

APPLICATION REPORT – 17/01006/FULMAJ

Validation Date: 16 October 2017

Ward: Chorley South East

Type of Application: Major Full Planning

Proposal: Demolition of existing unit and construction of new manufacturing facility (Use Class B2) and minor alterations to hard-surfacing.

Location: Pasquill Wigan Lane Chorley PR7 4BU

Case Officer: Mr Ian Heywood

Applicant: Saint Gobain Building Distribution Ltd

Agent: Freeths LLP

Consultation expiry: 14 November 2017

Decision due by: 26 January 2018

RECOMMENDATION

1. It is recommended that the application is approved subject to conditions.

SITE DESCRIPTION

2. The 3.2ha application site is currently occupied by the Pasquill timber manufacturing and distribution facility within three large sheds set in a site that overall covers 6.2ha. This includes substantial areas of hard standing used for parking and manoeuvring of vehicles associated with the distribution side of the business. The facility is set within the Green Belt, immediately adjacent to a Biological Heritage Site (BHS) and Yarrow Valley Park and is set in open countryside, albeit immediately adjacent to the A49, Wigan Lane with the former Ellerbeck open cast mine site a short distance to the south east.
3. There are a number of residential properties in the area, to the north of the site. The nearest is a property known as 'The Firs', which is immediately to the north of the site boundary, approximately 19 metres away. The next nearest is 'The Cottage', followed by 'Avon Lea', 18 Wigan Lane and Grundy's Farm that are approximately 113, 130, 134 and 163 metres away respectively.
4. The site is surrounded by woodland, mostly within the BHS and the valley park but there is also a line of trees along the highway frontage. The site is set at a lower level than the adjacent highway which, coupled with the planting, effectively screens most of the site from view.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. This application seeks planning permission to replace the existing buildings on the site, which are now life expired, and for some minor alterations to the existing area of hardstanding. It is proposed that the development is to be executed in a series of phases.

REPRESENTATIONS

6. No representations have been received.

CONSULTATIONS

7. The Coal Authority – standing advice, low risk area
8. Regulatory Services - Environmental Health – no objections.
9. Waste & Contaminated Land – no objections
10. Lancashire Highway Services – no objections, subject to suggested conditions.
11. Greater Manchester Ecology Unit – no objections subject to suggested conditions
12. United Utilities – no objection subject to suggested conditions

PLANNING CONSIDERATIONS

Principle of development

13. The site is located within the Green Belt.

14. Paragraph 89 of the Framework, states that, '*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- (fourth bullet point) *The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- (sixth bullet point) *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*

15. Policy 1 of the Lancashire Core Strategy identifies various areas for growth on a hierarchical basis. The site falls within criterion (f) which states, '*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.*'

16. Policy BNE5 of the Chorley Local Plan (2012-2016).relates to the redevelopment of 'Previously Developed Sites in the Green Belt'. Criterion (f) of the policy permits redevelopment in the Green Belt on the understanding that '*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.*'

17. The proposed replacement buildings essentially cover the same footprint as the existing ones and additionally include an amount of infilling of the void between these and the existing manufacturing building, which is being retained. The design is typical of this type of facility and in general the style is very similar to the existing buildings. In terms of massing and scale the proposed buildings are almost identical to those that are to be replaced.

18. The proposed replacement buildings are in the same use as the current ones and are not materially larger than the existing ones being replaced. It is considered, therefore, that they would have no greater impact on the openness of the Green Belt than is currently the case.

19. Although the development in itself comprises significant floor space, the additional new floorspace created by the proposal is very modest and, therefore, could be considered within the limits of 'small scale' given the size of the site and the number of buildings it accommodates as a whole.

20. The proposed development is, therefore, considered to be in conformity with the Framework, policy 1 of the Core Strategy and policy BNE5 of the Chorley Local Plan (2012-2016) and is acceptable in principle.

Industrial development

21. Policy EP3 of the Chorley Local Plan (2012-2016) states that, '*Proposals for new business, industrial and storage and distribution uses, including extensions to existing premises, will be permitted if they satisfy the following criteria:*

- a. *They are of a scale and character that is commensurate with the size of the settlement;*

- b. *The site is planned and laid out in a comprehensive basis;*
 - c. *The proposal will not prejudice future or current economic activities within nearby areas;*
 - d. *The proposal will not cause unacceptable harm, eg noise, smells to surrounding uses;*
 - e. *The site has an adequate access that would not create a traffic hazard or have an undue environmental impact;*
 - f. *The proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;*
 - g. *Open storage areas should be designed to minimise visual intrusion;*
 - h. *Adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;*
 - i. *On the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;*
 - j. *The development makes safe and convenient access provision for people with disabilities;*
 - k. *The buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;*
 - l. *The proposal will not result in surface water, drainage or sewerage related pollution problems; and*
 - m. *The proposal incorporates measures which help to prevent crime and promote community safety.*
22. The proposed development is considered to be very similar in scale and character to the existing buildings both within the application site and the wider site as a whole. The scheme is considered to be a comprehensive proposal for the site as a whole. This is a long standing employment site and the proposed development is considered to enhance and sustain economic activity in the immediate area.
23. The existing site already includes mitigation measures for dust and noise generation and these are proposed to be retained and enhanced as appropriate as part of the development proposal. The Council's Environmental Health Officer notes that these are acceptable and that there have been no registered complaints about the current activities within the site. A suitably worded condition would ensure that suitable mitigation measures are provided and that noise and dust is minimised during the demolition and construction period.
24. It is considered that given this and the distance to nearby residential properties there would be no material impact upon the amenity currently enjoyed by these properties.
25. The site already has an adequate access arrangement, as confirmed by LCC Highways and there are areas of considerable tree planting around the site perimeter. The layout of the scheme is entirely reliant on the arrangement of existing buildings, as it is for the replacement of some and the retention of others, which together with the physical properties of the location limit the potential layout of buildings. Design, highways, energy conservation and drainage are considered in detail below.

Design

26. The proposed development is for an entirely functional building, broadly similar to the existing facility and to other buildings within the wider site. The extensive tree screening and site layout would all help the development to sit comfortably in this location. To passers-by the site would appear little different once the proposed development is completed than it does now – enhanced by the replacement buildings.
27. The proposed development is, therefore, considered to be in conformity with policy BNE1 of the Chorley Local Plan (2012-2016) with respect to its design.

Highway safety

28. The Transport Statement that accompanies the application states that access arrangements would not differ as a consequence of the proposed development both in terms of staff or HGV movements. The proposal is very much consolidating and upgrading existing facilities, rather than expansion and as a consequence the highway impact is considered to be very

limited. The Transport Statement concludes there is likely to be no increase in the number of vehicle trips generated by the site and does not identify any highway safety or capacity issues within the vicinity of the site. This is confirmed by the opinion of LCC Highways. The proposal is considered to meet the requirements of Policy BNE1(d) of the Chorley Local Plan (2012-2016) and Paragraph 32 of the Framework in that the residual highways impact would not be severe and the scheme is not prejudicial to any safety issues. A suitably worded condition has been proposed that would secure this.

Ecology

29. The site sits adjacent to a designated Biological Heritage Site (BHS), which is located to the south and west of the site. The application is supported by an Extended Phase 1 Habitat Survey and Bat Roost Potential Survey and a Great Crested Newt Survey Report. A suitably worded condition would secure appropriate mitigation measures and their implementation as suggested by the Greater Manchester Ecology Unit (the Council's ecological advisors).
30. The proposed development is, therefore, considered to be in conformity with policy BNE9 of the Chorley Local Plan (2012-2016).

Arboricultural impact

31. Whilst no trees would be affected by the proposed development the application includes a proposal for tree protection during the construction period. A suitably worded condition is proposed that would secure this.
32. The proposed development is, therefore, considered to be in conformity with Chorley Local Plan (2012-2016) policy BNE10.

Flooding and drainage

33. The site lies outside the flood zone. Suitably worded proposed conditions would secure the design of an appropriate drainage scheme for the site, as suggested by United Utilities to complement and improve the existing network.
34. The proposed development is, therefore, considered to be in conformity with policy 29 of the Central Lancashire Core Strategy.

Sustainable resources/Energy Efficiency

35. Policy 27 of the Core Strategy seeks to incorporate sustainable resources into new development through a number of measures. The proposed development is within the threshold category of criterion b of the policy which requires either additional fabric insulation measures or appropriate decentralised, renewable or low carbon energy sources are to be installed and implemented to reduce CO₂ emissions by a minimum of 15%. This is in addition to achieving a BREEAM 'very good' rating for energy efficiency.
36. The application is supported by an energy statement. In summary the report concludes that in the first stage of the energy hierarchy, a number of passive and high efficiency measures have been applied to reduce the energy consumption of the building through improving U-values, system efficiencies, etc. These are stated to save up to 13% CO₂ emissions.
37. In the second stage of the energy hierarchy, the report determines that inclusion of 160m² of PV panels could save 15% CO₂ from the efficient baseline equivalent to 98.1 t (CO₂) per annum. The overall carbon reduction achieved across the site, once all steps have been completed, is stated as being approximately 28%.
38. Suitably worded proposed conditions would secure the development in terms of sustainable resources. The proposed development is, therefore, considered to be in conformity with policy 27 of the Core Strategy.

CONCLUSION

39. The proposed development is considered to be in conformity with the aforementioned relevant policies of the Development Plan and is therefore recommended for approval, subject to conditions.

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

RELEVANT HISTORY OF THE SITE

Ref: 5/1/02338 **Decision:** PERFPP **Decision Date:** 23 November 1964
Description: Erection of saw mills and offices and use of land on timber yard.

Ref: 79/00167/FUL **Decision:** PERFPP **Decision Date:** 11 June 1979
Description: Timber storage building.

Ref: 89/01191/FUL **Decision:** PERFPP **Decision Date:** 22 May 1990
Description: Erection of saw mills and offices and use of land on timber yard.

Ref: 93/00462/FUL **Decision:** PERFPP **Decision Date:** 6 August 1993
Description: Renewal of consent on 9/91/357 for siting of portakabin to rear of existing offices

Ref: 94/00092/FUL **Decision:** PERFPP **Decision Date:** 31 March 1994
Description: Erection of single storey office building.

Ref: 94/00639/FUL **Decision:** PERFPP **Decision Date:** 7 October 1994
Description: Siting of portakabin to rear of existing office

Ref: 94/00706/FUL **Decision:** PERFPP **Decision Date:** 20 December 1994
Description: Extension to Existing Storage Shed.

Ref: 02/00180/ADV **Decision:** PERADV **Decision Date:** 19 April 2002
Description: Erection of two non-illuminated free standing signs,

Ref: 05/00540/ADV **Decision:** PERADV **Decision Date:** 11 July 2005
Description: Retrospective application for two free standing signs outside the perimeter fence by the entrance, aluminium letters and logos to the front elevation of the property

Suggested Conditions

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

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

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

Title	Plan Ref	Received On
Location Plan	N/A	12 October 2017
Proposed Site Plan	16-1110-02	12 October 2017
Proposed Section and Elevations	16-1110-04	12 October 2017
Phasing Diagram	16-1110-06	12 October 2017

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

3. No part of the development hereby approved shall be occupied or brought into use until details of the car parking provision have been submitted to and agreed in writing by the Local Planning Authority. These details shall accord with the Lancashire County Council Parking Standards. The approved car parking provision shall be retained at all times thereafter specifically for this purpose.

Reason: To ensure the provision of adequate car parking on site and in the interests of highway safety.

4. The development hereby permitted shall not commence unless and until the local planning authority has been provided with, and approved in writing a detailed mitigation strategy for Great Crested Newts. All works should then proceed in accordance with the approved strategy, with any amendments approved in writing.

Reason: To safeguard protected species and their habitats.

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the Biological Heritage Site.

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

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

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local

Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG. Drainage is an early activity in the construction process. It is in the interest of all stakeholders to ensure the approach is agreed before development commences.

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

9. The building hereby permitted 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 Certificate shall be submitted to the Local Planning Authority certifying that a BREEAM standard of 'very good' has been achieved.

Reason: In the interests of minimising the environmental impact of the development.

10. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained.

11. The new construction element of the development hereby permitted shall not commence until details of the number, size and location of any solar pv panels has been submitted to and received approval in writing from the local planning authority. The approved scheme shall thereafter be implemented and not varied unless approval in writing has first been obtained.

Reason: to secure the design of the proposed development.

12. The development hereby approved shall be undertaken in accordance with the control measures as outlined within Section 5.6 of the submitted Design and Access Statement.

Reason: To ensure that noise and dust levels are kept to an acceptable level such that the amenity of neighbouring properties is protected.

13. Demolition or construction works shall adhere to the Chorley Council document, 'Code of Practice for Construction and Demolition'

Reason: To protect the amenities of the nearby residents.