

No.9	APPLICATION NO.	2018/1190/FUL
	LOCATION	The Bay Leaf Liverpool Road Tarleton Lancashire PR4 6HQ
	PROPOSAL	Full planning permission for the demolition of existing building and erection of a foodstore (Use Class A1) and office development (Use Class B1) with associated car parking and servicing areas with hard and soft landscaping
	APPLICANT	Mr Stuart Parks
	WARD	Tarleton
	PARISH	Tarleton
	TARGET DATE	22nd March 2019

1.0 SUMMARY

1.1 The application is for a retail store and office building. I consider that the proposal would not have a significant detrimental impact on the vitality or viability of existing retail centres, and would allow a local employer to expand operations within the Borough, and bring associated economic and social benefits. It would also give rise to environmental/biodiversity benefits and improvements to visual amenity. On balance, whilst the development would have an impact on the openness of the Green Belt and result in the loss of a heritage asset, it is considered that the very special circumstances put forward by the applicant outweighs the harm, and it is therefore recommended that planning permission be granted. The development would be acceptable in terms of drainage, highway safety, biodiversity and residential amenity.

2.0 RECOMMENDATION: APPROVE subject to conditions.

3.0 THE SITE

3.1 The application site is approximately 1.1 hectares and lies to the east of Liverpool Road close to its junction with Southport New Road and Church Road. The site is currently derelict and comprises the former Bay Leaf restaurant; a 17th century farmhouse (former Rams Head) which has been subject to numerous unsympathetic additions and modifications over the years, and a large car park containing flood lighting columns which was used in connection with the previous use. There is a pond to the south-eastern corner of the site. The existing buildings are part two/part single storey and are sited to the south-west of the site. The former Rams Head is a locally listed building.

3.2 The site is bordered by an office development (Tarleton Office Park) to the north with predominantly agricultural land on the remaining aspects. Homestead which is a residential dwelling is opposite the site on the opposite side of Liverpool Road, and Cuerden Farm is to the south of the site.

4.0 THE PROPOSAL

4.1 The proposed development involves demolition of the existing building on the site and the erection of an A1 foodstore with a Gross Internal Area of 1,786sq.m, and a Net Sales Area of 1,254sqm. In addition to this, it is proposed to erect a 2 storey B1 office building with a Gross External Area of 668sq.m and a Gross Internal Area of 620sq.m.

4.2 The proposed foodstore would be located to the north of the site with the rear servicing areas being located adjacent to the boundary with Tarleton Office Park. The retail unit would be constructed from red brick and planked timber cladding with a low-level brick

work plinth. The proposed office building would be positioned to the south of the site and would also be constructed from red brickwork and planked timber cladding. It is envisaged that the proposed foodstore would be operated by Aldi and the proposed offices occupied by GBA Services Ltd, a local company currently operating from Moss Lane in Tarleton.

- 4.3 Access to the site would be taken from a new access point off Liverpool Road. The existing vehicular access would be infilled and replaced by a new access located further south (approximately 30m) than the existing vehicular access. There would be a car park located centrally to the site which would accommodate 138 car parking spaces in total; 111 for the foodstore, and 27 car parking spaces for the office development.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2017/0794/COU - Change of use from A3 (restaurant) to B8 (light storage). GRANTED.
- 5.2 2015/0980/FUL - Demolition of extensions added to existing restaurant and change of use to B1 (Offices). Redevelopment of the site to provide a new headquarters of GBA Services Ltd incorporating office space and ancillary infrastructure including parking. GRANTED.
- 5.3 1991/0626 - Single storey kitchen extension at rear, new entrance and canopy on front/side elevation including internal/external alterations to form restaurant and bar. Alterations to vehicular access. GRANTED.

6.0 CONSULTEE RESPONSES

- 6.1 Lancashire Constabulary (03.01.19) – No objection.
- 6.2 Cadent (08.01.19 and 09.01.19) – No objection.
- 6.3 Lead Local Flood Authority (25.01.19 and 06.12.19) – No objection.
- 6.4 Highways (31.01.19 and 18.12.19) – No objection.
- 6.5 County Archaeologist (04.02.19) - No objection. Recommend a condition to secure a programme of archaeological works.
- 6.6 Merseyside Environmental Advisory Service (08.02.19, 25.04.19, 26.06.19 and 13.11.19) – No objection.
- 6.7 Environmental Protection (06.03.19 and 14.03.19) – No objection.
- 6.8 United Utilities (02.04.19) – No objection. Recommend a condition to secure a suitable foul and surface water drainage scheme.

7.0 OTHER REPRESENTATIONS

- 7.1 West Lancashire Conservation Area Advisory Panel (17.01.19) – Object on the grounds that the locally listed building is to be demolished as part of the proposals. The applicants should renovate and re-use the historic building.

- 7.2 Representations objecting to the proposals have been received, these can be summarised as:

Highway safety.

Trade diversion from Tarleton and Hesketh Bank.
Encroachment in to the Green Belt.
Obstruction to the vehicular entrance belonging to Homestead.
Increase in traffic.
Insufficient car parking.
Tarleton is not sufficient to sustain a supermarket of that size.
Loss of privacy to Homestead from the proposed GBA office overlooking the rear garden.
Loss of view from Homestead.
Light pollution.
Anti-social behaviour.
Increased air pollution.
Noise pollution.
Produce should be bought locally.
Small businesses will be impacted.
Existing small businesses should benefit from the new houses being built.
Sufficient supermarkets in the surrounding area.
Increased flooding.
Heritage impacts.
The site is in Green Belt and so alternative sites need to be considered.
Detrimental impact on local economy.
Impact on the openness of the Green Belt.

A letter of objection has been submitted by representatives of the Co-operative Group, which states that the applicant has failed to demonstrate that there are 'very special circumstances' to justify development in the Green Belt and also fail to pass the sequential assessment and retail impact tests of the NPPF and Local Plan.

7.3 Representations supporting the proposed development have been received, these can be summarised as:

It will tidy the site.
Increased choice for retail customers.
Increased jobs in the area.
The increase in housing in the area means that facilities have to be improved
Reduction in travel times.
Reduction in air pollution.
Existing shops are too expensive.
Tarleton is big enough to sustain an Aldi in addition to other shops; Burscough is a smaller village and has as Aldi.
The site is on a main bus route.
The former use of the site would have generated the same noise as a supermarket and would have been open later into the evening.
The introduction of a controlled pedestrian crossing will be of benefit to pedestrian safety.

8.0 SUPPORTING INFORMATION

8.1 Transport Assessment
Geotechnical Report
Statement of Community Involvement
Noise Impact Assessment
Landscape and Visual Assessment
Heritage Statement
Flood Risk Assessment
Desk Study Assessment Report
Design and Access Statement

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027. The following policies are relevant:

National Planning Policy Framework (NPPF)

Achieving sustainable development
Building a strong, competitive economy
Ensuring the vitality of town centres
Promoting sustainable transport
Making effective use of land
Achieving well-designed places
Protecting Green Belt land
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 - Criteria for Sustainable Development
EC2 – The Rural Economy
IF1 – Maintaining Vibrant Town and Local Centres
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets

SPD – Design Guide (Jan 2008)
SPD – Development in the Green Belt

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of development – Green Belt

- 10.1 The NPPF advocates that the purpose of the planning system is to contribute to the achievement of sustainable development, by performing an economic, social and environmental role. The Framework re-iterates the fact that planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF is a presumption in favour of sustainable development and where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or, unless specific policies in the NPPF indicate development should be restricted.

- 10.2 Paragraph 145 of the NPPF relating to Green Belt development states that local planning authorities should regard the construction of new buildings as inappropriate. One exception to this is:

Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would:

Not have a greater impact on the openness of the Green Belt than the existing development.

- 10.3 Annex 2 of the NPPF defines 'previously developed land' as being land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. The NPPF is clear in saying that it should not be assumed that the whole of the curtilage of development land should be developed.
- 10.4 Policy GN1 of the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies. There is no active use of the site, however, for the purposes of planning interpretation the site is classified as previously developed, comprising of a former commercial use (restaurant) with its associated curtilage and parking areas. Therefore, redevelopment of the site is acceptable in principle provided the development does not have a greater impact on the openness of the site.

Principle of Development - Impact on Openness

- 10.5 Paragraph 133 of the NPPF advises that a fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, with an essential characteristic being openness. Openness is not defined in the NPPF but can be taken to mean the absence of visible development.
- 10.6 Given the wording of paragraph 133 of the NPPF, it is necessary to assess whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. If there is a greater impact, the proposals would be considered inappropriate development, and therefore harmful to the Green Belt. This is also reiterated through the Council's Development in the Green Belt SPD, 2015, Policy GB3: Redevelopment of Previously Developed Sites in the Green Belt.
- 10.7 The existing building on site would be demolished and the proposed retail store would be positioned to the north of the site (adjacent to the boundary with Tarleton Office Park), to the south of this would be the majority of the car parking associated with the retail store use. To the south of the site, adjacent to the boundary with Cuerden Farm would be the office building which would be two storey. The rear portion of the site (to the east) which includes a pond and landscaped bund would remain undeveloped.
- 10.8 The existing buildings of the former Bay Leaf are a maximum of two-storey high and are contained to the southern portion of the site. The existing footprint of the buildings which comprise the Bay Leaf is 504m², with buildings and paving covering an area of approximately 0.45 hectares, 41% of the total site area. The foodstore element of the proposals alone would have a footprint of 1,727sqm which clearly represents a far larger amount of development on the site.
- 10.9 The application includes supporting information which provides detail to explain the rationale behind the proposed location of the buildings on site. The foodstore building

location has been chosen so that it is seen in context with the existing buildings at Tarleton Office Park; the office building would be sited at the opposite end of the site, the rationale being that there would be sufficient gap between the building to break up the mass of development and allow views through the site, it would also allow adequate visibility for cars into and out of the site. This along with the single storey design of the foodstore and the use of glazing in both the foodstore and office building does help to reduce the overall scale and bulk of development on the site.

- 10.10 However, the redevelopment of the site would result in a north and eastwards outward spread of development from the position of the existing buildings, and the proposed net-built development is in excess of that which currently exists on the site at present. Whilst it is acknowledged that efforts have been made to ensure that the layout and scale of the development would not have an impact on the openness of the Green Belt, it is considered that the development would lead to a greater impact upon the openness of the Green Belt than that which currently exists from the existing development on site. As such the proposed development would be detrimental to the openness of the Green Belt, and therefore contrary to paragraph 145 of the NPPF. Therefore it will be necessary for the applicant to demonstrate very special circumstances to overcome the harm to openness and any other harm which will be discussed later in the report.

Principle of development – rural economy

- 10.11 Local Plan Policy EC2: The Rural Economy, advises that employment opportunities in rural areas are limited and that the continued use of such sites for employment purposes will be protected. In rural areas a wide definition of employment uses applies which is not restricted to B1, B2 and B8 uses.
- 10.12 The site would have created a level of employment when operating as a restaurant. However, the scale of employment proposed as part of this application would far exceed any former employment based at the site. Policy EC2 would therefore support the redevelopment of the site for an alternative employment use.

Principle of development – retail

Sequential Assessment

- 10.13 The proposal involves a major development for a town centre use (retail) in an out of centre location (it lies approximately 630m to the south of Tarleton Large Village Centre) and as such Local Plan Policies IF1 (Maintaining Vibrant Town and Local Centres) and GN5 (Sequential Tests) are relevant along with paragraphs 86 and 87 of the NPPF. Policy IF1 indicates that retail and other town centre uses will only be considered in an out of centre location if a specific local need is proven for the proposed development; and there is no suitable site available within a town, village or local centre. In addition to this, as the proposal is outside of a town centre and is above the locally set floorspace threshold of 1,000sqm gross for supermarkets, a retail impact assessment is required as part of the planning application. The application includes supporting evidence in the form of a Planning and Retail Statement and additional supplementary information which has been submitted during the course of the application.
- 10.14 Local Plan Policy GN5 (Sequential Tests) clarifies the requirements in relation to undertaking a sequential test for retail and town centre uses on sites outside town centres in line with national policy. In this respect, paragraph 86 of the NPPF requires such applications to be located in town centres, then edge of centre and out of centre locations with a preference given to accessible sites that are well connected to a town centre.

- 10.15 The applicant has submitted information in the form of a sequential assessment which considers if there are other preferable sites in nearby town centres for accommodating the proposed development. The Sequential Assessment considered sites within Tarleton, Hesketh Bank, and Banks. The sequential assessment concluded that there are no available sites in sequentially preferable locations that are suitable for the proposal.
- 10.16 I am content that based on the Sequential Assessment submitted there is no basis to resist the current application in relation to the sequential test and conclude that the proposal would accord with paragraph 86 of the NPPF and the relevant provisions of Policy IF1 of the Local Plan.

Retail Impact

- 10.17 In making a planning decision based upon an impact assessment, paragraph 90 of the NPPF advises that a planning application can only be refused where the proposal is likely to lead to significant adverse impacts.
- 10.18 Paragraph 89 of the NPPF requires proposed developments in edge and out-of-centre locations to be assessed against two impact criteria, namely the impact of the proposal on:
existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and
the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 10.19 Policy IF1 of the Local Plan requires proposals outside of town centres for comparison retail that involves, in the case of supermarkets/superstores an increase in floorspace of over 1000m² gross. The applicant has submitted a Retail Impact Assessment with the application, which includes a quantitative and qualitative assessment of the retail impact of the proposed scheme. This Retail Impact Assessment has been independently scrutinised on behalf of the Council by White Young Green.
- 10.20 The methodology of the Retail Impact Assessment is considered acceptable, including the use of a study catchment area of 10 minute drive time from the site. It concludes that based on this catchment area the proposed development is not likely to impact to a 'significant' degree upon other shops and facilities within either Hesketh Bank or Tarleton centres, and that they will continue to provide for the day to day retail and service needs of local residents following development of the application proposal.
- 10.21 The Assessment found that the Co-op foodstore in Tarleton is trading well, and whilst there would be an impact on trading post development, the store would still achieve sales above benchmark. In respect of the Booths, Hesketh Bank, this store is currently under trading which would be exacerbated by the proposed development. However, the assessment concluded that the anticipated level of trading impact would not fatally undermine the viability of the store, and a loss of convenience trade at the Booths store is not likely to undermine the vitality and viability of Hesketh Bank Village Centre as a whole.
- 10.22 I consider that the proposed development is not likely to impact to a significant degree upon other shops and facilities within either Hesketh Bank or Tarleton centres, and that they will continue to provide for the day to day retail and service needs of local residents following development of the application proposal. I am satisfied that the proposed development is not likely to lead to a significant adverse impact on the vitality and viability of Tarleton and Hesketh Bank Village Centres, or any defined centre, and is therefore in accordance with paragraph 89 of the NPPF and Policy IF1 of the Local Plan.

- 10.23 For the reasons outlined above I consider that there are no sequentially preferable centres which could accommodate the proposed development, and that potential trade diversion and associated impact on existing centres would not be 'significantly adverse' as required by the NPPF and as such the proposed development is acceptable in retail planning grounds.

Heritage and Archaeology

- 10.24 Paragraph 189 of the NPPF states that in relation to heritage in determining planning applications Local Planning Authorities should take account of:

The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent to their conservation;

The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

The desirability of new development making a positive contribution to local character and distinctiveness.

- 10.25 Paragraph 197 goes on to say that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Local Planning Authorities are required to consider the scale or loss and the significance of the heritage asset in their balanced judgements.

- 10.26 Policy EN4 of the Local Plan advises that there will a presumption in favour of the protection and enhancement of existing non-designated heritage assets which have a particular local importance or character it is desirable to keep.

- 10.27 The former Rams Head Public House at its core is a C17 house which was altered and extended in the C19. Further modern additions have been added in more recent times to extend the ground floor footprint. The heritage significance is evidenced, on the whole, in the two storey part of the building including its internal layout. It is accepted that the building has been compromised by modern developments, however, it does retain some heritage value due to its architectural (aesthetic), historic and communal values.

- 10.28 I consider that the overall heritage significance of the current building is low to moderate, and in accordance with paragraph 197 of the NPPF this value needs to be given some weight in the planning balance, and its complete loss will need to be considered against other material aspects of the application, including any benefits derived from the development. This will be addressed later in the report in the 'Planning balance and very special circumstances' section.

Impact on Residential Amenity

- 10.29 The retail unit is proposed to be open from 0800 to 2300 Monday to Saturday and 1000 to 1800 Sundays and Bank Holidays, and so there is the potential for noise from customers and their vehicles from early morning, throughout the daytime and into late evening, there is also potential for noise from delivery vehicles and waste collections. In addition to this there may be noise from plant and/or store refrigeration systems.

- 10.30 A Noise Assessment report has been submitted which considers the impact of the proposed Aldi foodstore on existing residential dwellings, and identifies that noise from deliveries is likely to be the loudest source of noise. For this reason, the application is also accompanied by a Servicing Management Plan, which outlines proposed servicing hours and covers aspects relating to scheduling, responsibilities of store operatives and

delivery drivers to minimise the potential impact from noise. The Council's Environmental Health Officer has reviewed the Noise Assessment and associated Servicing Management Plan and is satisfied that provided the store operates in accordance with the Servicing Management Plan there will be no undue impact on nearby residents from increased noise and disturbance. This can be secured by planning condition.

- 10.31 The proposed retail unit and office building would be sufficient distance from the nearest residential neighbours to ensure that the development would not cause any significant harm to the amenities of neighbouring residents, through overlooking, overshadowing or creation of poor outlook.
- 10.32 I consider that subject to appropriate planning conditions, the proposed development would not have an undue impact on residential amenity, in accordance with Policy GN3 of the Local Plan.

Trees/Landscaping

- 10.33 A Tree Survey has been submitted with the application which covers all of the trees, shrubs and scrub areas on the site, as well as highlighting some of the trees off site.
- 10.34 There are a number of trees and scrub vegetation scattered across the site that are in a varying condition, the majority of which are either poor species or in an unmanaged state. It appears that the car parking area has been re-landscaped approximately 15 years ago and has been planted up with trees on a mounded bank. These trees are in good condition but are located into the original car parking area, effectively cutting off the land at the rear. The land on the eastern boundary is made up of native scrub in the form of a large area of Blackthorn with scattered Goat and Crack Willow as well as an unmanaged Hawthorn hedgerow.
- 10.35 The proposed development will necessitate the loss of some of the trees across the site. Some overgrown Hawthorn hedging to the northern boundary and approximately thirteen trees are to be removed. The proposed layout indicates that the natural area of scrub to the east is to be retained. This area of vegetation provides a biodiverse wildlife corridor along the boundary which links to the historic pond in the south west corner of the site.
- 10.36 The proposed landscaping scheme shows the planting of 30no. trees which would be a mixture of native and ornamental varieties, as well as a native hedgerow along the frontage of the site and two areas of native buffer mix to the south. I am satisfied that the proposed landscape scheme would provide adequate mitigation to compensate for the loss of trees across the site, and the retention of the wildlife corridor to the east will limit any potential negative ecological impact, in accordance with Policy EN2 of the Local Plan. Specific details of future planting, including stock and details of maintenance and management of the landscape scheme will be secured by planning condition.

Ecology

- 10.37 The application has been accompanied by several Ecology Surveys. These surveys have been found to be acceptable subject to the imposition of conditions including securing reasonable avoidance measures to be adhered to during the course of the development and the installation of bird boxes post development.
- 10.38 A Bat Survey has been submitted with the application which has found that there would be no impact on bats as a result of the proposed development. However, as a precautionary approach, the existing buildings on site should be demolished during the winter months (November to February) and if this is not possible a licensed bat ecologist would directly

supervise the removal of potential roost features as identified within the Extended Phase 1 Habitat Survey. This can be secured by planning condition.

- 10.39 I am satisfied that the proposed development would not result in an adverse detrimental impact on biodiversity, in accordance with Policy EN2 of the Local Plan.

Highways

- 10.40 The application has been accompanied by a Transport Assessment which indicates that in terms of new trips on the highway network, the proposed foodstore would generate an additional 63 two-way trips during the weekday AM peak, an additional 54 two-way trips during the PM peak, and 77 two-way trips during the Saturday peak. The Highway Authority consider that these additional trips can be accommodated on the highway network.
- 10.41 The proposed foodstore would provide 111 parking spaces, which comprises 87% of the provision indicated by the Local Plan. The proposed office unit would provide 27 parking spaces, which comprises 66% of the provision indicated in the Local Plan. There is clearly a shortfall when compared to Local Plan requirements in Policy IF2. However, the application includes a variety of measures to improve pedestrian access and accessibility to the site by means other than private car, including installation of a controlled pedestrian crossing, upgrading of bus stops and the extension of the 40mph speed limit on Liverpool Road. Detailed design of these will be agreed as part of a s278 agreement but have been agreed in principle by the Highway Authority, and would improve accessibility to the site by users and employers of both the office building and the retail unit, thereby reducing reliance on the car. In addition to this, the nature of an Aldi food store means that there is a quick customer turnover as trips tend to be relatively quick and in this case would not be linked to trips to other nearby facilities. This means that even during busy times car parking spaces tend to be available within a short space of time.
- 10.42 I am satisfied that the proposed development is acceptable and would not lead to a detrimental impact on highway safety, in accordance with Policy GN3 and IF2 of the Local Plan.

Drainage

- 10.43 It is proposed that foul drainage will discharge to the adopted sewer serving the site. A Flood Risk Assessment has been submitted with the application and concludes that surface water run-off should be suitably attenuated and drained to the existing culvert beneath Liverpool Road into the existing field drainage system on the western side of Liverpool Road. The Lead Local Flood Authority has reviewed these proposals and considers them to be acceptable. I am satisfied that an appropriate drainage strategy can be implemented on the site, in accordance with Policy GN3 of the Local Plan.

Very Special Circumstance and the Planning Balance

- 10.44 As the development is considered to be inappropriate development in the Green Belt, in accordance with the NPPF an assessment needs to be made to determine whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the 'very special circumstances' necessary to justify the development.
- 10.45 The onus rests on the applicant to justify why permission should be granted for development that is considered inappropriate by definition. The applicant has submitted a supporting case which centres on the following points:

The land in its present state does not serve the purposes of the Green Belt by preserving the character of the local area;

As the site has previously held development it no longer fully contributes to the protection of sprawl;

Given that the land cannot entirely be reversed to its former state (pre-development), the most appropriate use would be to redevelop;

The re-purposing of previously developed land is encouraged both within national and local policy (paragraph 134 of the NPPF and paragraph GB3 in the Green Belt SPD);

The design does not encroach further into the Green Belt than the current development on site;

The site does not currently reflect Tarleton in a positive light, and its redevelopment would enhance this key gateway into Tarleton;

There is local support for redevelopment of the site to upgrade its appearance;

The landscaping scheme will improve green infrastructure in the area;

The office element would allow GBA, which is a local business, the opportunity to expand whilst remaining in the area. Their existing site at Moss Lane operates as headquarters for the business but given its Green Belt location and proximity to residential properties, is not suitable for expansion. GBA have a commitment to employing local people and also take part in a school leavers apprentice programme. The development of an office building on the site would allow them to continue this commitment;

The site represents a more sustainable location for GBA than its existing site due to the transport links that already exist;

The extant permission for redevelopment of the site to provide a new headquarters of GBA Services Ltd, demonstrates that the site is suitable for development, provided that there are significant aesthetic and economic benefits;

The development will deliver a significant number of jobs including those during the construction phase which would be entry level positions;

The retail development would support up to 30-50 retail jobs; delivering indirect jobs through services that support the foodstore, including those at distribution centres and in freight movement;

Reduction in criminal activity on the site;

Employment generated by the development would enhance the economic impact that business currently generates in Tarleton; both Aldi and GBA would contribute to a multiplier effect that would help improve business rates in the area;

The overall enhancement of the site and provision of retail and office space will help drive economic growth within Tarleton;

The expenditure of employees will help to support the local businesses across Tarleton and the neighbouring area;

The scheme would result in negligible effects on the existing ecological conditions;

Environmental benefits would be provided throughout the site by breaking up existing areas of hardstanding with soft landscaping;

Local landscape character will improve, which will enhance this developed piece of land within the Green Belt;

Travel distance for shopping will be reduced for local residents, thereby reducing the impact on the environment and climate change;

By providing offices within a sustainable location surrounded by multiple neighbourhoods will additionally contribute to reduced commuting time and environmental impacts.

10.46 It is clear that there are potential benefits from the proposed development, in the form of social, environmental and economic benefits. The site is currently derelict and in a poor state of repair to the detriment of visual amenity. It is considered that the redevelopment of the site in the manner proposed, even though this will result in an increase in built development, offers the opportunity to reduce the overall impact on visual amenity from

the site. It would also allow the opportunity for enhanced native landscaping on the site and associated benefits to biodiversity.

- 10.47 It is proposed that the office building would be used by GBA Services, which is a local employer and the development of an office on the site would allow for the growth of the company. The proposals would assist in the fulfilment of GBA's expansion plans, meaning that a key local employer would be retained within the Borough. This would provide significant economic benefits for the community which alongside GBA and Aldi's commitment to employing local people would provide public benefits and improve employment provision within Tarleton.
- 10.48 There is a previous consent for redevelopment of the site for an office headquarters for GBA Services (2015/0980/FUL), which was for a building with a larger footprint and greater scale, and would consequently have a greater impact on the openness of the Green Belt than the proposed foodstore and office building included in this application. Therefore, the proposed development would not have a greater impact on openness than the 2015 approval.
- 10.49 Given the above, and the fact that the design and proposed positioning of the buildings seeks to limit the impact on openness by virtue of the use of a large proportion of glazing and the low level nature of the buildings, I consider the case put forward by the applicant on this occasion does amount to very special circumstances sufficient to outweigh the harm to the Green Belt.
- 10.50 The demolition of the former Rams Head Public House would result in the loss of a non-designated heritage asset as a result of the development proposals. The former Rams Head does retain a low to moderate heritage value and its loss needs to be weighed against the identified benefits that would follow from the proposed development. I consider that the loss of the heritage asset can be justified in this particular case given the benefits that have been identified as a result of the development. However, given the site's status I consider it appropriate to impose a condition requiring the implementation of a programme archaeological work which is to be agreed prior to commencement of development.

Conclusion

- 10.51 The development would not have a significant detrimental impact on the vitality or viability of existing retail centres, and would allow a local employer to expand operations within the Borough, and bring associated economic and social benefits. It would also give rise to environmental/biodiversity benefits and improvements to visual amenity. On balance, whilst the development would have an impact on the openness of the Green Belt and result in the loss of a heritage asset, it is considered that the very special circumstances put forward by the applicant outweighs the harm, and it is therefore recommended that planning permission be granted.

11.0 DEPARTURE

- 11.1 As this application is considered to constitute inappropriate development in the Green Belt and is more than 1 hectare in site area and provides more than 1000 square metres of new floorspace, it is required to be referred to the Secretary of State for consideration under the Town and Country Planning (Consultation)(England) Direction 2009.

12.0 RECOMMENDATION

- 12.1 That the application is referred to the Secretary of State for consideration.

12.2 That, subject to the application not being “called in” by the Secretary of State pursuant to 12.1 above, any planning permission granted by the Corporate Director of Place and Community be subject to the following conditions:

Condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference
1715BOL-98 - Site Location Plan received by the Local Planning Authority on 09.11.18.
1715BOL-100 Rev E - Site Plan as Proposed received by the Local Planning Authority on 09.11.18.
1715BOL-101 - Proposed Unit A GA Plan received by the Local Planning Authority on 09.11.18.
1715BOL-102 Proposed Unit A Roof Plan received by the Local Planning Authority on 09.11.18.
1715BOL-103 Rev B - Proposed Unit A Elevations received by the Local Planning Authority on 09.11.18.
1715BOL-104 - Boundary Treatment Plan received by the Local Planning Authority on 09.11.18.
1715BOL-110 - Unit B GA Plans received by the Local Planning Authority on 09.11.18.
1715BOL-111 - Unit B Elevations received by the Local Planning Authority on 09.11.18.
3070 102- Tree Retention, Removal & Protection Plan received by the Local Planning Authority 09.11.18.
V1715-LO1 Rev A - Landscaping Plan received by the Local Planning Authority 02.04.19.
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority in consultation with the LLFA.
Those details shall include:
 - a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
 - b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate (which has been calculated at 12 litres per second for all events up to 1 in 100 +climate change). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change)
 - d) Plan identifying areas contributing to the drainage network
 - e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
 - f) A plan to show overland flow routes and flood water exceedance routes and flood extents.
 - g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for

adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

The scheme shall be implemented in accordance with the approved details prior to use of the proposed office building or retail store, 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.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on or off-the site resulting from the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. No development shall take place until a scheme for the repair/replacement of the on-site and off-site culverted drain that forms the proposed post-development surface water discharge point from the site to the existing ditch system on the western side of Liverpool Road is submitted to and agreed in writing by the Local Planning Authority, the repairs shall be implemented in accordance with the proposed scheme, prior to the buildings being brought into use.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on or off-the site resulting from the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

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

Reason: To secure proper drainage and to manage the risk of flooding and pollution and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

7. No development shall commence until details of method of protection to the bund to the east of the site are submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no works shall be carried out within a minimum of 5 metres of the top of the bank. The development shall be carried out in accordance with the approved details.

Reason: These details are required prior to the commencement of development as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

8. Prior to occupation of each building, details of the number and location of bird nesting boxes and bat boxes to be incorporated into the building shall be submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed in accordance with the approved details prior to the buildings being brought into use.

Reason: In the interests of biodiversity conservation and to comply with Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. The development shall be implemented in accordance with the reasonable avoidance measures (RAMs) identified in the Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment.

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

10. The buildings hereby approved shall not be occupied until a scheme detailing the proposed lighting (including all floodlighting, external building lights and car park lighting) to be installed on the site has been submitted to and approved in writing by the local planning authority.

All external lighting shall be installed and maintained in accordance with the agreed scheme.

Reason: To safeguard protected species and residential amenity to ensure that the development complies with the provisions of Policy EN2 and Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

11. The existing building on site shall be demolished during the winter months (November to February). If this is not possible a licensed bat ecologist is required to directly supervise the removal of potential roost features as identified within the Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment (Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment: The Bay Leaf, Liverpool Road, Tarleton, Cameron S Crook & Associates, July 2018).

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

12. A repeat preliminary bat roost assessment and presence/absence survey shall be carried out and the results together with a timetable for demolition shall be submitted to and approved in writing by the Local Planning Authority if demolition of the building has not commenced on site by May 2020. Demolition works shall be carried out in accordance with the agreed timetable.

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

13. The food store shall not be open for customers outside the hours of 0800 to 2300 on Mondays - Saturdays and 1000 to 1800 on Sundays and Bank or Public holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

14. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the food store (including waste collections), outside the hours of 0600 to 2300 Monday to Saturday and 0900 to 1800 hours Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

15. The engine and any diesel-powered freezer/refrigeration unit on delivery vehicles serving the food store shall be turned off and kept off, whilst the vehicle is stationary.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

16. Any sound produced by reversing alarms or indicators on delivery or waste collection vehicles serving the food store shall not be clearly distinguishable above background noise at the boundary of any nearby residential premises.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

17. The rating level of noise from fixed plant on the food store shall not exceed 45dB LAr,1h between 0700 and 2300 hours on any day and 31dB LAr,15m between 2300 and 0700 hours on any day as measured or calculated at the boundary of any nearby residential dwelling, as determined in accordance with BS4142:2014.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

18. The office unit shall not be open outside the hours of 0800 to 2000 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays.

- Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
19. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the office unit (including waste collections) outside 0800 to 2000 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays.
- Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
20. No fixed plant, machinery or equipment shall be installed or operated within or in association with the office building, without the express consent of the Local Planning Authority.
- Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
21. Prior to the occupation of the buildings hereby approved being brought into use, electric vehicle charge points shall be installed in accordance with the details submitted in a letter from Cameron Rose dated 02.4.19 and received by the Local Planning Authority 02.02.19. The agreed scheme shall be implemented and thereafter retained in situ throughout the duration of the development.
- Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
22. All hard and soft landscape works shall be carried out in accordance with the approved details shown on V1715-L01 Rev A, received by the Local Planning Authority 02.04.19. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.
- Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
23. Notwithstanding any description of materials in the application, no above ground construction works on each building shall take place until samples and / or full specification of materials to be used externally on that building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed schedule of materials and method of construction.
- Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
24. The foodstore shall operate in accordance with the Servicing Management Plan (Liverpool Road, Tarleton, dated 30.05.19, ref 474/TN3).
- Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
25. No part of the development shall be occupied/open for trading until the new site access/junction to A59 Liverpool Road has been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway junction scheme shall include the provision of a signal controlled pedestrian crossing on Southport New Road junction with A59, the upgrade of 2no. bus stops on Liverpool Road close to the site (to full mobility standard with shelters), the extension of the 40mph speed limit on Liverpool Road to the south of Doctor's Lane (with associated gateway feature), and the installation of the new signal for the private dwelling Number 2 Church Road.

Reason: To ensure that satisfactory vehicular and pedestrian access is provided to the site before the development hereby permitted becomes occupied and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

26. The new site access shall be constructed prior to occupation of any building in accordance with the hereby approved site plan, reference 1715BOL-100 Revision E, and the Lancashire County Council Specification for Construction of Estate Roads.

Reason: To ensure that satisfactory access is provided to the site to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

27. Before the development hereby approved is first brought into use, existing redundant vehicular crossings from A59 Liverpool Road; shall have been permanently closed and reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public & highway safety and the appearance & character of the streetscape and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

28. The buildings shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles in connection with each building, have been provided, constructed and surfaced in complete accordance with plan ref 1715BOL-100 Rev E. These areas shall be retained at all times thereafter.

Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

29. Before construction work in each phase of the site commences, facilities shall be provided within that part of the site by which means the wheels of vehicles may be cleaned before leaving the site. These facilities shall be retained until construction on that part of the site is completed, and shall be used to clean the wheels of all vehicles leaving that part of the site.

Reason: To prevent mud or other loose material being carried out on to the highways surrounding the site, in the interests of highway safety.

Note(s)

1. Trees T32 sycamore, T35 sycamore, T36 hawthorn (as identified in the Tree Survey TPM Landscape Ltd, Tree Survey, project no.3070, May 2018) should be soft felled under supervision of an ecologist.
2. Highway Notes
 - a) The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the LCC Highways Team at Cuerden Mill Depot, Cuerden Way, Bamber Bridge, Preston PR5 6BJ in the first instance to ascertain the details of such an agreement and the information to be provided.
 - b) The Applicant is advised to obtain the written approval of the Local Highway Authority for the details required under Condition 1, prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority.

c) The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
 - SP1 - A Sustainable Development Framework for West Lancashire
 - GN1 - Settlement Boundaries
 - GN3 - Criteria for Sustainable Development
 - EC2 - The Rural Economy
 - IF1 - Maintaining Vibrant Town and Local Centres
 - IF2 - Enhancing Sustainable Transport Choice
 - IF3 - Service Accessibility and Infrastructure for Growth
 - EN1 - Low Carbon Development and Energy Infrastructure
 - EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 - EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assetstogether with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.