

<b>No.2</b>	<b>APPLICATION NO.</b>	2019/0892/FUL
	<b>LOCATION</b>	Land To The South Of Stopgate Lane Simonswood Lancashire
	<b>PROPOSAL</b>	Development comprising of a HGV trailer park, Training Building (D1), Storage Building (B8) with link extension and associated mounded earthworks, landscaping and ecology park.
	<b>APPLICANT</b>	T & T Contracts
	<b>WARD</b>	Bickerstaffe
	<b>PARISH</b>	Simonswood
	<b>TARGET DATE</b>	7th February 2020

---

## **1.0 SUMMARY**

- 1.1 This is an application for a HGV Trailer Park, erection of a timber storage building with link extension to an existing storage building and erection of a training building for a traffic management company. In 2018, outline planning permission (2018/0835/OUT) was granted on part of this site and an adjacent site for employment development comprising B2 & B8 uses including ancillary office accommodation. This application is for only half the site area previously approved. Although the site is not allocated for employment use, but is identified as Protected Land in the Local Plan, the site's previous planning permission for employment use is a material consideration in assessing the application.
- 1.2 Subject to appropriate conditions, the development would not have an adverse impact on highway safety, the ecological value of the site or residential amenity. Whilst not in accordance with the Local Plan, I consider that the principle of industrial and storage uses on the site has been accepted by virtue of the previous planning permissions and there are significant material considerations to justify a departure from Policy GN1 (b) of the adopted Local Plan. I consider the proposed land use to be acceptable on this site and that all technical issues have been addressed in accordance with the relevant policies of the Local Plan. I therefore recommend that planning permission be granted.

## **2.0 RECOMMENDATION: APPROVE with conditions**

### **3.0 THE SITE**

- 3.1 The application site is located to the south of Stopgate Lane and to the east of Pingwood Lane in Simonswood. The site extends to approximately 5.5ha and is broadly rectangular in shape, comprising greenfield open flat and mostly agricultural land.
- 3.2 The site is bound to the north by an existing mature hedgerow beyond which is Stopgate Lane, with Green Belt and agricultural land to the north. To the east of the site is an area of open land beyond which is the entrance to Simonswood Industrial Park and a 102m high wind turbine. To the south lies Simonswood Industrial Park and to the west is an area of shrub/trees with Pingwood Lane beyond and residential development forming part of Kirkby on the far side of Pingwood Lane. The main river Simonswood Brook, runs south to north through the western part of the site. The site falls within the borough boundary of West Lancashire but Pingwood Lane is within Knowsley borough.

### **4.0 THE PROPOSAL**

- 4.1 This application seeks planning permission to develop an HGV Trailer Park, construction of a timber storage building with link extension to an existing storage building and construction of a training building for a traffic management company.
- 4.2 The site will be split into four sections:
1. Firstly this proposal will deliver the 3.13 acre ecology park and sustainable drainage area to the west of the site which has previously been agreed under the outline application.
  2. The second section will be approx. 1 acre and is reserved for Highway Traffic Management Limited who propose a single storey training building (use class D1) measuring 24.9m by 9m comprising of three classrooms, an office, kitchen and toilets. It will operate Monday to Friday approximately 8am to 5pm and on Saturday mornings until 1pm. The training centre will employ 6 members of staff with class sizes of up to 10 students.
  3. The third section is reserved for 3TL Ltd and measures approximately 1.25 acres. 3TL Ltd already occupy the site directly to the south of the application site. A timber storage building measuring 30m by 100m is proposed along with a link canopy measuring 30m by 30m to connect the existing building with the proposed building. Timber is brought onto the site in prepared form and then stored until ready to be sent out to customers. An additional 7 staff will be employed as a result of the proposal.
  4. The remainder of the site is approx. 2.3ha and will be used as an HGV trailer park. An existing trailer park is already in operation to the south of Williams Industrial Park. Trailers are stored until they are required and this coincides with the peaks and troughs in retail demand. The proposed trailer park would require 2 additional staff members between the hours of 8am and 5pm.
- 4.3 The application also proposes 2m high mounded earthworks along the northern and western boundary (between the industrial development and ecology park) with landscaping and proposes a 2m high green weldmesh security fence.

## **5.0 PREVIOUS RELEVANT DECISIONS**

- 5.1 2018/0835/OUT GRANTED Outline - Employment development comprising B2 & B8 uses including ancillary office accommodation together with associated ancillary infrastructure.
- 5.2 2015/0729/OUT GRANTED Outline - Employment development comprising B2 & B8 uses including ancillary office accommodation together with associated ancillary infrastructure.
- 5.3 2014/0542/FUL GRANTED Development of a single wind turbine generator with a maximum height to blade tip of 102 metres above ground level, vehicle access tracks, crane pad, sub-station building and construction compound.
- 5.4 2013/1188/SCR Screening Opinion - Development comprising a mix of industrial units for uses falling within Classes B1, B2 and B8 together with an ecology park and sustainable drainage area. (Development is NOT EIA development).

## **6.0 OBSERVATIONS OF CONSULTEES**

- 6.1 Knowsley Council (including Highways) (22.11.19 & 28.04.20) No Objections subject to conditions
- 6.2 LCC Highways (16.10.19) – No Objections
- 6.3 MEAS (Merseyside Ecological Advisory Service) (06.11.19, 28.01.20, 18.02.20 & 01.04.20) – No Objections subject to conditions
- 6.4 United Utilities (11.10.19) – No Objections; conditions suggested
- 6.5 LAAS (Lancashire Archaeological Advisory Service) (04.10.19) – No Objection subject to a condition requiring archaeological investigation and recording of the site
- 6.6 Environmental Health (21.11.19) No Objections subject to conditions
- 6.7 Environmental Health Scientific Officer (25.10.19) No Objections subject to a condition requiring phase 2 report
- 6.8 Environment Agency (11.11.19) – No Objections subject to conditions
- 6.9 Lead Local Flood Authority (26.11.19) No Objection subject to conditions
- 6.10 Lancashire Constabulary (30.09.19) – Advice given

## **7.0 OTHER REPRESENTATIONS**

- 7.1 I have received 1 letter of objection from a local resident. Their concerns are summarised below:

Existing residents suffer from a large number of HGVs passing our homes;  
Although the proposed access to this site is via Pingwood Lane, HGV traffic may still attempt to use the Stopgate Lane/Sineacre Lane route as a shortcut, particularly if they are heading towards the M58;  
There is a 7.5 tonne limit on the roads and can you put a condition or advisory to the approval;  
The road is dangerous to cross and there has been a fatal Road Traffic Collision on Pingwood Lane near to the Williams estate access point. A crossing should be considered.

- 7.2 Simonswood Parish Council (13.12.19) objects on the following grounds;

The land is protected under the West Lancashire Borough Council Local Plan and is in agricultural use all year round;  
There is already a large trailer park on the adjoining site;  
Simonswood Brook, recognised as a 'main river source' by the Environment Agency is at capacity as it is prone to flooding. The land in question has land drains which take surface water into Simonswood Brook. Local knowledge shows that flooding of this land and contamination of the water course would be likely as a result of this development;  
The nearby residential area will be subject to increased noise and vehicle emissions and therefore the 24 hour operation would be detrimental to the residents. No other companies are permitted to operate 24 hours on the industrial estate;  
The development would diminish the open, established countryside which is of local historical interest as it formed part of the original Simonswood Forrest and Deer Park;  
There is no mention about what would happen to the waste from the development of the training centre and canteen as no mention is made of this?;

There is a significant risk of contamination from parked HGV vehicles in relation to fuel and oil leaks that could drain into the existing water course;  
No reference is made to the type of material that would be used to construct the bunds;  
On the Planning Statement under Noise/Amenity how can the sound noise modelling be done without the type and number of HGVs being identified;  
No plans have shown any external lighting which we believe could cause light pollution to the surrounding area.

## **8.0 SUPPORTING INFORMATION**

8.1 In addition to a Planning Statement setting out the planning policy position, the application is supported by the following:

Ecological Assessment  
Flood Risk Assessment and Drainage Strategy  
Design and Access Statement  
Minerals Safeguarding Statement  
Noise Impact Assessment  
Transport Assessment along with an update letter Feb 2020  
Contaminated Land Report  
Bat Roost Assessment Report

## **9.0 RELEVANT PLANNING POLICY**

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.

The site is allocated as Protected Land within the Local Plan. The site also falls within the Mineral Safeguarding Area as designated under Policy M2 of the Joint Lancashire Minerals and Waste Local Plan.

### **West Lancashire Local Plan 2012-2027 DPD**

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Design of Development  
EC1 - The Economy and Employment Land  
IF2 – Enhancing Sustainable Transport Choice  
IF3 – Service Accessibility and Infrastructure for Growth  
IF4 – Developer Contributions  
EN1 – Low Carbon Development and Energy Infrastructure  
EN2 - Preserving and Enhancing West Lancashire’s Natural Environment  
EN3 – Provision of Green Infrastructure and Open Recreation Space  
EN4 – Preserving and Enhancing West Lancashire’s Built Environment

### **Supplementary Planning Advice**

SPD – Design Guide (January 2008)

## **10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

### *Principle of Development*

10.1 The site is designated as Protected Land in the Local Plan and Policy GN1 (b) states that "development on protected land will only be permitted where it retains or enhances the

*rural character of the area, for example small scale, low intensity tourism and leisure uses and forestry and horticulture related uses." Whilst the proposal does not comply with the above policy, the principle of employment development has previously been established by the granting of outline planning permission (2018/0835/OUT).*

- 10.2 In the case of planning application 2018/0835/OUT, the applicant put forward material considerations to justify a departure from the adopted Local Plan which remain relevant for the current application. For example, demand for employment land in the Liverpool City Region and the impact of the new Liverpool 2 container terminal at the Port of Liverpool provide a compelling case for the need for a greater supply of employment land in the City Region over the coming years.
- 10.3 The issue of delivery of employment land is also important, and it is acknowledged that there has been a lack of employment land delivery in West Lancashire in recent years. West Lancashire is not currently delivering the 5ha of employment land a year anticipated in the Local Plan. While national planning policy does not require a local planning authority to demonstrate a 5 year supply of employment land in the way it does for housing, the applicant suggest that this lack of delivery is an important material consideration in this application and one that carries significant weight in favour of the proposal. Weighing all of the above into the balance, the previous planning history, employment land delivery and the anticipated demand for employment land over the next few years in the Liverpool City Region are considered to be significant material considerations to justify a departure from Policy GN1 (b) of the adopted Local Plan.

#### *Siting, Design and Layout*

- 10.4 The proposed layout has been designed as a natural extension to the existing employment site to the south by siting the proposed storage building, training building and HGV trailer park immediately to the north of the Simonswood Industrial Park. An extensive ecology park with SUDS is proposed along the western and north western boundary of the site and landscaped mounds, measuring 2m high, are proposed around the northern and western perimeter to build on the existing green infrastructure within the site to ensure the developed areas are integrated into the existing landscape and to provide an area of ecological mitigation for the resultant loss in greenfield land and hedges, all based around the existing watercourse running through the site. The mounds will have a meadow grass mix with hedgerow planting on the outer edges and tree planting on the inner edges. No planting is proposed on the mounds and no material will be imported to the site to create the mounds. A 2m high green weldmesh security fence is proposed on the inside of the landscaped mounds. This is considered to be acceptable.
- 10.5 The proposed new storage timber building will be joined to the existing timber storage building with a link extension. The extension has been designed to be of a similar height and design to the existing and is considered to be acceptable.
- 10.6 The proposed training building is of a modest footprint with a maximum ridge height of 5.4m and will be sited adjacent to the proposed landscape mounds to the north of the existing storage building and to the west of the proposed storage building extension. The design, scale and siting of this building is considered to be acceptable.

#### *Access, Traffic and Highways*

- 10.7 Vehicle access to the site is proposed from the existing priority junction with Pingwood Lane which serves the existing Williams Industrial Park. Once inside the industrial estate, vehicles will follow the existing roadway that encircles the existing timber storage building leading directly to the entrance to the application site.

- 10.8 A transport statement with a traffic impact assessment has been submitted along with an update in February 2020. Presently the timber storage facility generates up to 15 HGV trailer loads staggered throughout the day. The Traffic Impact Assessment predicts that the proposed timber storage extension will generate an additional 10 two way HGV movements per day and 14 two way car movements per day. During periods of peak demand the existing trailer park will experience approximately 20 HGV trips per day. Outside of the peak period, HGV movements are sporadic and some days will not generate any HGV movement at all. The Traffic Impact Assessment predicts the proposed trailer park will increase the HGV movements up to 40 two way movements per day and 4 two way car movements per day. The Traffic Impact Assessment predicts that the training centre will generate up to 32 two way car movements per day.
- 10.9 It is important to highlight that the site forms part of a wider scheme which has extant planning consent for B2/B8 use and a comparison has been made in the transport statement between the trip generations of this proposed use and the previously consented use. The applicant has undertaken various TRICS assessments and forecasts that the development would result in a slightly lower trip rates in the AM peak and a slightly higher trip rate in the PM peak compared to the trips rates consented in 2015. On balance the scheme would generate an increase in the region of 21 vehicular trips per day above the consented scheme, which the applicant suggests will be insignificant given the characteristics of the highway network in the vicinity of the site.
- 10.10 Knowsley Council as the Highway Authority have been consulted as the application site boundary straddles the West Lancashire and Knowsley administrative boundaries and Pingwood Road falls under Knowsley Council. Knowsley Council have assessed the proposals and have raised no highway objections in principle but have requested that pedestrian facilities are provided between the site entrance and the bus stops on Pingwood Lane to facilitate access and improve pedestrian safety. In response the application proposes a 2m wide footway along the northern side of the site access leading north along Pingwood Lane towards the bus stop on the eastern side of the carriageway. Here, an uncontrolled pedestrian crossing comprising of dropped kerbs is already present on both sides of the road. Tactile paving is proposed at the crossing point on the eastern side of the carriageway to mirror the arrangement on the opposite side of the road. This improvement will ensure that a safe pedestrian link from the site to the bus stops and the opposite side of Pingwood Lane while utilising the existing pedestrian line. A condition will be imposed to secure these off site highway works to improve pedestrian facilities.
- 10.11 The proposed layout includes 25 car parking spaces along the access road and a further 10 car parking spaces are proposed adjacent to the training centre. The site allocated for the training building will have ample space within its boundary for additional car parking in connection with this use and as a result a condition is recommended to require a more detailed car parking layout with soft landscaping to be submitted for consideration.
- 10.12 To conclude, I am satisfied that adequate vehicle maneuvering, turning and parking spaces can be provided within the site. The scheme will provide appropriate links for pedestrians and the development will not have a significant impact on the local highway network within the vicinity of the site.

#### *Impact on Neighbouring Land Uses and Noise*

- 10.13 It is necessary to consider the impact of the proposed development on the amenity of existing surrounding land uses, including neighbouring residents to the west of the site along Pingwood Lane and Shevingtons Lane. It is proposed that the ecology park will be situated on the western boundary, the closest point to local residents. The HGV trailer

park, training building and storage extension will be located in the north eastern corner between the ecology park and existing industrial estate thereby helping to minimize its visual impact upon nearby residents.

- 10.14 However, given the proposed development is for mixed commercial development, which will utilise an existing access point off Pingwood Lane, the impact of noise upon neighbouring residents needs to be given consideration. A noise assessment has been submitted with the application which concludes noise levels are likely to be similar to those associated with the use of the existing site, and would have a low impact on nearby noise receptors provided that the recommended acoustic mitigation advice is followed.
- 10.15 The applicant has clarified the timber store and training building would only operate during daytime hours (8am to 7pm Monday to Fridays, and 9am to 12.30pm Saturdays). However, the applicant has applied for the trailer park to be operational 24 hours. The Transport Assessment explains the trailers are stored until they are required and this typically coincides with the peaks and troughs of retail demand, in late August/early September, the trailers start to leave the site in preparation for the build up to the Christmas period and they then return during February. Occasionally trailers for lorries on the trailer park would need be moved at night.
- 10.16 The noise assessment recommends in order to reduce the likelihood of noise impact on the nearest receptors during unsociable hours HGV visits, additional barrier/acoustic fencing will be erected to screen the HGV routes on-site from nearby residents. The noise report identifies that once the HGVs enter the site they would be screened from residential properties by the proposed fencing and bunding, and as such noise levels will drop significantly. The noise report anticipates that although the residential receptors are closer to the new site than the existing site, noise levels from the new site are expected to be lower than noise levels from the existing site (which is not enclosed by continuous bunding/fencing).
- 10.17 The Council's Environmental Health Officer is satisfied with the background noise assessment, the choice of representative background noise levels and how the predicted noise rating levels have been assessed and has no objection to the application in principle. However the Transport Assessment identifies an increase in the numbers of HGV vehicles would be likely to visit the site as a result of the proposed development therefore it is reasonable to ensure night-time activity is restricted to protect local residents as the highest noise levels will be from HGV vehicles driving along Pingwood Lane in order to enter the site. Both the Council's Environmental Health Officer and Knowsley Council have recommended that a condition is imposed to restrict evening and night time vehicle movements due to the adverse impact this could have on nearby residents. As the applicant has specifically applied for the trailer park to operate 24 hours due to the requirement to occasionally move trailers during their busiest periods it would be unreasonable to completely restrict any nighttime movement in and out of the site. Therefore a balance must be struck between the operational requirements of the site and the need to protect local residents. I consider it is reasonable to restrict the numbers of HGV movements between 11pm and 7am to protect residents.
- 10.18 Providing that a number of noise control measures including acoustic barriers and hours of operation are conditioned then on balance I consider the development meets the requirements of Policy GN3 of the Local Plan.

#### *Drainage and Flood Risk*

- 10.19 The developable area of the site is located within flood zone 1 and a small watercourse known as Simonswood Brook which passes through the western boundary of the site is

located in flood zone 3. As a result a Flood Risk Assessment and Drainage Strategy Report has been submitted with the application. The site will be drained on separate systems and foul water will be connected to the public sewer at the western end of the site.

- 10.20 In terms of surface water, this will be collected from the site and directed to a new surface water drainage network, which in turn will outfall to a large attenuation pond at the western end of the site adjacent to Simonswood Brook. Flows will then be restricted to greenfield run-off rates to the watercourse. This approach is acceptable in principle. I am satisfied that the development site can be adequately drained and the proposed development will not result in increased flood risk on or off the site.
- 10.21 To the west of the site a small parcel of the site is located within Flood Zone 3, the classification most at risk of flooding. Therefore, all buildings will be set at least 300mm above existing ground levels. The Environment Agency (EA) has confirmed that they are satisfied with the submitted Flood Risk Assessment. An 8m buffer zone is provided from the top of Simonswood Brook watercourse bank to ensure no development encroaches into the main river easement thus meeting an EA requirement. I am satisfied that the proposed development demonstrates compliance in principle with the NPPF and Local Plan Policy regarding drainage and flood risk.

#### *Ecology, Trees and Landscaping*

- 10.22 The application site is located in an area known as an Impact Risk Zone which could have the potential to support qualifying features within or in close proximity to the designated sites of the Ribble and Alt Estuaries, Mersey Estuary and Martin Mere SPA, Ramsar and SSSI site.
- 10.23 Several ecological surveys have been undertaken at the site by Appletons in 2013, 2015 and June 2018. A letter from Appletons has been submitted with this application to update the current application which only covers 5.5ha of the wider 12.78ha originally surveyed. Previous survey results, conclusions and recommendations have been adjusted to reflect this. In addition, a bat roost assessment report and a water vole survey and protection strategy have been submitted.
- 10.24 MEAS have been consulted and conclude that construction and operation of the site will have no likely significant effect on the European protected sites and a detailed Habitats Regulations Assessment report is not required because pink footed geese were not recorded within, or close to, the site during the survey and very few numbers of other qualifying features were recorded. Therefore the proposals will not displace significant numbers of foraging qualifying bird species.
- 10.25 Evidence of Water Vole was recorded alongside Simonswood Brook and the applicant has submitted a Water Vole survey and mitigation strategy which MEAS confirms is acceptable to ensure this species is not harmed by proposals to install an outfall into Simonswood Brook.
- 10.26 In February 2020 the applicant's ecologist undertook a fingertip search for water vole field evidence along a 33m stretch of Simonswood Brook and supervised the removal of an area of vegetation. A letter was submitted in March 2020 confirming the Water Vole protection works have been carried out in accordance with the previously submitted and accepted Water Vole protection strategy. The measures taken to ensure Water Vole is not harmed by the proposals are welcomed and accepted by MEAS. The area of vegetation cleared has been covered by tarpaulin and this section of the bankside habitat will remain covered until the outflow installation works commence.

- 10.27 The site offers bird breeding habitat which will be significantly reduced by the proposed development; however the creation of an ecology park, planted with similar native species, will provide mitigation for the loss of habitat. The bat roost report found only one yew tree had low potential for roosting bats but this is 450m outside the application site boundary and will be retained. I am satisfied that the development complies with Policy EN2 of the Local Plan and the NPPF.
- 10.28 In respect of trees within the site, they are of a self-set nature within the overall vegetated area of scrub hawthorn and bramble. The indicative layout shows that an area of trees and woody shrubs will be removed to accommodate the development; however, as part of the proposals, an area to the west of the site will be dedicated as a SUDs area and ecology park. Existing vegetation in this area will be retained and enhanced and managed to enhance biodiversity and create habitats for invertebrates, birds and Water Voles. A landscaping plan has been submitted which proposes a good mix of native trees and hedging across the site. Overall, the landscaping proposals are considered to be acceptable.

#### *Contaminated Land*

- 10.29 Part of the proposed development site is located on top of a historic landfill site known as Stopgate Lane North and South, which presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located on a Principal Aquifer, in groundwater Source Protection Zone 3, and is adjacent to a watercourse, Simonswood Brook). The Environment Agency (EA) and the Councils Environmental Protection team have reviewed the Phase 1 Preliminary Risk Assessment which demonstrates that it will be possible to manage the risks posed to controlled waters by this development. However, there would still be a need for further intrusive site investigation to explore the identified potential pollutant linkages further, as recommended in section 6.2 of the Preliminary Risk Assessment report before development is undertaken on the site. The EA are in agreement that this can be secured by planning condition.

#### *Archaeology*

- 10.30 Lancashire Archaeological Advisory Service has identified the site includes the former sites of Warren's Farm, Stopgate Farm and Stopgate Inn which used to lie in a former hunting forest in the 13th Century. It is probable that there will be buried remains within the site from these farmsteads which merit examination and recording prior to their destruction. A programme of archaeological investigation and recording is recommended prior to the start of development and this can be secured by condition.

#### *Mineral Safeguarding Area*

- 10.31 As per the previous approval, this application is supported by information which confirms that there is potential for deep coal and possible silica sand on the site. The applicant advises that due to the characteristics of the surrounding land uses, the ecology interest and watercourse on the site, the limited size of the site and the uncertainty of mineral resources being found, it is considered that it would be commercially unviable and environmentally unacceptable to extract minerals from the application site. I concur with this view and as such the exemption requirements of Policy M2 of the Lancashire Minerals and Waste Local Plan have been engaged and the development is not considered to have an adverse impact on mineral supplies.

## *Conclusion*

10.32 I am satisfied that there are significant material considerations to justify a departure from Local Plan policy in relation to protected land given the planning history of the site and the realistic prospect of delivery of employment land and employment opportunities. The proposal satisfactorily meets the requirements of Policies GN1, GN3, EN2 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and is therefore recommended for approval.

## **11.0 RECOMMENDATION**

11.1 That planning permission be GRANTED 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 Location Plan 3301/03 Rev C, Landscape Proposals 1921/01 Rev B and Cross Section 1921/02 Rev B received by the Local Planning Authority on 24th March 2020;  
Plan reference Proposed Site Layout - Revised Land Purchase Drawing 3301/04 Rev K received by the Local Planning Authority on 22nd May 2020;  
Plan reference Proposed Covered Structure 3301/05 rev A and Proposed Training Building 3301/06 Rev A received by the Local Planning Authority on 11th September 2019;  
Plan reference Topographical Survey received by the Local Planning Authority on 4th September 2019.  
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 on the construction phase shall commence until details of the design of the surface water drainage system, based on sustainable drainage principles, have been submitted to and approved in writing by the Local Planning Authority. Those details should include:
  - a) A drainage strategy confirming the proposed means of surface water disposal together with a SuDS management and maintenance plan, if applicable;
  - b) Evidence of the existing site topography to include any existing surface water flow routes, drains, sewers and watercourses in a readable 3D Autocad .drawing format;
  - c) Evidence of site investigation, test results to confirm soil infiltration rates and calculations to indicate existing SW runoff rates and volumes;
  - d) Demonstration that SW run-off will not exceed pre-development run-off rates and volumes and, for formerly developed land, that the requisite reduction in runoff will be achieved;
  - e) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
  - f) Design calculations using relevant storm periods and intensities (e.g. 1 in 30 and 1 in 100 year + agreed allowance for climate change), runoff discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control SW 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 metres AOD;

- g) Evidence that flood flows will be effectively managed within the site during the lifetime of the development including the construction period, will have no material impact by leaving the site in terms of nuisance or damage, or increase watercourse flows during periods of river flooding;
- h) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mdx file format). Any flow control details should be modelled using the Depth/ Flow Relationship for the Control Type for MicroDrainage version 2015 or earlier;
- i) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .drawing; and
- j) Existing and proposed catchment areas in a suitable format i.e. Autocad drawing.

The scheme shall be implemented in full in accordance with the approved details prior to any of the buildings or trailer park being brought into use or completion of the development, whichever is the sooner.

Before any building or the trailer park is first brought into use, a validation report (that demonstrates that the drainage scheme has been carried out in accordance with the approved plan) must be submitted to the Local Planning Authority.

The approved drainage system shall be retained, managed and maintained in accordance with the approved details at all times for the duration of the development.

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. Notwithstanding the submitted Phase 1 Ground Investigation Report no development approved by this permission shall be commenced until
- a. A further phase 2 site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with current guidance and best practice. The identity of the person shall be notified to and be approved by the Local Planning Authority prior to the site investigations commencing. This further site investigation should more clearly identify the types and levels of contaminants present on site
  - b. The report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any remediation works taking place. The Local Authority must have approved such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless any identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
  - c. Any approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance in accordance with a detail to be first agreed in writing by the Local Planning Authority. A suitably qualified person as first agreed in writing by the Local Planning Authority shall be present on site to supervise investigation and remediation works when such works are taking place. If during the works contamination is encountered which has not previously been identified then the Local Planning Authority shall be notified immediately and all works shall cease pending the submission of additional information on the nature of the contamination and proposals as to how the contamination shall be fully dealt with and an appropriate remediation scheme shall be agreed in writing with the Local Planning Authority and carried in accordance with agreed timescales.
  - d. Prior to the first occupation of the building on site a closure and validation report shall be submitted to and approved in writing by the Local Planning Authority.

The closure and validation report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: These details are required prior to the commencement of development to prevent harm to public health, to prevent pollution of the water environment and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation and recording. 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: These details are required to be approved before the commencement of development to ensure any remains on site are properly recorded in accordance with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document

6. No part of the development hereby approved shall commence until a scheme for the design and layout of highway improvement works has been submitted to, and approved by, the Local Planning Authority. For the avoidance of doubt, the works shall include:

Pedestrian facilities between the site entrance and nearby bus stops;

This should include a paved footway, along the desire line on the verge on the development side of Pingwood Lane, between the bus stop and site entrance;

Improved pedestrian crossing facilities across Pingwood Lane, to the other bus stop and crossing point(s);

Improvements to the site's current pedestrian entrance (stated in 3.2.4 of submitted transport document as a "gap in a fence").

The approved scheme shall be fully implemented prior to the first use of the development.

No part of the development hereby approved shall be occupied or opened for trading until the highway improvement works have been constructed and completed in accordance with the scheme details

Reason: These details are required prior to the commencement of development to safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. Prior to any development taking place plans showing details of the areas for the movement, loading, unloading and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such areas have been provided, constructed and surfaced in complete accordance with the approved plans. These areas shall be retained at all times thereafter.

Reason: These details are required prior to the commencement of development 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.

8. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) 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.

9. No building shall be brought into use nor the trailer park brought into operation 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 minimise the visual impact of light on nearby residential properties in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

10. Prior to the occupation of the building/use hereby approved at least 10% of the approved car parking spaces shall be marked out for use by electric vehicles, together with an adequate charging infrastructure and cabling for each marked bay, the details of which shall be submitted to and approved in writing by the Local Planning Authority. 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.

11. Notwithstanding the details submitted no part of the development hereby permitted shall be occupied until a scheme for the provision of cycle and motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented before any part of the development is brought into use and shall be retained as such thereafter

Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

12. The development permitted by this planning permission shall be carried out in accordance with the following mitigation measure as identified within the FRA ref: 9805, dated 9/08/2019 received by the Local Planning Authority on 4th September 2019:

1. The minimum finished floor level (FFL's) for the site will be 30.00m AOD. Over and above this the FFL's of all the units should be set at least 300mm above the existing ground levels.

The mitigation measure shall be fully implemented prior to occupation of the development and subsequently 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.

Reason: 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.

13. The development shall be implemented in accordance with the mitigation strategy described in 'Water vole survey and protection strategy, Appletons, September 2018, Updated February 2020' and 'Letter from Paula Bateson, Appletons, 12 March 2020, Ref: PB/1921/E2'.

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.

14. Prior to the occupation and operation of any of the development hereby approved details of an acoustic barrier to protect the nearby residents from noise shall be submitted to and approved by the local planning authority. The acoustic barrier shall be erected using only the agreed materials and method of construction, prior to the trailer park being brought into use, and shall be retained at all times thereafter.

- 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.
15. The Training Centre shall not operate outside the hours 19:00 until 08:00 on Mondays - Fridays and 12:30 until 08:00 on Saturdays. The use shall not operate at all on Sundays or Bank or Public Holidays without the prior approval in writing of the Local Planning Authority.
- No products shall be moved in or out of the proposed timber store outside the hours of 19:00 until 08:00 on Mondays - Fridays and 12:30 until 08:00 on Saturdays. There shall be no movements of products in or out of the timber store at all on Sundays or Bank or Public Holidays without the prior approval in writing of the Local Planning Authority.
- 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
16. The number of large or medium goods vehicles of Class C, C+E, C1 or C1+E (as categorized by the LGV/HGV Driving Licence Categories) visiting the site shall not exceed 8 in any 8-hour night-time period between 2300 and 0700 hours any one day. A record of all large or medium goods vehicles visiting the site shall be kept up to date and be made available for inspection at any time by the Local Planning Authority.
- 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
17. All hard and soft landscape works shall be carried out in accordance with the approved details shown on Landscape Proposals Plan 1921/01 Rev B and Cross Section Plan 1921/02 Rev B. 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.
18. Piling, or any other foundation designs using penetrative methods, shall not be permitted other than with the written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- Reason: To prevent harm to groundwater resources and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document and paragraph 170 of the National Planning Policy Framework.
19. As confirmed in the email from Plan:8 Town Planning Ltd dated 2nd June 2020 no material shall be brought onto the site to form the 2m high landscaping mounds and ecology park.
- Reason: To ensure no imported material is brought onto the site in order to minimise risk from contamination and pollution and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027

### **Note(s)**

1. The LLFA notes that the Preliminary Drainage Strategy Plan, attached to the Flood Risk Assessment submitted with this application, drawing ref. 9805FRA-002, rev. P1, dated July 2019, implies that a diversion of the large diameter culverted drain will need to be undertaken to enable this development. The LLFA wishes to highlight that this drain is not identified on any United Utilities plans available to the LLFA as a United Utilities asset and therefore would be considered as a culverted ordinary watercourse. Any diversion of this watercourse is therefore subject to LLFA approval. The applicant should obtain Land

Drainage Consent from Lancashire County Council before starting any works on site. For the avoidance of doubt, this response does not grant the applicant permission to redirect the ordinary watercourse and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

### **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 - Design of Development

EC1 - The Economy and Employment Land

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's Built Environment

together 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.