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| No.1 | APPLICATION NO. | 2020/0737/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 | Aldi Food Stores Limited |
| | WARD | Tarleton |
| | PARISH | Tarleton |
| | TARGET DATE | 2nd December 2020 |

1.0 SUMMARY

- 1.1 The application is for a retail store and office building on the site of the Bay Leaf which is within the Green Belt. The proposed development has been identified as being inappropriate development in the Green Belt and as being harmful to openness. There would also be heritage harm as a result of the development. However, the applicant has put forward very special circumstances to justify the development. I do regard the economic case put forward to bring significant benefits, and the improvements to visual amenity to bring moderate benefits, which I consider in this instance to outweigh the harm identified. I consider that the proposal would not have a significant detrimental impact on the vitality or viability of existing retail centres. The development would be acceptable in terms of design, drainage, highway safety, biodiversity and residential amenity.

- 2.0 **RECOMMENDATION:** That planning permission be GRANTED 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 were 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 1,743sq.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 servicing areas being located adjacent to the boundary with Tarleton Office Park and the eastern

boundary. 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. According to the submission, 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 129 car parking spaces in total; 100 for the foodstore, and 29 car parking spaces for the office development.
- 4.4 The application has similarities to planning application 2018/1190/FUL, which was approved March 2020 and was recently subject to Judicial Review. The Applicant has advised that the re-submission is required to take account of technical design alterations which have been summarised as:

Marginal alteration of store position to account for a sewer diversion;
Addition of an external lobby to satisfy updated Aldi requirements to enhance customer experience;
Updated plant equipment to meet Aldi's latest standards;
Addition of a substation required for store operation; and
Car parking alterations to account for the proposed substation and to protect existing trees.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2018/1190/FUL - 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. GRANTED 17.03.2020.
- 5.2 2017/0794/COU - Change of use from A3 (restaurant) to B8 (light storage). GRANTED.
- 5.3 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.
- 5.4 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 (10.09.2020) – No objection.
- 6.2 Cadent (09.09.2020) – No objection.
- 6.3 Lead Local Flood Authority (19.01.2021) – No objection.
- 6.4 Highways (23.11.2020) – No objection.
- 6.5 County Archaeologist (30.09.2020) - No objection.

- 6.6 Merseyside Environmental Advisory Service (18.12.2020 and 05.02.2021) - No objection.
- 6.7 Environmental Protection – (21.01.2021) – No objection.
- 6.8 United Utilities (23.10.2020) – No objection.

7.0 OTHER REPRESENTATIONS

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

Highway safety
Unsafe access/ingress
Traffic queues will obstruct access to Homestead
Impact on Green Belt
Heritage impacts
Increased pollution

- 7.2 An objection has been submitted by representatives of the Co-operative Group, which can be summarised as the applicant failing to demonstrate that there are 'very special circumstances' to justify development in the Green Belt and also failure to pass the sequential assessment and retail impact tests of the NPPF and Local Plan. It is considered that there would be a significant adverse impact on the vitality and viability of the Village Centres as a result of the proposed development contrary to paragraphs 86 to 90 of the NPPF and Policy IF1. The objection puts forward the case that the proposals are also contrary to paragraphs 143 to 147 of the NPPF and Local Plan Policy GN1 as the development represents inappropriate development in the Green Belt and very special circumstances are not demonstrated to outweigh the harm to the green belt.

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

Removal of an eyesore.
Another food retail option is welcome.
The development is overdue.
Local shops will not be affected as people already go out of the village for larger shopping trips.
Object to the representation made by Co-op.
New housing developments means that there is enough custom for all retail outlets.

8.0 SUPPORTING INFORMATION

- 8.1 Transport Statement
Framework Travel Plan
Geo-environmental Phase 1 Desk Study
Geo-environmental Phase 2 Assessment Report
Statement of Community Involvement
Noise Assessment
Landscape and Visual Impact Assessment
Heritage Statement
Drainage and Flood Risk Assessment
Drainage Strategy
Lighting Strategy
Design and Access Statement
Ecological Survey

Planning and Retail Statement
Servicing Management Plan
EV Charge Points Confirmation Letter
Arboricultural Survey

Additional Retail information (2no. letters dated 9th November 2020, 1no. letter dated 11.01.2021)

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 planning applications to 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 developed 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 previously developed 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 Green Belt, and subject to compliance with other relevant policy.

Principle of Development - Impact on Openness

- 10.5 Paragraph 133 of the NPPF advises that a fundamental aim of the Green Belts is to prevent urban sprawl by keeping land permanently open, with an essential characteristic being openness. Paragraph 134 advises the Green Belt serves five purposes:

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

- 10.6 Given the wording of paragraphs 133 and 145 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 it is found that there is a greater impact, the proposals would be considered inappropriate development, and therefore harmful to the Green Belt. This approach 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 Paragraph 143 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 further clarifies that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the

potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 10.8 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.
- 10.9 The existing buildings of the former Bay Leaf are part two, part single storey in height 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 than currently exists.
- 10.10 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 it would be seen in context with the existing buildings at Tarleton Office Park; the office building would be sited at the opposite end of the site, with the rationale put forward being there would be sufficient gap between the buildings to break up the mass of development, and allow views through the site, the positioning would also allow adequate visibility for cars into and out of the site. I consider the potential for views through the site, along with the single storey design of the foodstore, and the use of glazing in both the foodstore and office building does go some way to reducing the overall scale and perceived bulk of development on the site.
- 10.11 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 currently existing on the site at present. It is therefore 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. Substantial weight is given to this harm in accordance with paragraph 144. It is therefore necessary for the applicant to demonstrate that the harm to Green Belt which has been identified and any other harm arising from the proposed development is clearly outweighed by other considerations amounting to very special circumstances.

Principle of Development – Rural Economy

- 10.12 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.
- 10.13 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

- 10.14 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.
- 10.15 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.
- 10.16 The applicant has submitted information in the form of a sequential assessment which considers whether or not there are other alternative sites in or on the edge of centres which could accommodate the proposed development and serve an equivalent catchment. The Sequential Assessment considered a catchment area as commensurate with a 10 minute drive- time, which includes the West Lancashire settlements of Tarleton, Hesketh Bank, Banks, Rufford and Mere Brow, and also the villages of Walmer Bridge, Much Hoole and Longton in South Ribble and the village of Bretherton and Croston in Chorley Borough. The sequential search has considered several sites in detail, including sites within and outside the West Lancashire Borough boundary. The assessment concludes that there are no available sites in sequentially preferable locations that are suitable for the proposal.
- 10.17 The Sequential Assessment submitted as part of the application has been subject to review by Tetra Tech Planning at the request of the Local Planning Authority and they have advised that overall they are satisfied with the approach taken by the Planning Agent (Avison Young), and agree with the conclusion that there are no suitable and/or available sites which could accommodate the proposed development. 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 paragraphs 86 and 87 of the NPPF and the relevant provisions of Policy IF1 of the Local Plan.

Retail Impact

- 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 investment in a centre or centres in the catchment area of the proposal; and
 - 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 Paragraph 90 goes on to advise that in making a planning decision based upon an impact assessment, a planning application should be refused where the proposal is likely to lead

to significant adverse impact on one or more of the considerations detailed in paragraph 89.

- 10.20 Policy IF1 of the Local Plan requires proposals outside of town centres for convenience retail that involves, in the case of supermarkets/superstores an increase in floorspace of over 1000m² gross to be accompanied by a an impact assessment. The applicant has submitted a Retail Impact Assessment with the application. This Retail Impact Assessment has been independently scrutinised on behalf of the Council by Tetra Tech Planning and they are satisfied that the methodology used in the Retail Impact Assessment is acceptable, including the use of a study catchment area of 10 minute drive time from the site.
- 10.21 In accordance with paragraph 89 of the NPPF, the Retail Impact Assessment considers the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area, and concluded that the proposed development accords with part one of the impact test. I agree with the conclusions reached in respect of this matter and am satisfied that the proposed development would not have a significant impact on any existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.
- 10.22 In terms of part two of the impact test detailed in paragraph 89, i.e. impact of the proposal on town centre vitality and viability, the submitted Retail Impact Assessment concludes that based on the catchment area used for the study, 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. The assessment also considered other centres both inside and outside of the catchment area, and concluded that they would not be affected by the proposed development and the likely levels of trade diversion.
- 10.23 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, and therefore the proposed Aldi store is unlikely to undermine the viability of the store to a level in which it would close, and could result in a significant adverse impact on the vitality and viability of the centre. The applicants submit that the application proposal would not impact to a significant degree upon the Spar or other smaller convenience shops and facilities within Tarleton Village Centre, and that they will continue to provide for the day to day retail and service needs of local residents.
- 10.24 In respect of Booths, Hesketh Bank, the submitted Retail Assessment found that this store is currently undertrading 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.
- 10.25 Tetra Tech have reviewed the applicant's Retail Impact Assessment on behalf of the Council and agree with the findings presented in respect of impact on town centre vitality and viability. I am satisfied 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 or 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.

10.26 The proposed development of a discount foodstore has been carefully considered against the impact tests set out in the NPPF. To conclude on retail matters, for the reasons outlined above I consider that there are no sequentially preferable sites which could accommodate the proposed development. I am satisfied that no significant adverse impacts would arise on in-centre investments, and the proposed development is not likely to result in a significant adverse impact on town centre vitality and viability. I am satisfied that the proposed development is in accordance with Policy IF1 of the Local Plan and paragraphs 86,89 and 90 of the NPPF.

Heritage and Archaeology

10.27 Paragraph 192 of the NPPF states that in relation to heritage assets, in determining planning applications local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent to their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

10.28 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. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Local Planning Authorities are therefore required to consider the scale or loss and the significance of the heritage asset in their balanced judgements.

10.29 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.

10.30 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. The building is not formally listed (i.e. included on the national list) but is locally listed, and so is a non-designated heritage asset which has a degree of heritage significance meriting consideration in planning decisions but which does not meet the criteria for designated heritage assets.

10.31 A Heritage Statement has been submitted with the application which concludes that whilst the proposals involve total loss of the building, such a loss, in a heritage sense, is of only minor relevance because the significance of the Bay Leaf is so dramatically diminished by previous alterations and extensions that it is now barely interpretable as a historic building.

10.32 Lancashire County Council Historic Environment Team have reviewed the proposals in terms of archaeological significance and conclude that surviving structural elements dating to the 17th century that might be found within the Bay Leaf, as well as any below-ground remains of the former building that once stood to the north would not be considered to be of such significance that they would be a constraint on the proposed development, they

would however still be of sufficient significance to merit archaeological recording and analysis. Consequently the Council's Historic Environment advisor recommends further archaeological investigation of the interior of the Bay Leaf prior to its demolition, in order to determine the nature and extent of the survival of original 17th century fabric such as timber framing and the roof structure, and for it to be recorded and if suitable subject to a programme of dating by means of dendrochronology, and that the footprint of the former buildings known to have stood to the north of the Bay Leaf be subject to further archaeological investigation and recording. These works can be secured by condition.

- 10.33 I consider that the overall heritage significance of the current building is low to moderate, and in accordance with paragraph 197 of the NPPF the loss of a non-designated asset with this level of significance needs to be given weight in the planning balance, and 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.

Design and Visual Amenity

- 10.34 Policy GN3 of the Local Plan requires proposals for development to be of high quality design and have regard to the West Lancashire Design Guide.
- 10.35 The site is currently in a state of dereliction with dilapidated buildings and poorly maintained hardstanding on site which detracts from the visual amenity of the area.
- 10.36 The proposed food store would be single storey, located adjacent to the rear boundary of Tarleton Business Park and seen within the context of these buildings. The proposed office building would be also be of a moderate scale reflecting the nearby residential properties. Buildings on Tarleton Business Park feature red brickwork and horizontal planked timber cladding as the primary materials. The proposed buildings on the application site will reflect these materials and include glazed areas which will ensure that development on the site will harmonise into its surroundings. The use of landscaping will help the development to sit more comfortably in its surroundings.
- 10.37 I consider that the proposed re-development of the site, including the implementation of suitable landscaping, will improve the visual amenity value of the site and therefore have a positive visual impact in the locality, in accordance with Policy GN3 of the Local Plan and the Design Guide SPD.

Impact on Residential Amenity

- 10.38 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. The proposed office unit could be open from 0800 to 2000 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays. The most likely source of noise from this use would be from vehicle movements and any plant associated with the use, for example air conditioning units.
- 10.39 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. The proposed office building would be some distance from the nearest residential dwellings, and the hours of operation ensure that any comings and goings and noise associated with the use would be during normal daytime hours.

- 10.40 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.
- 10.41 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

- 10.42 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.
- 10.43 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.
- 10.44 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.
- 10.45 The proposed landscaping scheme shows the planting of 27no. 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

- 10.46 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.
- 10.47 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 should directly supervise the removal of potential roost features as identified within the Extended Phase 1 Habitat Survey. This can be secured by planning condition. A condition will also be imposed to require the installation of bat boxes as part of the development.

- 10.48 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

- 10.49 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 68 two-way trips during the weekday AM peak, an additional 59 two-way trips during the PM peak, and 78 two-way trips during the Saturday peak. The Highway Authority considers that these additional trips can be accommodated on the highway network.
- 10.50 The proposed foodstore would provide 100 parking spaces, which comprises 78% of the provision indicated by the Local Plan. The proposed office unit would provide 29 parking spaces, which comprises 71% 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 employees 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.
- 10.51 Concern has been raised by the occupiers of the residential property 'Homestead', which is on the opposite side of Liverpool Road to the application site, and the ability to safely turn right from their property in a southerly direction. As with the previous approval on site, provision has been made for 'keep clear' road markings and a yellow hatched area adjacent to the access to Homestead, which would be implemented by a s278 agreement. The Highway Authority have reviewed the access arrangements into the site in relation to Homestead and are satisfied that they are suitable.
- 10.52 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

- 10.53 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 which 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. It is noted within the submission that the existing culvert beneath Liverpool Road is not of sufficient capacity to cater for post development flows that reflect a 30% reduction on existing brownfield rates. It is therefore proposed that the post-development surface water flow rate and associated on site attenuation storage volumes

are finalised through further consultation with the Lead Local Flood Authority (LLFA). The LLFA has reviewed these proposals and considers them to be acceptable. I am satisfied that subject to compliance with recommended conditions an appropriate drainage strategy can be implemented on the site, in accordance with Policy GN3 of the Local Plan.

Very Special Circumstances and the Planning Balance

- 10.54 As a result of the assessment above, the development has been found to be inappropriate development in the Green Belt and would have an impact on openness, and in accordance with the NPPF substantial weight is given to this harm to the Green Belt. An assessment needs to be made to determine whether the harm to the Green Belt by way of inappropriateness and loss of openness, and any other harm, is clearly outweighed by other considerations, so as to amount to the 'very special circumstances' necessary to justify the development.
- 10.55 In terms of any other harm, 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 any identified benefits that would follow from the proposed development.
- 10.56 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 layout 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 development alone would present significant economic benefits given the site is currently vacant and the proposals would see it put back into economic use;

It is proposed that 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 proposals are in line with national and local policy regarding economic development and as per paragraph 80 of the NPPF, significant weight should be placed on the need to support economic growth and productivity;

The previous (now expired) 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 would offer the opportunity to reduce impact on visual amenity from the site;

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. These jobs alongside those that would be provided as part of the office development would help improve employment levels within the area, which is linked with a series of other social benefits such as improved mental health and social security;

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 within 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 which will provide financial benefits for the area and help retain local businesses;

The scheme has been designed to avoid negative effects upon the existing ecological conditions. Significant ecological benefits will be provided through the retention and management of the landscaped bund to the east of the application site and enhancements will be provided throughout the site to break up areas of hardstanding with soft landscaping and native species planting, which will improve the ecological value of the site and enhance the aesthetics of the local area;

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;

Providing offices within a sustainable location surrounded by multiple neighbourhoods will contribute to reduced commuting time and reduce environmental impacts;

Measures to aid sustainable modes of transport would be incorporated into the development, including the introduction of pedestrian crossing facilities and bus stop enhancements. Such measures will seek to retain expenditure leakage within Tarleton in a sustainable manner and provide environmental benefits from the reduction in the need to travel further afield for food shopping.

10.57 Through the above assessment it has been identified that as a result of the proposed development there would be harm to the Green Belt, and in accordance with the NPPF this harm carries significant weight. In addition to Green Belt harm there would also be harm as a result of the demolition of the former Rams Head Public House, which 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 I consider its loss would result in a low to moderate heritage impact as a result of the development.

10.58 It is clear that there are potential benefits from the proposed development, in the form of economic benefits. The proposed development would deliver a significant number of jobs, both during the construction and operational phase and I attach significant weight to employment provision and the associated economic benefits.

- 10.59 The application advises 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 this local company within the Borough. 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.
- 10.60 In addition to these economic benefits, I consider that the proposed development would improve visual amenity. The site is currently derelict and in a poor state of repair to the detriment of visual amenity at this key gateway site into Tarleton. I consider that the redevelopment of the site in the manner proposed, offers the opportunity to reduce this detrimental impact on visual amenity from the site, and with landscaping implemented would help to assimilate the site into the locality. I attach moderate weight to this improvement in visual amenity.
- 10.61 I consider that as a result of the proposed development there would be a significant impact on Green Belt and a low to moderate heritage impact. These identified harms need to be weighed against the identified benefits that would follow from the proposed development. I attach significant weight to the economic benefits that would follow from the development and moderate weight to the improvement to visual amenity which would result from the redevelopment of the site, and I consider the case put forward by the applicant on this occasion does amount to very special circumstances sufficient to clearly outweigh the harm identified.

Conclusion

- 10.62 The proposed development has been identified as being inappropriate development in the Green Belt which by definition causes harm to the Green Belt. The development would also cause harm to the openness of the Green Belt. In addition to this there would be heritage harm as a result of the development. However, the applicant has put forward very special circumstances to justify the development. I consider the economic case put forward to boost local employment to bring significant benefits, and the moderate benefits to visual amenity in this instance clearly outweigh the harm to the Green Belt and heritage harm.
- 10.63 The development would not have a significant detrimental impact on the vitality or viability of existing retail centres, and is acceptable in terms of design, highway safety, residential amenity, drainage and ecology. Subject to appropriate conditions I consider that the proposals accord with relevant policies in the NPPF and Local Plan.

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 11.1 above, planning permission be GRANTED subject to the following conditions and reasons:

Conditions

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 24.08.2020
1715BOL-100 Rev H - Site Plan as Proposed received by the Local Planning Authority on 24.08.2020.
1715BOL-101 Rev A - Proposed Unit A GA Plan received by the Local Planning Authority on 24.08.2020.
1715BOL-102 Rev A - Proposed Unit A Roof Plan received by the Local Planning Authority on 24.08.2020.
1715BOL-103 Rev C- Proposed Unit A Elevations received by the Local Planning Authority on 24.08.2020.
1715BOL-104 Rev C - Boundary Treatment Plan received by the Local Planning Authority on 24.08.2020.
1715BOL-110 - Unit B GA Plans received by the Local Planning Authority on 24.08.2020.
1715BOL-111 Rev A - Unit B Elevations received by the Local Planning Authority on 24.08.2020.
3070 104 Rev B- Tree Retention, Removal & Protection Plan received by the Local Planning Authority 02.09.2020.
V1715-LO1 Rev D - Landscaping Plan received by the Local Planning Authority 24.08.2020.
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. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the flood risk assessment (July 2020 / 3119-FRA / Integra Consulting). The measures shall be fully implemented prior to first occupation of any building and 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 in consultation with the lead local flood authority.
Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.
4. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum:
 - a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 30% climate change), with allowance for urban creep.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum: i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary; ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels; iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate; iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems; v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL.

c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components;

d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

5. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

6. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an

appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

7. 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.
8. 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 importance and to comply with Policy EN4 in the 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 July 2020.
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. No development shall commence until the following reasonable avoidance measures for the protection of hedgehogs has taken place:
 - A pre-commencement check for hedgehog;
 - All trenches and excavations should have a means of escape (e.g. a ramp);
 - Any exposed open pipe systems should be capped to prevent mammals gaining access; and
 - Appropriate storage of materials to ensure that mammals do not use them.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.
11. No development shall commence until details of a 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.
12. All hard and soft landscape works shall be carried out in accordance with the approved details shown on V1715-L01 Rev D, received by the Local Planning Authority 24.08.2020. 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.

13. 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 updated 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, January 2021).

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. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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 and Public 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.

22. 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.

23. 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.

24. Prior to construction a scheme for the provision of electric vehicle charge points throughout the development and timetable for implementation shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to occupation of the buildings 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.

25. 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.

26. The foodstore shall operate in accordance with the Servicing Management Plan (Liverpool Road, Tarleton, dated 30.05.19, ref 474/TN3, received by the Local Planning Authority 02.09.2020).

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.

27. 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 and replacement of the 'KEEP CLEAR' marking at the access to 'Homestead' with a yellow box marking.

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.

28. The new site access shall be constructed prior to occupation of any building in accordance with the hereby approved site plan 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.

29. Before the development hereby approved is first brought into use, existing redundant vehicular crossings from the A59 Liverpool Road shall have been permanently closed and reinstated in accordance with details which shall be 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.

30. 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 H .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.

31. 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.

Notes

1. 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.

2. A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017, in respect of Great Crested Newts should be obtained prior to commencement of works on site.

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 Assets

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.