

Report of	Meeting	Date
Director of Customer & Digital	Council	18 September 2018

OUTLINE PLANNING APPLICATION – 17/00715/OUTMAJ

Proposal: Outline planning application for retail floorspace (Use Classes A1, A3, A4 & A5), employment floorspace (Use Class B1), hotel (Use Class C1), creche/nursery (Use Class D1) and provision of associated car parking, highways, landscaping, and infrastructure and any ancillary development thereto. All matters reserved except for access which is proposed off the existing A674 roundabout. Demolition (as applied for) of on-site structures.

Location: Land Between M61 Motorway And Leeds And Liverpool Millennium Way Chorley

PURPOSE OF REPORT

1. To provide an assessment of the proposed development.

RECOMMENDATION(S)

2. It is recommended that Members approve the application subject to conditions (refer to appendix 1) and a S106 Obligation to secure the provision of public transport. The suggested conditions are subject to agreement by Lancashire County Council in their capacity as the Local Highway Authority and it is, therefore, also recommended that the Director Customer and Digital be authorised to agree the final wording of the conditions in consultation with The Executive Member (Public Protection).

EXECUTIVE SUMMARY OF REPORT

3. It is considered that the proposed development represents a sustainable and beneficial use of the site for which outline planning permission should be granted. The Council's Development Control Committee considered the application at their meeting on 14 August and was minded to approve the application. The application has subsequently been referred to the National Planning Casework Unit to determine whether the Secretary of State wishes to call the application in for a decision in accordance with the provisions of Part 5 of the Town and Country Planning (Consultation) (England) Direction 2009. The Secretary of State has decided not to call in the application and has confirmed that he is content that the application should be determined by the local planning authority.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	X
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Clean, safe and healthy homes and communities		An ambitious council that does more to meet the needs of residents and the local area	
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REPORT

Background

5. Members will be aware that four planning applications for a mix of uses on land around junction 8 of the M61 motorway and the adjacent Botany Bay retail development were considered by the Development Control Committee at their meeting on 14 August 2018. Briefly the applications comprise:
 - 17/00713/OUTMAJ - for employment floorspace (Use Classes B2 and B8);
 - 17/00714/OUTMAJ - for the construction of up to 188 dwellings;
 - 17/00715/OUTMAJ - for retail floorspace (Use Classes A1, A3, A4 & A5), employment floorspace (Use Class B1), hotel (Use Class C1), creche/nursery (Use Class D1) and provision of associated car parking, highways, landscaping, and infrastructure; and
 - 17/00716/OUTMAJ - for the construction of up to 100 dwellings.
6. Together the proposals form a comprehensive mixed-use approach to the development of the area in accordance with a masterplan but each falls to be determined individually.
7. All the applications are supported by Environment Statements that conclude that the proposals would not have significantly detrimental environmental effects and those negative impacts which do occur are outweighed by the benefits. This is a logical and rational conclusion given that the land is allocated for development in the Council's Local Plan. Furthermore these impacts can be mitigated through the imposition of suggested conditions.
8. Members of the Development Control Committee resolved to be minded to approve all applications but because the retail proposal includes more than 5000 sqm of retail floorspace in an out of centre location, it was necessary to refer the application to the Secretary of State in accordance with the provisions of the Town and Country Planning (Consultation) (England) Direction 2009. The Secretary of State has decided not to call in the application and has confirmed that he is content that the application should be determined by the local planning authority.
9. Under the provisions of the Council's Constitution, The Development Control Committee has delegated powers to grant planning permission unless the application is determined to be (i) not in accordance with the provisions of the statutory development plan and (ii) which is required to be notified to the Secretary of State prior to determination.
10. Delegation is withdrawn from the Development Control Committee where: (i) proposals are contrary to the development plan and also (ii) require notification to the SoS.
11. The Council's Scheme of Delegation does not preclude the Development Control Committee from determining applications 17/00713/OUTMAJ, 17/00714/OUTMAJ, or 17/00716/OUTMAJ and Members of that Committee have resolved to approve these applications subject to no intervention from the Secretary of State in respect of the application for retail floorspace (Use Classes A1, A3, A4 & A5), employment floorspace (Use Class B1), hotel (Use Class C1), creche/nursery (Use Class D1) and provision of associated car parking, highways, landscaping, and infrastructure (ref. 17/00715/OUTMAJ).
12. However, determination of 17/00715/OUTMAJ by the Development Control Committee is precluded and the application is, therefore, reported to full Council for decision.
13. A copy of the officer report to DC Committee can be found at:
<http://mod/ieListDocuments.aspx?CId=111&MId=6380&Ver=4>

Key considerations

14. The key impacts and indeed the main matters of concern expressed by third parties in relation to this application relate to:

- The potential highway impacts; and
- The potential impact on vitality and viability of the Chorley Town Centre, and other nearby centres.

Potential highway impacts

15. It is evident that there are existing difficulties on the local highway network in the vicinity of the site. The traffic modelling that has been undertaken in consultation with LCC and Highways England concludes that the proposed development will not result in any significant adverse highway impacts on the local or strategic highway network subject to mitigation. Furthermore, it is anticipated that given the extent of the necessary improvement works, the existing issues will also be ameliorated and capacity will be provided for other committed development.
16. The highway improvement works will need to be secured through the imposition of conditions and a subsequent S278 agreement with the highway authority. Further detailed design work will be necessary and in broad terms the package of highway works comprise:
 - Improvements to the M61 Junction 8;
 - Improvements to the Hartwood Roundabout;
 - Improvements to Euxton Lane/ A6 Junction ;
 - Traffic calming scheme on Blackburn Road; and
 - In addition the provision of a bus service between the retail site and Chorley town centre would be secured through a S106 Obligation

Potential impact on Chorley Town Centre, and other centres.

17. The retail application is supported by a retail impact assessment and sensitivity analysis. The Council appointed an independent Consultant to review these reports and their conclusions are set out in detail in the report to DC Committee.
18. In addition, the report prepared on the Council's behalf has also been reviewed by consultants appointed by South Ribble Borough Council who have also concluded that although the cumulative impact on Preston city centre is considered to be high, this is principally as a result of other commitments rather than the proposals at Botany Bay. In addition, they confirm that they do not consider that the trade diversion would cause a significant adverse impact on the defined centres and that the proposal is, therefore, compliant with paragraphs 89 and 90 of the revised National Planning Policy Framework, policy EP9 of the Chorley Local Plan 2012 – 2026 and Policy 11 of the Central Lancashire Core Strategy.
19. In order to ensure that there is no significant adverse impact on Chorley Town Centre as demonstrated through the submitted reports, or indeed other centres, stringent restrictive conditions are recommended to control the character of retail activity on the site.
20. In summary the conditions have been drafted to:
 - (1) To limit the goods that may be sold from the development, to exclude specified retail services and to ensure that goods sold are consistent with the outlet format.
 - (2) To define the maximum floorspace which may be put to each use.
 - (3) To place a limitation on the size of any retail unit.
 - (4) To prevent any part of the development being used as a convenience store.

- (5) To remove Permitted Development Rights that could otherwise enable an increase in the amount of retail floorspace; and
- (6) A requirement to ensure that goods sold are priced at a discount consistent with an outlet centre format.

CONCLUSION

21. To conclude, significant weight is attached to the economic and employment benefits of the proposal in the planning balance and it is considered that the proposal is acceptable for the detailed reasons set out in the report to DC Committee.

IMPLICATIONS OF REPORT

This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

RISK

A risk register has been completed	Yes	No
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COMMENTS OF THE STATUTORY FINANCE OFFICER

22. There are potentially financial implications for the Council approving the scheme, but these are not relevant for the purpose of the Council making a decision on the planning merits of the scheme.

COMMENTS OF THE MONITORING OFFICER

23. As referred to in the report at paragraph 10 this is a decision which falls outside the delegation to Development Control Committee and must be made by Full Council. The Standing Orders which apply to this agenda item are the same for Council not DC Committee. Councillors should be aware that the public have had full speaking rights on this matter at DC Committee where the minded to approve decision was reached.

ASIM KHAN
DIRECTOR OF CUSTOMER & DIGITAL

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	10 September 2018	***

APPENDIX 1

Suggested conditions

Approved plans	
1	<p>The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission.</p> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> • Existing Site Boundary Plan (dwg ref. 2302 AS(91)01 Rev B) - This plan identifies the application boundary edged red; • Land Use Parameter Plan (dwg ref. 2302 AS(91)50 Rev A) - This plan identifies the development parameters and uses of the site. Subsequent reserved matters applications for built development shall be in broad accordance with this plan; • Building Heights Parameter Plan (dwg ref. 2302 AS(91)51 Rev B) - This plan identifies the maximum building heights that have been assessed across the site. Subsequent reserved matters applications for built development shall be in broad accordance with this plan; • Access Drawing (dwg ref. TMPA1498-106) - This plan identifies the specification of the access sought for approval as part of this application; • Demolition Plan (dwg ref. 2302 AS(91)09 Rev A) - This plan identifies the existing site structures which are proposed to be demolished. <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
Reserved Matters	
3	<p>An application for approval of the reserved matters, namely the layout, scale, appearance and landscaping of the development, must be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act,</i></p>

	2004.
4	<p>Prior to the commencement of each phase of the development a scheme for the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented wholly in accordance with the submitted and approved phasing plan unless otherwise agreed with the Local Planning Authority.</p> <p><i>Reason: To secure the proper development of the site in an orderly manner.</i></p>
5	<p>Prior to the commencement of each phase full details of the existing and proposed ground levels and proposed finished floor levels (all relative to ground levels adjoining the site) of all buildings in that phase shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
Construction	
6	<p>No phase of development shall take place, until a Construction Management Plan for that has been 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"> • vehicle routing and the parking of vehicles of site operatives and visitors; • hours of operation (including deliveries) during construction; • loading and unloading of plant and materials; • storage of plant and materials used in constructing the development; • siting of cabins, site compounds and material storage area; • the erection of security hoarding where appropriate; • wheel washing facilities that shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. • measures to mechanically sweep the roads adjacent to the site as required during the full construction period. • measures to control the emission of dust and dirt during construction; • a scheme for recycling/disposing of waste resulting from demolition and construction works.

	<ul style="list-style-type: none"> Measures to protect all watercourses within and adjacent to the site during the construction phase and to prevent building materials or surface water run-off entering the watercourses. <p><i>Reason: In the interests of highway safety, to protect the amenities of the nearby residents and to ensure that existing watercourses are protected during the construction phase.</i></p>
Trading Restrictions	
7	<p>The permission hereby granted authorises use of the site for specialised retailing as a Designer Outlet Centre with associated ancillary facilities only and no retail unit shall be used as a Class A1 outlet for the primary retail sale of garden products, DIY products, books, stationary, toys, CDs, DVDs, electrical goods, computers and software, white goods and no unit shall be occupied as a newsagents, chemists, travel agency, post office, ticket agency (excluding any Information facility), hairdressers or dry cleaners.</p> <p>For the purposes of this condition “specialised retailing” and “Designer Outlet Centre” means clearance stores operated by: a) manufacturers; b) retailers who do not directly manufacture, but who either own their own brand or retail branded goods; or, c) the franchisees or licensees or stockists of such manufacturers or retailers, in each case involving the retail sale of discounted comparison goods defined as previous season's stock, run-offs, over-runs, samples of branded goods, goods produced for subsequently cancelled orders, market testing lines, rejects, seconds, clearance goods and surplus stock and accessories.</p> <p><i>Reason: To define and limit the proposed retail use on site in order to protect town centre vitality and viability.</i></p>
8	<p>The gross internal area of the outlet centre development site shall not exceed 20,830 sq. m of flexible A1/A3/A4/A5/C1/D1 uses.</p> <p>The maximum amounts of gross internal floor space and the mixture of uses provided for by this planning permission are as follows:</p> <p>a) a maximum of 16,500 sq. m gross floor space for Class A1 uses;</p> <p>b) a maximum of 3000sq. m for Class A3 uses;</p> <p>c) a maximum of 1500sq. m for Class A4 uses;</p> <p>d) a maximum of 1000sq. m for Class A5 uses;</p> <p>e) a maximum of 2000sq. m for Class C1 uses;</p> <p>f) a maximum of 1200sq. m for Class D1 uses;</p> <p>g) the provision of toilet blocks, a site management suite, and an Information facility.</p> <p>For the avoidance of any doubt, the maximum amounts (gross internal floor space) and the mixture of uses provided for by this planning permission in respect of the</p>

	<p>Botany Bay Mill are as follows:</p> <ul style="list-style-type: none"> i. a maximum of 3,500 sq.m. gross floorspace for Class A3 uses; ii. a maximum of 1,650 sq.m. gross floorspace for Class A1 uses; iii. a maximum of 3,500 sq.m. gross floorspace for Class B1 uses; iv. a maximum of 3,500 sq.m. gross floorspace for Class C1 uses; and v. a maximum of 3,500 sq.m. gross floorspace for Class D1 uses <p>No individual retail unit, either as constructed or as a result of any subsequent combination of units, shall exceed 1,200 sq. m gross floor space (including any mezzanine floor space).</p> <p>No building or part of any building shall be used for the sale of food other than confectionery or within a restaurant or café for consumption on the premises.</p> <p><i>Reason:</i> To define and limit the proposed retail use on site in order to protect town centre vitality and viability.</p>
9	<p>None of the approved Use Class A1 retail floorspace should be opened for trade by any retailer who at the date of first opening, or within a period of 6 months immediately prior to first opening, occupies retail floorspace within the Primary Shopping Areas of Chorley Town Centre unless a scheme which commits the retailer to retaining their presence as a retailer within Chorley Town Centre, for a minimum period of 5 years following the date of opening for trade within the development, or until such time as they cease to occupy retail floorspace within the development, whichever is the sooner, has been submitted to and approved in writing by the local planning authority.</p> <p><i>Reason:</i> To define and limit the proposed retail use on site in order to protect town centre vitality and viability.</p>
10	<p>Following completion of the scheme and notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking and re-enacting those Orders, no additional mezzanine floors shall be created within the scheme and no part of the scheme shall be used for any Class A2 (financial and professional services), other than automated teller machines. Notwithstanding the provisions of Part 3 Classes A, G and J of the General Permitted Development Order, no changes of use otherwise permitted by those Classes shall take place.</p> <p><i>Reason:</i> To define and limit the proposed retail use on site in order to protect town centre vitality and viability.</p>
11	<p>In at least 90% of the floor space within the buildings subject to this permission that is used for sales to members of the public, any goods offered for sale shall be priced at</p>

	<p>least 20% below the normal price at which similar types of merchandise are or have been offered for sale in their usual place of sale. The operator of the retail floor space shall maintain detailed stock records of goods for sale and pricing, and shall upon written request from the local planning authority produce these records for the previous 12 months for inspection within 2 calendar weeks of the date of request.</p> <p><i>Reason: To define and limit the proposed retail use on site in order to protect town centre vitality and viability.</i></p>
12	<p>The retail units (Class A1) hereby permitted shall only operate between 09:00 and 22:00 hours Mondays to Saturdays and between 10:00 and 18:00 hours on Sundays.</p> <p><i>Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.</i></p>
13	<p>All non-retail uses permitted shall only operate between the following hours:</p> <ul style="list-style-type: none"> - 09.00 and 22.00 hours Monday to Thursday - 09.00 and 23.00 hours Friday and Saturday and - 09.00 and 22.00 hours on Sundays. <p><i>Reason: To safeguard the amenities of local residents and in accordance with the submitted information.</i></p>
Flooding and Drainage	
14	<p>Prior to the commencement of any phase of Development, a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The surface water drainage scheme shall include the following as a minimum:</p> <ul style="list-style-type: none"> a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable , 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; b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate which has been calculated at 8 l/s/ha. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed; 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

	<p>relevant);</p> <p>d) Flood water exceedance routes, both on and off site;</p> <p>e) A timetable for implementation, including phasing where applicable;</p> <p>f) Site investigation and test results to confirm infiltrations rates;</p> <p>g) Details of water quality controls, where applicable;</p> <p>h) Identification and provision of safe route(s) into and out of the site to an appropriate safe haven; and</p> <p>i) Provision of compensatory flood storage.</p> <p>No building(s) shall be occupied until the sustainable drainage scheme for that phase site has been completed in accordance with the approved details. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.</p> <p><i>Reason:</i></p> <ol style="list-style-type: none"> <i>1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</i> <i>2. To reduce the risk of flooding to the proposed development, elsewhere and to future users.</i> <i>3. To ensure that water quality is not detrimentally impacted by the development proposal.</i> <i>4. To ensure safe access and egress from and to the site.</i> <i>5. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</i> <i>6. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.</i> <i>7. To reduce the risk of flooding to the proposed development and future occupants.</i>
15	<p>No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The management and maintenance plan shall include the following as a minimum:</p> <ol style="list-style-type: none"> a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as: c) on-going inspections relating to performance and asset condition assessments; and

	<p>d) operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime; and</p> <p>e) Means of access for maintenance and easements where applicable.</p> <p>The plan 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 sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p><i>Reason:</i></p> <ol style="list-style-type: none"> <i>1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development</i> <i>2. To reduce the flood risk to the development as a result of inadequate maintenance</i> <i>3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.</i>
16	<p>Attenuation basins and flow control devices/structures shall be constructed and operational prior to the commencement of development for any or building(s).</p> <p><i>Reason:</i></p> <ol style="list-style-type: none"> <i>1. To ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate.</i> <i>2. To prevent a flood risk during the construction of the development.</i>
17	<p>Foul and surface water shall be drained on separate systems, with no surface water discharged to the foul water drainage.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p>
18	<p>No phase of development hereby permitted shall not built above slab level until a scheme for the installation of oil and fuel interceptors to all external hardstanding areas used for vehicle parking, manoeuvring, loading or unloading has first been submitted to and agreed in writing by the local planning authority for that phase. The agreed details shall be carried out in full prior to that phase being first brought into use.</p> <p><i>Reason: In the interests of minimising the risk of contaminated surface water run-off from the development adversely affecting water quality in the Leeds & Liverpool canal.</i></p>
19	<p>No works should take place within 15m of the edge of the canal without details having first been submitted to and agreed in writing by the Local Planning Authority, to demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal. The details shall also include mitigation measures to prevent any risk of</p>

	<p>pollution or harm to the adjacent Leeds & Liverpool Canal or its users, both during demolition/construction and on completion of the development. The details shall include the steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal. The development shall be carried out in strict accordance with the agreed details.</p> <p><i>Reason: Due to the site topography and proximity of the development to the canal and to safeguard the structural integrity of the canal.</i></p>
Contamination	
20	<p>Due to the scale of development and proposed sensitive end-use (crèche/nursery), no development shall take place until:</p> <p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;</p> <p>c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority. Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.</p> <p>Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use.</i></p>
Ecology Trees and Landscaping	
21	<p>Prior to any site clearance or soil stripping an Arboricultural Method Statement shall be submitted to and agreed in writing with the Local Planning Authority. This shall include details for the protection of all trees to be retained and details how construction works will be carried out within any Root Protection Areas of retained trees. The development shall only be carried out in accordance with the approved</p>

	<p>Arboricultural Method Statement. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the Root Protection Areas.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
22	<p>Any application for approval of reserved matters for building(s) shall detail how the proposed landscaping scheme will serve to mitigate the visual impact of the proposed development in accordance with the recommendations of the submitted Landscape and Visual Assessment. For the avoidance of doubt, this shall include details of the following:</p> <ul style="list-style-type: none"> • provision of a landscaped buffer to either side of the Public Right of Way 9-2-FP 26 which runs through the application site; • screen planting along the site's northern boundary; • additional planting along the site's eastern boundary to the Leeds Liverpool Canal. <p><i>Reason: To mitigate the visual impact of the proposed development on the surrounding landscape.</i></p>
23	<p>Vegetation clearance should not be undertaken in the main bird breeding season (March to August inclusive), unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority prior to the commencement of any vegetation clearance.</p> <p><i>Reason: To protect breeding bird species utilising the site.</i></p>
24	<p>Prior to the commencement of each phase of development, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority for that phase. This shall identify habitats/features on the site that are potentially sensitive to external lighting (most notably habitats / features that support bat foraging and commuting) and show how and where the external lighting will be installed (through appropriate lighting contour plans) in order to demonstrate that any impact on wildlife is negligible. The development shall be carried out in accordance with the approved scheme and retained as such thereafter.</p> <p><i>Reason: To protect species which utilise the habitats within and around the site.</i></p>
25	<p>Prior to the commencement of any works on site (including vegetation clearance) a methodology for the control of invasive species on the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.</p> <p><i>Reason: To ensure the control of invasive species.</i></p>

Archaeology

26	<p>No phase of development shall take place unless and until a programme of archaeological work in accordance with a written scheme of investigation including the following measures has been submitted to and agreed in writing by the Local Planning Authority for that phase;</p> <p>The programme of archaeological work comprises two elements:</p> <p>i) The programme of recording should comprise the creation of a photographic record of the buildings at Canal Mill. This work should be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance set out in '<i>Understanding Historic Buildings</i>' (Historic England 2016).</p> <p>ii) The programme of field investigation should include an archaeological strip, map and record of the site of the ancillary mill buildings at Canal Mill. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists (www.archaeologists.net).</p> <p>The development shall be carried out in accordance with the approved scheme of archaeological work.</p> <p><i>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.</i></p>
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Sustainability

27	<p>The development hereby permitted shall be registered with the Building Research Establishment (BRE) under BREEAM and constructed to target a BREEAM rating of 'Very Good'. No phase or sub-phase of the development shall commence until a Design Stage Pre-Assessment Report showing that that phase of the development will achieve a BREEAM rating of 'Very Good' within that phase has been submitted to and approved by the Local Planning Authority .</p> <p><i>Reason: To be in accordance with Policy 27 in the Central Lancashire Core Strategy.</i></p>
28	<p>Within 6 months of completion of each phase of development hereby approved a Building Research Establishment issued Post Construction Review Certificate confirming that the phase or development as a whole has achieved the BREEAM rating set out in the Design Stage Pre-Assessment Report has been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To be in accordance with Policy 27 in the Central Lancashire Core Strategy.</i></p>
29	<p>Full details of the provision of electric charging points to serve a particular phase of the development shall be submitted to and approved by the Local Planning Authority</p>

	<p>and the charging points installed and operational before the occupation of the building/s within that phase. The submitted details shall also include details of conduit to be installed at the time of construction to allow the installation of further charging points in the future. The parking bay shall be appropriately marked to ensure sole use by electric vehicles and adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay. The charging points shall be retained and maintained thereafter.</p> <p><i>Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.</i></p>
30	<p>Prior to the construction/provision of any services, detailed plans to facilitate full fibre superfast Broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The plans shall seek to ensure that upon occupation of individual retail unit/dwelling, industry standard ducting to facilitate the provision of full fibre superfast broadband service for a site-wide network is in place provided as part of the initial highway works within the site boundary.</p> <p><i>Reason: To ensure a sustainable form of development and in the interests of visual amenity.</i></p>
31	<p>No phase of development shall commence until a timetable for the implementation for the Full Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The provisions of the Full Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority. All elements of the Full Travel Plan shall continue to be implemented at all times thereafter for a minimum of 5 years after completion of the development.</p> <p><i>Reason: To ensure that the development provides sustainable transport options.</i></p>
Highway matters	
32	<p>No part of the development hereby approved shall be commenced until the full design details of the traffic mitigation schemes at M61 Junction 8 and the A6 / A674 Hartwood junction, as shown in outline in Curtins drawing reference TPMA1498-108 Revision B, Curtins drawing reference TPMA1498-111 Revision B and WSP drawing reference 70046945 Revision P01, have been submitted to and approved in writing by the local planning authority in consultation with Highways England and Lancashire County Council.</p> <p>The details to be submitted shall include:</p>

	<ul style="list-style-type: none"> • Final details of how the schemes interface with the existing highway alignment. • Full carriageway surfacing and carriageway marking details. • Full construction details. • Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards). • An independent Stage 1 & Stage 2 Road Safety Audit carried out in accordance with current departmental standards and current advice notes. <p><i>Reason: To ensure that the M61 Motorway might continue to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road.</i></p>
33	<p>No development hereby approved commence until a detailed construction plan working method statement relating to site development earthworks and drainage alongside the motorway has been submitted to and approved by Highways England and the Local Planning Authority.</p> <p><i>Reason: To ensure that there is no development on or adjacent to the M61 motorway embankment that shall put any embankment or earthworks at risk.</i></p>
34	<p>No drainage from the proposed development hereby approved shall connect into the motorway drainage system, nor shall any drainage from these sites run-off onto the M61 motorway.</p> <p><i>Reason: To ensure that the M61 Motorway might continue to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road.</i></p>
35	<p>There shall be no direct vehicular or pedestrian access of any kind between the site and the M61 motorway. To this end, a close-boarded fence or barrier not less than two metres high shall be erected along the boundary of the site with the M61 motorway to the satisfaction of the Planning Authority and shall be erected a minimum of one metre behind the existing motorway boundary fence and hedge on the developer's land and be independent of the existing motorway fence and hedge.</p> <p><i>Reason: To ensure that there is no unauthorised pedestrian or vehicle intrusion onto the motorway.</i></p>
36	<p>No part of the development hereby approved shall be commenced until the full design details of the traffic mitigation schemes on the local highway network have been submitted to and approved in writing by the local planning authority in consultation with Lancashire County Council Unless otherwise agreed in writing with the Local Planning Authority'</p> <p>The details to be submitted shall include:</p> <p>A674 Blackburn Rd / B6228 Blackburn Rd Signal Controlled Junction and</p>

B6229 Corridor

- Provision of a signal (MOVA optimisation) review to address impacts to best manage the future network with review at agreed trigger points (in line with development phasing) and white lining scheme (including Moss Lane junction).
- Scheme of measures to be delivered on this alternative route on the B5228 Blackburn Road / Blackburn Brow corridor to address impacts to best manage the future network. The scheme is expected to include the following:
 - Speed review along length (currently 40mph)
 - Review and update existing TRO's
 - Road marking review and refresh in vicinity of Great Knowley
 - Speed Indicator Device (SPID) on the approach from the north
 - Gateway on approach to Great Knowley from north including white lining, roundells and possible carriageway narrowing (links to road marking review)
 - Nearest bus stops to the PROW to be upgraded to quality bus (and shelter to be provided in the northbound direction towards Blackburn)

A674 Blackburn Road / B6229 Moss Lane priority junction

- Provision of a simple scheme of measures to be delivered on this alternative route on the B5229 Moss Lane corridor to address impacts to best manage the future network. The scheme is expected to include the following:
 - Review of signing onto the corridor with its 7.5t weight restriction.
 - Consider influencing driver behaviours by changing the carriageway treatment on the B6229 at either end such as:
 - road marking including bar markings, or narrowing's
 - different surface colour at junctions,
 - raised tables.

A674 Blackburn Road / Proposed Residential site access priority junction

- Provision of details relating to access visibility, the vehicular approach from within the site to the junction and foot/cycleway and safety barrier on the A674.

A674 Blackburn Road / Proposed Commercial/Retail site access roundabout

- Provision of details that are not included on the submitted plan.

A three phase approach will need to be undertaken at the junction being (however multiply phases may be delivered at the same trigger point):

Phase 1: Modify kerb lines to maintain lane discipline for circulating HGV's having regard to wing mirrors, (whole roundabout to satisfy standards)

Phase 2: Extend 2 lane flare from the southwest (M61) to form a 2 lane approach for a distance that can accommodate a minimum 10 cars (in each lane) i.e. circa 65m

Phase 3: Modify entry into the site to support 2 lanes (this supports site management).

A674 Blackburn Road between M61 J8 and the residential access

TRO funding to ensure parking does not take place on this section of road and provision of interactive signing east and west of the site to support car park management and use of appropriate overflow strategies/carparks elsewhere.

New Strawberry Fields Signalised junction on Euxton Lane

- Technology to link associated signals both upstream and down stream

Other Measures and sustainability provision

Provision of :

- Signing and road marking review and update
- Bus priority review
- TRO review
- Upgrading of bus provision on Blackburn Road
- Foot/cycle way provision on A674 between the residential access and M61 J8 including removing of verge, crash barrier changes
- PROW onto Blackburn Rd
- PROW onto Moss Lane
- Note this excludes that agreed with the Canal and River trust

	<p><i>Reason: In the interests of safety and sustainable transport.</i></p>
37	<p>Trigger points for the completion of individual measures identified and approved through condition 32– 36 (inc.) shall be agreed in writing with the Local Planning Authority, in consultation with the relevant Highway Authority, prior to the commencement of development. The agreed trigger points shall then be fully adhered to unless agreed in writing with the LPA.</p> <p><i>Reason: In the interests of sustainable transport in accordance.</i></p>
38	<p>With the exception of pre-commencement site clearance and preparation works, no part of the development hereby approved shall commence until a scheme for the construction of the site access and emergency access has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include provision for the timing of construction of the site access and emergency access. The development shall take place in accordance with the approved scheme.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway works are acceptable before work commences on site and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.</i></p>
39	<p>Prior to first occupation of any phase of development hereby approved, a Servicing, Delivery and Staff Parking Strategy for that phase shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Highway Authority. The Strategy shall include details of:</p> <ul style="list-style-type: none"> - Routing of vehicles into the staff carpark - Access points for emergency vehicles - Measures to control/restrict customer use of emergency accesses and staff and servicing areas - Internal signage - Security - Hours of HGV deliveries - Hours for home deliveries (if appropriate) - Hours for waste collection - Hours for emptying of bottle banks (if appropriate) - Service yard management regimes including use of vehicle reversing alarms and refrigeration units, parking and manoeuvring of vehicles within the yard - Operation of service yard gates, including details of their design and construction including appropriate rubber/neoprene stops <p>The development shall thereafter be operated in accordance with the approved strategy.</p>

	<p><i>Reason: To allow for the safe and efficient operation of the development and in the interests of the amenity of neighbouring residential properties.</i></p>
40	<p>Prior to the first use or occupation of any phase of development, a Car Park Management Strategy for that phase shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Highway Authority. The Strategy shall include details of:</p> <ul style="list-style-type: none"> - the maximum duration of stay for all users - include number of parking spaces per user type - car park enforcement - internal signing - security - measures and techniques to maximise car park efficiency and the way it will be managed - mechanism for a review of the Strategy within 12 months of the opening of the phase to confirm the satisfactory operation of the car park and surrounding highway network from the duration of stay approved. - The car park shall be surfaced and laid out in accordance with the approved plans and operated in accordance with the approved Car Park Management Strategy. <p><i>Reason: To allow for safe and efficient operation of the car park.</i></p>
Employment skills	
41	<p>With the exception of pre-commencement site clearance and preparation works, prior to the commencement of each phase of the development, an Employment Skills Plan (relevant to that phase) shall be submitted to and approved in writing by the local planning authority. The Employment Skills Plan shall follow the principles set out in the submitted Employment Skills Statement (June 2017) and shall include:</p> <ul style="list-style-type: none"> i) measures relating to the construction phase of the development; ii) measures to ensure that the developer/contractor work with existing employment skills stakeholders and groups; and iii) appropriate measures to encourage employment opportunities for local people. <p>The development shall be carried out in accordance with the agreed plan.</p> <p><i>Reason: In the interests of ensuring the maximisation of local job opportunities in accordance with Policy 15 of the Central Lancashire Core Strategy.</i></p>
42	<p>Prior to the occupation of any phase of the development, an Employment Skills Plan (relevant to that phase) shall be submitted to and approved in writing by the local planning authority. The Employment Skills Plan shall follow the principles set out in the submitted Employment Skills Statement (June 2017) and shall include:</p> <ul style="list-style-type: none"> i) measures relating to the operation of the building(s); ii) measures to ensure that the operator work with existing employment skills stakeholders and groups; and iii. appropriate measures to encourage employment

	<p>opportunities for local people.</p> <p>The approved Employment Skills Plan shall be implemented.</p> <p><i>Reason: In the interests of ensuring the maximisation of local job opportunities in accordance with Policy 15 of the Central Lancashire Core Strategy.</i></p>
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