting of vehicles takes place on Friday Street and the company have now outgrown this site and requires a larger site for expansion. In addition, the Friday Street site is a short term 12 month lease and the uncertainty of an annual lease renewal does not provide a good basis for growth and investment in the current site. The Chorley Group have to vacate their current premises on Friday Street by December 2015.
- The Chorley Group are an active member of the local business community and have recently been a headline sponsor at the Council's annual Choose Chorley for Business evening event. They are currently working closely with the Chorley Council advisor on the development and expansion of their business.
- The Chorley Group have pride in Chorley as their Head Office base and although they have showrooms in a number of locations across Lancashire they continue to use the 'Chorley Nissan' name.
- The new site on land opposite Chancery Road is ideal to create a purpose built service centre, with more ramps and MOT bays. This will ensure the increased customer demand is met and allow The Chorley Group to expand.
- The new site (previous forensic labs) has been vacant for a number of years. The investment by The Chorley Group will create new and improved commercial floorspace.
- The relocation to this new site will safeguard existing jobs and create new jobs. 20 new posts are to be created and promoted to local Chorley job seekers. The Chorley Group are committed to training their staff and offering apprenticeships, and with Nissan, have worked with Blackburn College to create a Nissan workshop/training facility.

- If successful in moving to this new site, The Chorley Group are keen to apply for a Chorley Business Improvement Grant to financially assist toward the internal fit out. In doing so, the company will sign up our Chorley Employment Charter and it is likely up to 10 of the 20 new posts will be filled by local Chorley residents.

36. The proposals will provide new job opportunities and the proposals will maintain the site for employment purposes in accordance with the general thrust of Policy 10.

#### Offices

37. As set out above both of the proposed buildings incorporate a substantial amount of office accommodation with the Chorley Group envisaging that this site will be their head office. Offices fall within the definition of a main town centre use in accordance with the Framework. Such uses which are located outside of the town centre and/or designated shopping areas are required to be supported by a sequential assessment to ensure that there are no more sequentially preferable sites for the proposed offices. In this regard the application is supported by such as assessment.

38. Although the submitted sequential assessment queries the need for such a requirement given the mixed use nature of the proposals it is considered that a substantial amount of office accommodation is proposed in respect of the Chorley Group proposals which will form a significant part of the development and is not considered to be ancillary accommodation associated with the other use within the building.

39. A site between 1-1.5 hectares is required for the proposed facilities. The head office for the Chorley Group needs to be sited close to the day to day business to ensure the operation of the business is not affected and as such it is considered that there are no sequentially preferable sites for the Chorley Group office accommodation proposed as part of this development.

#### **Other Considerations**

##### Highway safety

40. In terms of the highway implications of the proposed development the LCC Highway Engineer has assessed the proposals and made the following comments:

41. The proposal does not include a new vehicle access to the public highway. The site has an existing access with adequate visibility and capacity at its junction with West Way and should cater for the proposal without difficulties. There are no identifiable safety issues of highway concern at the site access and indeed West Way and the highway network within the immediate environment of the site.

42. The site is in a location where infrastructure exists and offers employees and visitors the opportunity to adopt sustainable alternative modes of travelling to using private cars. There are good quality footways, cycle routes, bus stops with a train station within 2.0km of the site.

43. The proposed site layout incorporates adequate manoeuvring space to allow for various sizes of vehicles to safely turn. 58 parking spaces are proposed 5 of which will be disabled parking spaces.

44. Policy ST4 of the Local Plan sets out the parking requirements within the Borough. For the uses proposed there are the following parking requirements:

B1 office accommodation- 42 spaces (based on 1,338m<sup>2</sup> of office floorspace)

B2 general industrial- 57 spaces (based on 2,731m<sup>2</sup> of workshop space).

45. The parking is below the standards required in terms of Policy ST4 however it is noted that the largest parking generator will be the office accommodation for which there is sufficient parking. The Chorley Group building includes a large amount of operational parking separate to the main parking area and the majority of the staff in respect of Speedy Scaffolding will be based off site. As such the level of parking is considered to be acceptable.

46. The Highway Engineer has commented that a proposal of this type and scale should normally be accompanied by a Transport Assessment (TA) to establish the highway and transport impacts of the proposed development and to ascertain if the development can be satisfactorily integrated into the existing infrastructure network. This is a requirement of the National Planning Policy Framework (NPPF) which states that all developments that generate significant amounts of movement should be supported by a TA. However, The Engineer has taken into account the fact that the previous use of the site was on a slightly larger scale and although 10no additional parking spaces are currently proposed the overall the impact will be significantly different from the previous use. As such the Engineer has not insisted on the submission of the TA.

47. It is noted that further representations have been received from Lancashire Fire and Rescue Services in respect of the lack of TA and safety implications of the proposed access point. The Highway Engineer has responded to these comments below:

*Comment: On a procedural matter, the red line location plan submitted with the application does not include the site access road, which links the development to West Way (B5252). My client owns the access road and whilst the owner of the application site has the right of access across this land the appropriate planning notice has not been served. More importantly the red line application site boundary and site layout plans do not show the Council how delivery vehicles and cars are to safely gain access/egress from the site to the public highway at West Way.*

48. Highway Engineer's response: The letter has confirmed that the access road serving the site is owned by Lancashire Fire and Rescue Services (LFRS) and that the applicant has right of access. Given that it is an existing access already used by cars, delivery vehicles and fire tenders, It is not clear as to why the letter wants the applicant to separately demonstrate how delivery vehicles and cars associated with the proposed site are to 'safely gain access/egress from the site to the public highway at West Way'. As explained in the formal Highways response, the junction of the site access and West Way is sufficiently wide with good visibility and adequate capacity to accommodate traffic to be generated by the proposed development. There are no records of traffic accidents at the site access. From Highways perspective therefore, there should be no problems 'safely gaining access/egress'. It is therefore not considered necessary for the applicant to provide this information.

*Comment: The application site was formerly a low key forensic laboratory with few daily visitors, which also afforded the site to be more secure by this type of occupation, the proposed development would have security implications due to the nature of its proposed uses. Whilst my client is pleased that the site is to be regenerated and visually improved, concern is raised with regards to the increase in traffic and deliveries of vehicles on transporters to and from the site. It would appear from considering the planning submission and layout plans articulated vehicles will access/egress the site from two access points to the north and east. The site layout plans seem to show the vehicle storage and workshop use gaining using the eastern access with the scaffolding business using the northern access. Lancashire Council, as Highway Authority, has not requested a detailed Transport Assessment because it believes the former use was on a slightly larger scale than the proposal.*

*The former use was a forensic laboratory and this would fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended. It was a low key business use that generated very few vehicles. The proposals would appear to fall within a mixed use development (Sui Generis) with uses predominantly falling within Class B2 General Industry and B8 Storage or Distribution. On this basis, it is requested that a detailed Transportation Assessment is submitted and formally considered by the County Council as Highway Authority. In addition, the forensic laboratory operated only during normal office hours (09.00 – 18.00) and the proposed use will operate 06.00 – 19.00 Monday to Friday and 08.00 – 18.00 at weekends. The highway authority needs to take into account*

*the increased hours of use and its impact on the road junction as well as my client's emergency activities.*

49. Highway Engineer's response: The letter expressed concern that the proposal will result in increased traffic and delivery of vehicles on transporters to and from the site and appears to have issues with the internal access layout. It would be noted from the submitted application form that the former forensic site had a gross floor area (gfa) of 5105m<sup>2</sup> (B1 use), but the current proposal is only for 1251m<sup>2</sup> gfa (B1 use) and 2731m<sup>2</sup> gfa (other uses – Sui Generis). On scale therefore, the previous use was larger than the current use. However, while the former site had 44 parking spaces, the current proposal is for 10 parking spaces more than the former forensic site. The additional 10 vehicles will obviously increase traffic movements to and from the site, but as noted in the Highways response, the impact due to this increase will not be severe as to cause adverse traffic conditions, given the capacity of the site access and West Way. Although described in the letter as low key business, traffic generated by the 44 vehicles associated with the forensic site was not known to have resulted in adverse transport impacts in the area. As regards the operative times indicated, it should be noted that the earlier the opening times of the site and the later the closing times, the more likely it is for peak hour traffic to be avoided, moreover, the applicant was requested to submit a Travel Plan which should provide further scope for improved travelling times to the site.

*Comment: The access to the northern part of the site is proposed to be re-opened and used solely by the scaffolding business. It is close to the training yard and the access often needs to be restricted when training takes place, especially when the towers and fire house are in use. By re-opening this access to articulated vehicles and other vehicles there are safety and access implications, which are material planning considerations in determining the application. It is requested that the Council consider imposing restrictions or seek revised plans that allow only one access to be provided to the east of the site with all vehicles entering and leaving the site by this access only.*

50. Highway Engineer's response: As regards the internal layout, the letter expressed concern that the proposed access to the north leading to the scaffolding warehouse might be too close to the LFRS training yard and may have safety implication when training is in session. I have assessed the safety implication of vehicle manoeuvring in and out of the proposed scaffolding yard and find the proposal acceptable, however as the site is not adopted by the County Council, but privately maintained, any alterations as a result of potential non highway risks to other businesses are matters for individual owners of the sites to address. From highways point of view the current two accesses makes entry and exit of the sites easier and appears a safer proposition due to difficulties of turning of large vehicles if the access was one. As a private site, Highways will be unable to suggest any such conditions to the Local Planning Authority for use of a single entrance point into the sites.

*Comment: My client operates a 24 hour, 7 days each week emergency fire station and urban search and rescue facility. In addition, the site is a training facility and a central store for vehicles and equipment. More importantly the fire service headquarters is to be relocated to the site in the future with over 130 staff being relocated as well as the centre offering regional training facilities. The yard area to the north of the site is used on a daily basis for training purposes including the use of the fire house and towers. If the application site is used more intensively than at present my client is concerned that the junction of the site with West Way might not be sufficient to cater for the increased vehicular traffic and more importantly be a grid lock when emergency vehicles are needed.*

51. Highway Engineer's response: The Highway Authority was consulted on a specific proposal as described in the planning application submission. As to whether the LFRS site is to be expanded in future is not a material highway consideration essential to make the current proposal acceptable. Any future expansion of the LFRS site will be highway assessed on its own merit whenever the Highway Authority is consulted. I must re-iterate that there are currently no congestion problems at the site access and there is adequate

capacity at the access to cater for traffic to be generated by the proposed site, therefore any talk of grid lock as stated in the letter appears the writer's own perception rather than reality. As indicated above, in traffic terms, the only difference between the current proposal and the former forensic site is traffic to be generated by the additional 10 vehicles.

*Comment: It is therefore requested that before a decision is made on this application a detailed Transportation Assessment is prepared that considers the impact of the proposed use on the future highway network as well as its impact on its neighbours as Lancashire fire and Rescue Service. It is requested that the assessment should include:*

- *A detailed assessment of how the traffic generated from the proposed use will impact on the junction of the site with West Way especially during peak times and how it will impact on traffic flows generated from the adjoining uses both now and in the future when the fire service headquarters is relocated to Washington Hall;*
- *Whether the junction with the access road and West Way requires any improvements such as traffic lights and/or traffic management to cater for the increased use, especially to ensure unrestricted access for emergency vehicles;*

52. Highway Engineer's response: It will is not always necessary for development proposals to be accompanied by a Transport Assessment. Although paragraph 32 of the National Planning Policy Framework (NPPF) sets out that all developments that generate significant amounts of transport movement should be supported by a Transport Assessment, the judgement as to whether a development proposal would generate significant amounts of movement is the ultimate responsibility of the Highway Authority; and this is done on a case by case basis taking into account considerations such as the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Transport Assessment), existing intensity of transport use and the availability of public transport; impact on other priorities/ strategies (such as promoting walking and cycling); the cumulative impacts of multiple developments within a particular area; etc., etc. In the case of this proposal, it was considered that the site was existing and that the only difference between the forensic site and the proposal is trips to be generated by the additional 10 vehicles, which as explained above will not result in significant amounts of transport movement as to warrant submission of Transport Assessment. Hence, the decision not to request a Transport Assessment from the applicant. The County Council will therefore not accede to the letter's request for a detailed Transport Assessment to be submitted.
53. As regards possible improvements, such as traffic lights/traffic management measures requested in the letter the Highway Engineer has commented that mitigation is only required where the proposed development is likely to impact adversely upon the highway network and the transport system. Therefore, given that this proposal is not likely to have any such adverse impacts the Engineer considers that it would be unreasonable to request any such impact mitigation measures from the applicant.
54. The Engineer has however commented that the applicant is required to submit a Travel Plan (TP) detailing the package of proposed measures aimed at reducing reliance on private cars and reducing congestion. As pointed out above the area has the requisite infrastructure to encourage alternative transport modes and with a TP in place, the development will most likely deliver significant reductions in the use of private cars, although it must be stressed that the success of the TP will involve continuous monitoring, review and improvement over time.
55. In respect of highways and traffic the proposals are considered to be acceptable subject to conditions.
56. It is noted that the Lancashire Fire and Rescue Service, as a neighbour, have commented on the proposals in relation to the fact that the existing access onto Westway has been widened by the addition of a lane strictly for egress of emergency service vehicles only and the full width of the existing access cannot be considered in this application.



57. The Highway Engineer has been made aware of these comments. It is important to note that the access road leading to the site is not an adopted highway and the assessment of the junction which has been undertaken does not foresee any 'potential congestion' due to the proposed development. It is considered that access for emergency service vehicles will not be impeded by the proposed development.
58. It is clear that the junction was widened to facilitate access for emergency service vehicles however no additional lanes have been provided within the adopted highway, the works which occurred involved widening the access which are still part of the public highway. There is an additional lane within the site which has been created and is painted red. The Highway Engineer has commented that given that the highway widenings form part of the public highway they cannot be reserved for use only by the Fire & Rescue Service and it would be almost impossible, from the Highway Authority's perspective, to prevent other vehicles from using these sections of the highway.
59. It appears that the use restrictions mentioned are on the additional lane is a private legal covenant with the landowners, The Woodland Trust, and is outwith of the public highway. As such any restrictions within the site should be enforced, if necessary, by the land owners. Even with such restrictions it is important to note that there is an alternative egress point from this site which provided egress for vehicles as part of the previous use of this site and will provide a suitable egress for the vehicles associated with the proposed development. The widened section of the junction is public highway and the Highway Engineer does not consider it necessary to require improvements to visibility at the access.

#### Sustainable Resources

60. The proposed buildings on this site both exceed 500m<sup>2</sup> and as such will be required to achieve BREEAM rating 'Very Good'. Policy 27 of the Core Strategy also includes the following requirements in respect of the proposed buildings:

*Criteria (a) - Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;*

*Criteria (b) - Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures,*

*Or*

*appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;*

*Criteria (c) - Appropriate storage space is to be provided for recyclable waste materials and composting;*

*Criteria (d) - If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.*

61. Policy 27 also requires a reduction in carbon emissions over and above BREEAM however it is considered that both parts of Policy 27 can be addressed by condition.

#### Landscaping and Trees

62. The site is currently partly screened on the western and southern boundaries by existing trees and vegetation. The Ecologist as Greater Manchester Ecology Unit has commented that new shrub and tree planting would serve to compensate for the tree losses, would enhance the biodiversity value of the site and would serve to screen site activities from the surrounding area. As set out above in terms of the visual impacts on the Green Belt and the adjacent Area of Separation additional planting is required to assist in providing a

landscaping screen, this is particularly relevant in respect of the proposed outdoor storage area. This will be secured by condition.

63. There are a number of trees on site and as such the application is supported by a Arboricultural Report with Tree Constraints Plan & Arboricultural Impact Assessment. In total 20 individual trees were assessed and 1 group of trees. Two of the individual trees (both oak trees) close to the entrance of the site and the group of trees (mixed broadleaf) are categorised as 'B' category trees which are trees of moderate quality and value with an estimated remaining life expectancy of at least 20 years. The remaining trees are categorised as low quality or trees that cannot be realistically be retained due to their condition.
64. In total 13 of the individual trees surveyed were initially identified for removal including the 2 category B trees however the plans have been amended to ensure the protection of the 2 category B trees. To afford additional protection to these trees a TPO will be placed on the category B trees on the site and a 'no-dig' condition will be attached in respect of the trees to be retained on the site.

#### Ecology

65. As the proposals involve demolishing existing buildings and structures the application is supported by an Ecological Appraisal. This has been reviewed by the Ecologist at Greater Manchester Ecology Unit who has made the following comments.
66. The application site is not of substantive nature conservation value; it is dominated by buildings and hard standing and is surrounded by a security fence which limits access. The buildings to be demolished have only low potential to support bats and ponds within 250m of the site have only low potential to support great crested newts.
67. The Ecologist has commented that some evidence of nesting birds in parts of the existing building complex was found during survey. All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended). As such the Ecologist has recommended a condition that no demolition works should commence during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.
68. As a cautionary note the Ecologist has commented that although the buildings have been assessed as having only low potential for supporting bats, bats can and do turn up in unlikely places. If bats are found at any time during any approved demolition works then works must cease immediately and advice sought from a suitably qualified person about how best to proceed. The applicant will be advised of this risk by inclusion of an informative.
69. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
  - (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
  - (b) there must be no satisfactory alternative and
  - (c) favourable conservation status of the species must be maintained.
70. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.
71. As set out above the ecological impacts of the proposals have been fully considered and as such it is considered that the Council, subject to suitable conditions, has discharged its obligations in respect of the above tests.

### Noise

72. The Parish Council have raised concerns about the noise and visual impacts of the proposed outside storage area for the scaffolding company. The Parish Council have mentioned the Area of Separation (Policy BNE4 of the Local Plan) however the proposed development does not extend into this area ensuring that the Area of Separation is maintained.
73. In terms of noise it is noted that a large outside storage area is proposed in connection with the scaffolding business. The movement of scaffolding equipment onto and off vehicles has the potential to adversely impact on nearby noise sensitive dwellings. In this regard the Council's Regulatory Services Officer has requested the submission of a noise assessment to understand any impact which may result in the need for restrictive conditions in respect of this element of the proposals. Alternatively Speedier Scaffolding may be able to demonstrate that their business and operational methods will have limited noise impact. Noise will be addressed further on the addendum.

### Flood Risk and Drainage

74. Lancashire County Council as the Lead Local Flood Authority commented that a Flood Risk Assessment was needed for this site (due to the fact that the site exceeds 1 hectare) and in this respect a Flood Risk Assessment (FRA) has been submitted. This has been reviewed by LCC's Flood Risk Management Officer who has made the following comments.
75. The FRA submitted in support of this application has based the attenuations requirements on an additional 20% allowance for climate change. The LLFA recommends using a 30% allowance. The FRA also states that the highways within the site will be used to accommodate exceedance flows. Whilst this is acceptable in principle from a flood risk perspective, if the applicant is intending for the highway within the site to be adopted, the use of the highways as an exceedance route will need to be agreed in writing with the Highway Authority. However the internal roads within the site will not form part of the adopted highway.
76. It is noted from the FRA that the proposed development intends to incorporate the use of underground geo-cellular storage tanks. The LLFA has recommended guidelines for such systems which will be attached as an informative to the decision notice.
77. Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained.
78. Local government has a major role in delivering and achieving the objectives set out in the WFD and to help the natural and modified environment adapt to the impacts of climate change. One mechanism of doing so is through the planning and development process to ensure that new developments do not pose a threat to water quality. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy.
79. In addition to the national guidelines on the use of SuDS, the Chorley Local Plan and the Design Guide SPD also includes provisions to encourage the use of SuDS on development proposals within Chorley. Specific policies include:
- Core Strategic Objective SO23 to 'manage flood risk and the impacts of flooding especially at Croston.'
  - Design Principle 5 - development should contribute towards resource and energy efficiency (production and use), environmental sustainability including flood risk management and biodiversity'. This design principle also encourages the use of SuDS.

80. It is therefore considered especially appropriate for the applicant to incorporate SuDS within the drainage strategy for the proposed development. It is considered that issues in respect of flood risk and drainage can be addressed by condition.

### Overall Conclusion

81. The proposed development constitutes the redevelopment of previously developed land within the Green Belt. Whilst the proposals fall to be considered inappropriate development it is considered that the re-use of this derelict site which will create employment opportunities outweighs the harm created and the impact can be mitigated via suitable conditions. As such the application is recommended for approval on the proviso that the noise impacts can be addressed.

### Planning Policies

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

### Planning History

Reference	Description	Decision	Date
78/01239/LCC	New Offices/Teaching/Dining Block	No objection	12.02.1979
88/00036/CIRC	Circular 18/084 notification proposed erection of single storey extension to chemistry block	No objection	15.03.1988
88/00730/CIRC	Circular 18/84 notification for perimeter security fencing	No objection	08.11.1988
97/00927/CIRC	Circular 18/84 Notice of proposed development by Forensic Science Service to provide Security Fencing,	No objection	18.02.1998
98/00800/CIRC	Notice of proposed installation of CCTV and Lighting,	No objection	17.02.1999
99/00185/CIRC	Circular 18/84 notification in respect of provision of additional car parking facilities	No objection	26.05.1999
01/00626/CIRC	Notice of proposed development by Government Agency to provide additional work floor area with provision of 2 No new portacabins and 1 No. relocated portacabin,	No objection	11.09.2001
03/00694/CIRC	Provision of additional portacabin at second storey level above existing portacabin	No objection	13.08.2003
05/00504/CIRC	Erection of a new two storey modular building to the rear of the site	No objection	22.06.2005
06/00154/CIRC	Erection of two storey modular building to rear of site.	No objection	28.03.2006

### Suggested Conditions

No.	Condition																																				
1.	<p>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</p>																																				
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	Reason: For the avoidance of doubt and in the interests of proper planning
3.	<p>Prior to the commencement of each phase of the development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be first submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: Full details of the proposed external facing materials was not provided as part of the application and in order to ensure that the materials used are visually appropriate to the locality samples are required.</p>
4.	<p>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 first 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.</p> <p>Reason: Full details of the proposed fences/ walls were not provided as part of the application and in order to ensure a visually satisfactory form of development</p>
5.	<p>Prior to the commencement of the development full details of the trees to be removed at the site and full details (including species, number, stature and location) of the replacement tree planting shall have been first submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details as part of the approved landscaping scheme for the site.</p> <p>Reason: To safeguard the visual amenity of the area and to mitigate for the loss of the trees on the site. Trees are required to be felled to facilitate the development and to mitigate the loss full details of a replacement scheme are required prior to commencement to ensure that adequate mitigation can be secured</p>
6.	<p>Prior to the commencement of each phase of the development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been first submitted to and approved in writing by the Local Planning Authority. In particular the proposed vehicle crossing at the site access shall incorporate dropped kerbs and tactile pavings. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p>Reason: The submitted information did not include details of the hard surfacing materials and to ensure that the materials used are visually appropriate to the locality samples are required.</p>
7.	<p>Before each phase of the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been first 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.</p> <p>Reason: The submitted information did not include details of the levels and protect the appearance of the locality and in the interests of the amenities of local</p>

	residents.
8.	<p>Before each phase of the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas associated with that phase shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p>Reason: To ensure adequate on site provision of car parking and manoeuvring areas.</p>
9.	<p>No development or demolition works shall take place until a Construction Method Statement has been first submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>• the parking of vehicles of site operatives and visitors wholly within the application site</li> <li>• hours of operation (including deliveries) during construction and demolition</li> <li>• loading and unloading of plant and materials wholly within the application site</li> <li>• storage of plant and materials used in constructing the development wholly within the application site</li> <li>• measures to control the emission of dust and dirt during construction</li> <li>• a scheme for recycling/disposing of waste resulting from construction works</li> <li>• facilities to be provided within the site to clean the wheels of the vehicles exiting the site</li> </ul> <p>Reason: The site is located close to the Fire Station. The specified information is required in the interests of highway safety and to ensure that the construction phase does not hinder the operation of the fire station. This information is required prior to commencement to ensure that the entire project adheres to appropriate procedures</p>
10.	<p>A scheme for the landscaping of the development and its surroundings shall be first submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; Landscaping proposals should comprise only native plant communities appropriate to the natural area and shall demonstrate that the landscaping proposed will provide a visual screen along the western and southern boundaries of the approved outside storage area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
11.	<p>The buildings hereby approved shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good'. Within 6 months of occupation a 'Post Construction Stage' assessment and a Final</p>

	<p>Certificate shall be submitted to the Local Planning Authority certifying that a BREEAM standard of 'very good' has been achieved.</p> <p>Reason: In the interests of minimising the environmental impact of the development</p>
12.	<p>Prior to the commencement of each phase of the development, a 'Design Stage' assessment and related certification which confirms that the phase will achieve BREEAM Very Good shall be first 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.</p> <p>Reason: The buildings will be constructed to BREEAM 'Very Good' standards in the interests of minimising the environmental impact of the development. The Design Stage Assessment is required early on in the process to ensure the required standard is met</p>
13.	<p>Prior to the occupation of each phase of the development hereby permitted a letter of assurance; detailing how the building has achieved BREEAM has been issued by a licensed BREEAM Assessor/Auditor and approved in writing by the Local Planning Authority</p> <p>Reason: In the interests of minimising the environmental impact of the development.</p>
14.	<p>No demolition works shall be undertaken during the bird nesting season (March to July inclusive) unless a survey for nesting birds has been undertaken, submitted to and approved in writing by the Local Planning Authority which demonstrates the absence of nesting birds. Reason: to ensure the protection of any birds which may be nesting within the building/ structures which will be demolished on the site.</p>
15.	<p>Prior to the commencement of the development a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be first submitted to and approved, in writing, by the Local Planning Authority:</p> <ol style="list-style-type: none"> <li>1) A preliminary risk assessment which has identified: <ul style="list-style-type: none"> <li>• all previous uses;</li> <li>• potential contaminants associated with those uses;</li> <li>• a conceptual model of the site indicating sources, pathways and receptors; and</li> <li>• potentially unacceptable risks arising from contamination at the site.</li> </ul> </li> <li>2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.</li> <li>3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</li> <li>4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.</li> </ol> <p>The scheme shall be implemented thereafter in accordance with the approved details.</p> <p>Reason: The National Planning Policy Framework (paragraph 109) states that the</p>



	<p>planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented.</p>
16.	<p>Prior to the occupation of any phase of the development hereby permitted a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.</p> <p>Reason: The National Planning Policy Framework (paragraph 109) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented.</p>
17.	<p>Prior to the commencement of the development (excluding demolition and site preparation works) details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been first submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> <li>a) Information about the design storm period and intensity (1 in 30 &amp; 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;</li> <li>b) The drainage strategy should demonstrate that the surface water run-off must not exceed the runoff rate for currently developed site which has been calculated at 11 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.</li> <li>c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);</li> <li>d) Flood water exceedance routes, both on and off site;</li> <li>e) A timetable for implementation, including phasing as applicable;</li> <li>f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;</li> <li>g) details of water quality controls, where applicable.</li> </ul> <p>The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved buildings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p>Reason: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed Development and to ensure that water quality is not detrimentally impacted by the</p>

	development. This information is required prior to commencement of the built development to ensure a suitable scheme can be implemented.
18.	<p>Prior to the first use of each phase of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.</p> <p>Reason: To promote and provide access to sustainable transport/multi-modal options.</p>
19.	<p>The construction of the proposed car parking spaces and hardsurfaced areas located within the root protection area of trees T002 and T010 (detailed on the Tree Constraints Plan ref: 0674 received 1st July 2015) shall be undertaken using a 'no-dig' cellular confinement system method of construction or alternative method which has first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the continued protection of the trees on the site</p>
20.	<p>All material/ scaffolding equipment stored outside shall not exceed a maximum height of 3m</p> <p>Reason: in the interests of maintaining the visual amenities of this Green Belt location</p>
21.	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA 1240 v3) and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> <li>1. Limiting the surface water run-off generated so that it will not exceed the run-off from the currently developed site and not increase the risk of flooding off-site.</li> <li>2. Provision of 23m<sup>3</sup> of compensatory flood storage to accommodate the additional flows generated as a result of the increase in the impermeable area.</li> </ol> <p>The mitigation measures shall be fully implemented prior to occupation and Subsequently in accordance with the timing / phasing arrangements embodied within the scheme.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the sit and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.</p>
22.	<p>Prior to the first occupation of any of the buildings hereby permitted an appropriate management and maintenance plan for the sustainable drainage system shall be submitted to and approved in writing by the Local planning Authority. The plan shall include:</p> <ul style="list-style-type: none"> <li>• the arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company</li> </ul> <p>Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p>Reason: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.</p>
23.	<p>The approved phases of the development hereby approved are as follows:</p> <ul style="list-style-type: none"> <li>• Chorley Group-Vehicle storage, maintenance workshop and office building</li> <li>• Speedy Scaffolding- Purpose built office and storage building</li> </ul> <p>Reason: To define the permission</p>