

No.2	APPLICATION NO.	2021/0196/FUL
	LOCATION	Land Between Pimbo Lane And Prescott Road Up Holland Lancashire
	PROPOSAL	Proposed two storey office building with ancillary secure storage for heavy construction equipment with associated access; car parking; lighting; acoustic attenuation, boundary treatment and landscaping.
	APPLICANT	Littler Machinery Limited
	WARD	Up Holland
	PARISH	Up Holland
	TARGET DATE	27th April 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however Councillor O'Neill has requested it be referred to Planning Committee to review neighbour concerns and allow for scrutiny of previous refused applications on the site.

2.0 SUMMARY

- 2.1 This application is for a mixed-use commercial (Class E) and storage (Class B8) development, comprising a two storey office building and hardstanding on the site. The principle of allowing a commercial development on this Strategic Employment Site is acceptable. The design of the building and layout of the site is satisfactory and the proposed access/egress is acceptable. I am satisfied that the proposed development would not impact nearby residents through noise and disturbance or excessive light spill, and would be acceptable in terms of highway safety, drainage and potential impact on biodiversity. In my view the proposal complies with the relevant policies of the NPPF and Local Plan.

3.0 RECOMMENDATION: APPROVE subject to conditions.

4.0 THE SITE

- 4.1 The site is located in between Prescott Road and Pimbo Lane, with access taken from Prescott Road, and forms part of Oasis Business Park which was granted planning approval in 2005 (2004/1494/FUL). The 2005 planning application granted permission for a total of 5no units in Class B1/B8 use and a gate house and parking areas. One of the units has been built and is currently used as an office, the access, gate house and parking area to serve the office have also been built out. The permission was therefore only part implemented; the access road, unit no.1 and the gate house were completed, the remaining 4no. units were not constructed but the permission remains extant and can continue to be implemented.
- 4.2 The site which is the subject of this application includes the remainder of the undeveloped part of the Oasis Business Park site but does extend to the south and include an area of land which did not form part of the 2005 Oasis Business Park permission.

5.0 THE PROPOSAL

- 5.1 The application has been submitted on behalf of Littler Machinery Limited who specialise in the sale and lease of heavy construction plant to both the UK and international market.

Littler Machinery Ltd are seeking planning permission for a two storey office building and ancillary secure storage for heavy construction equipment with associated access and car parking on the site to enable relocation of their existing business operation in Formby.

- 5.2 The application proposal is for a mixed-use commercial (Class E) and storage (Class B8) development. The existing established lawful use of the northern part of the site is for B1 Office/B8 Storage in accordance with planning permission 2004/1494/FUL. As a result of changes to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 the existing (insofar as it relates to the northern part of the site) and proposed uses of the application site will correspond to Class E, and Class B8.
- 5.3 The office building would be sited to the south of the site and be two storey with a flat roof approximately 7.8m high. It would be finished using multi-coloured slate and grey cladding. There would be a relatively large area of hardstanding to the north of the proposed office building to be used for the secure storage of plant and machinery and also to house a wash and preparation area. There would also be a car parking area for 10.no vehicles to the north of the building. Access would be taken via a new one-way vehicular ingress/access arrangement from Prescott Road, there would also be a separate pedestrian access from Prescott Road.
- 5.4 The application advises that eight full-time and two part-time employees would be employed at the site.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2004/1494/FUL - Erection of 5 units (Class B1/B8) and gate house, provision of new access and parking areas and associated landscaping. Granted 29.09.2005.
- 6.2 8/00/0213 – Erection of haulage depot, including goods storage, fabrication and maintenance workshop and offices. Refused 27.04.2000 for the following reason:
- (1) The proposed development conflicts with Policy I.8 of the adopted West Lancashire Local Plan in that:-*
- (a) the proposal would cause unacceptable harm to the amenity of local residents and the area generally*
- (b) the proposed landscaping is insufficient and the proposal would therefore detract from the visual amenity of the local area.*

7.0 CONSULTEE RESPONSES

- 7.1 Highway Authority (13.01.2021 and 29.04.2021) – No objection.
- 7.2 United Utilities (03.03.2021) – No objection.
- 7.3 Environmental Protection (10.05.2021 and 27.05.2021) – No objection.
- 7.4 Coal Authority (10.03.2021) – No objection.
- 7.5 Cadent (15.03.2021) – No objection.

8.0 OTHER REPRESENTATIONS

- 8.1 Letters of objection have been received from local residents, the main grounds of objection can be summarised as:

Lack of consultation;
Residential amenity;
The previous planning permission differs to the current proposals;
The area to the south of the proposed office should be retained as open land;
Use proposed for the greenfield site located to the south of the development area should be limited to Class B1;
The previous consent does not relate to the current proposed use;
The proposed use should be classed as B2;
Green Belt impact;
Inadequate landscaping;
Inaccurate lighting assessment;
Increased pollution, e.g. noise, vibration, dust, odour, air pollution, light pollution.
Impact on the character of Pimbo Lane;
Increased noise;
Impact on biodiversity as a result of tree removal;
Removal of coppice woodland located to the south-west of the site prior to application submission;
Uncertainty about future expansion of the site;
The proposal is similar to a previous application which was refused on residential and visual amenity grounds;
Impact on pedestrian routes through the movement of machinery;
Will the development lead to local employment?;
Increase in rural theft.

9.0 SUPPORTING INFORMATION

- 9.1 Transport Statement
Highway Technical Note 1
Design and Access Statement
Noise Impact Assessment
Hepworth Acoustics Memo
Coal Mining Risk Assessment
Preliminary Ecological Appraisal
Drainage Strategy Report
Report on Trees
Lighting Strategy

10.0 RELEVANT PLANNING POLICIES

- 10.1 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.
- 10.2 The site is located within Pimbo Industrial Estate which is designated as a Strategic Employment Site in the West Lancashire Local Plan 2012-2027 DPD.

NPPF

Building a strong, competitive economy
Achieving well-designed places
Promoting sustainable transport
Meeting the challenge of climate change, flooding and coastal change

West Lancashire Local Plan 2012-2027 DPD

GN1 – Settlement Boundaries
GN3 - Criteria for Sustainable Development
EC1 – The Economy and Employment Land
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
IF2 – Enhancing Sustainable Transport Choice

SPD – Design Guide (Jan 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 11.1 The site is located within an allocated Employment Site under Policy EC1 of the Local Plan which states that within the Pimbo Industrial Estate the Council will require a mix of industrial, business, storage and distribution uses (B1, B2 and B8). As previously detailed, the proposed development would be for a Mixed-Use commercial (Class E) and storage (Class B8) uses, and as such the principle of development would comply with Policy EC1 of the Local Plan. Therefore, the principle of allowing a business development on the site is considered acceptable, in accordance with Policy EC1 of the Local Plan.

Design and Scale

- 11.2 Policy GN3 of the Local Plan together with the Council's SPD Design Guide states that new development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.
- 11.3 The office building would be two storey and would be sited to the south of the site and constructed from multi coloured slate and smooth grey cladding. The existing building on Oasis Business Park is two storey and therefore I am satisfied that the scale of the proposed office building would be acceptable, the contemporary design of the building would be suitable within this industrial location.

Residential Amenity

- 11.4 Policy GN3 of the Local Plan states that development should 'retain or create reasonable levels of privacy and amenity for neighbouring properties. There are residential dwellings on Pimbo Lane/Chequer Lane to the south and east of the site.
- 11.5 In terms of impact through overlooking or creation of poor outlook, the proposed building would be two storey which is a suitable scale in this location, and sited a sufficient distance from residential properties to ensure that there would be no significant impact, in accordance with Policy GN3.
- 11.6 The application is accompanied by a Noise Impact Assessment, which following review by the Council's Environmental Protection Officer has been supplemented with additional explanatory information in respect of proposed operational activities on the site. The Noise Assessment concludes that noise impact on nearby dwellings would be low, subject to the construction of an acoustic barrier around the machine wash and preparation areas; the Council's Environmental Protection Officer agrees with these conclusions. In order to further minimise any potential disturbance and protect amenity, conditions will be imposed to restrict hours of operation and delivery, secure details of the proposed acoustic fencing and to restrict noise levels to below the existing background noise level at the façade of any nearby residential properties. On the basis of the information provided and imposition

of appropriate conditions, I am satisfied that the proposed use of the site would not adversely impact local residents through increased noise and disturbance, in accordance with Policy GN3 of the Local Plan.

- 11.7 The Lighting Strategy which was originally submitted with the planning application has been reviewed following comments from the Council's Environmental Protection Officer and is now considered satisfactory. The lighting on site should be installed in accordance with the details submitted, this will be secured by condition.
- 11.8 I am satisfied that the proposed development would not have an undue detrimental impact on residential amenity, in accordance with Policy GN3 of the Local Plan.

Highway Safety

- 11.9 Policy GN3 of the Local Plan states that developments should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access, ensure that parking provision is in line with Policy IF2, and incorporate suitable and safe access and road layout.
- 11.10 The proposed development would be accessed by a new one-way vehicular ingress/access arrangement from Prescott Road. There would be a separate pedestrian access point from Prescott Road. Prescott Road is a classified road with a speed limit of 40mph fronting the site. An adopted footpath linking Pimbo Lane to Prescott Road lies on the southern boundary of the site. A footpath/cycle track lies on the opposite side of the road. There are no footpaths on the eastern side of Prescott Road fronting the site.
- 11.11 The one-way vehicular access/egress would have access points with a width of approximately 9m, and visibility splays of 2.4m x 81m. The Highway Authority have confirmed that the proposed visibility splay and access/egress arrangements are acceptable.
- 11.12 In order to enhance pedestrian/cycle access to the site the development would include a pedestrian access point directly into the site with dropped kerbs and a tactile paving crossing point along Prescott Road. The Highway Authority has reviewed the pedestrian/cycle access and advised that it is acceptable.
- 11.13 In terms of parking, a total of 9 spaces would be provided on site, this would include 7no standard parking spaces, 1 no. space for disabled users, 1 space with an electric vehicle charge facility and also parking for 2no. motorcycles. I am satisfied that there is sufficient on site car parking to accommodate staff and visitors to the site.
- 11.14 I am satisfied that the proposed development in terms of highway safety and parking is acceptable, and in accordance with Local Plan requirements.

Drainage

- 11.15 The application has been accompanied by a Drainage Strategy which suggests that the site is underlain by clay layers which means that an infiltration only system would not be feasible on the site. The proposed Drainage Strategy advises that surface water will drain to an existing sewer on Prescott Road with run-off restricted to the equivalent greenfield run-off rate via an underground attenuation tank. The Council's Drainage Engineer has assessed the proposals and agrees that the use of infiltration to dispose of surface water runoff is not a viable proposition for the site and recommends a condition requiring submission of a formal strategy for the separate foul and surface water drainage of the development, including any necessary attenuation measures, maintenance and

management proposals and phasing of delivery prior to the commencement of development.

Ecology

- 11.16 A Preliminary Ecology Appraisal has been submitted with the application which includes consideration of potential impacts on bats, water vole, great crested newts and otters as a result of the development. This appraisal concludes that no further survey work is required. To enhance biodiversity bat and bird boxes should be incorporated into the development; these will be secured by condition. I am satisfied that the proposed development complies with Policy EN2 of the Local Plan.

Trees

- 11.17 Following an initial assessment by the Council's Tree and Landscape Officer, an amended landscape scheme has been submitted which shows retention of the existing hedgerow to the northern boundary and the installation of a new native hedgerow and replacement Alder trees along the site frontage on Prescott Road. The Council's Tree and Landscape Officer has reviewed the proposals and advised they are suitable.
- 11.18 Concern has been raised by local residents following the felling of trees on site prior to the submission of this planning application. This matter was fully investigated at the time and it was found that the condition of the copse/woodland had a limited safe useful life primarily due to a lack of management from previous owners of the site. Removal of the woodland did not constitute a breach of planning control.

Other Matters

- 11.19 Concern has been raised in respect of the number of neighbours notified of the proposals, however I can advise that the neighbour notification process has been carried out in accordance with statutory requirements and neighbours adjoining the site were notified and a notice was posted in the vicinity of the site.
- 11.20 The call in request by Councillor O'Neill recommended scrutiny of previous refused applications on the site. Planning application 8/00/0213 was for a haulage depot on the site and was refused on the grounds of impact on residential amenity and insufficient landscaping (the refusal reason is given in full earlier in the report). A haulage depot is considered to be sui generis i.e. does not fall within any specific class within the Use Classes Order and is therefore in a class of its own, and not comparable to the use applied for in this current planning application. Notwithstanding this, the application which is subject to this assessment has been accompanied by a series of documents which have been subject to scrutiny by Environmental Protection, and it has been found that the proposed development would not give rise to unacceptable harm to residential amenity. A suitable landscaping scheme has also been submitted as part of the application.

Conclusion

- 11.21 I am satisfied that the principle of the proposed development is acceptable in this Strategic Employment Site. I consider the design of the building satisfactory and am satisfied that the scheme would not have a detrimental impact on residential amenity, biodiversity or highway safety. I consider that the proposed development complies with all relevant policies in the Local Plan.

12.0 RECOMMENDATION

12.1 That 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:
Site Location Plan
Proposed Floor Plan - 2563-01
Proposed Elevations - 2563-02
received by the Local Planning Authority 15th February 2021.
Proposed Site Plan - 2563-10
Site Access - 001B
received by the Local Planning Authority on 15th April 2021.
Plan 2 - Landscape Planting Plan received by the Local Planning Authority on 6th April 2021.
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 materials to be used on the external surfaces of the development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined in the planning application form received by the Local Planning Authority 15th February 2021.
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.
4. 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.
5. No development shall take place until a strategy for the separate foul and surface water drainage of the development, including any necessary infiltration measures, attenuation measures, maintenance management proposals, and phasing of delivery if applicable, is approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the relevant provisions of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement standards. The drainage scheme must be completed in accordance with the approved details and, if applicable, the approved phasing of the scheme. The MicroDrainage mdx file, if available, is required to aid the checking of design calculations.
Reasons: The 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.
6. Prior to any part of the development hereby permitted taking place a scheme showing the areas for a site compound including the siting of office, storage of plant and materials and

measures to prevent the transfer of mud out of the site shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented while any construction works are in operation.

Reason: These details are required prior to the commencement of development in order to protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No part of the development hereby approved shall commence until a scheme for the construction of the site access and off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority. The site access shall be constructed and made available for use before any further development takes place or to a timetable agreed in writing by the local planning authority. The site access shall be maintained as approved during all stages of construction.

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.

8. The parking provision shown within the site on the approved plan Ref: Proposed Site Plan, shall be provided prior to first use of the site. The parking area shall be hardsurfaced and shall be made available for its intended use at all times thereafter.

Reason: In the interests of highway and pedestrian safety 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.

9. 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.

10. All external lighting on site shall be installed in accordance with the Lighting Strategy report (Ref 1834-DFL-ELG-XX-RP-EO-13001-S3, Version PO2 dated 18.05.2021). There shall be no further lighting installed on site without the express consent of the Local Planning Authority.

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.

11. There shall be no movement of vehicles for sale or hire and no operation of plant / equipment outside the hours of 08:00 and 18:00 Monday- Friday and 08:00 and 13:00 on Saturdays, nor any time on Sundays, Bank or 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.

12. There shall be no delivery and collection vehicles entering or leaving the site outside the hours of 0800 to 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays, nor any time on Sundays, Bank or 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.

13. The engines of any vehicles on site 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.
14. The cleaning and preparing of vehicles for sale or hire shall only take place inside the dedicated noise enclosure. For the avoidance of doubt this includes use of the jet wash, hand grinder and any other handheld tools.
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. No additional plant shall be installed or operated on site 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.
16. No mobile plant vehicles (e.g. forklift truck, pallet lift, mobile crane etc.) shall be operated on the site other than those with a 'white noise' type of reversing warning alarm system set to self adjust to no more than 5dB above the ambient noise level; or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall not apply to vehicles for sale / hire, delivery vehicles or waste collection vehicles.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
17. The acoustic enclosure shall be orientated with the open side facing away from residential properties as shown on the proposed site layout plan received on 15th February 2021.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
18. The acoustic enclosure shall be a minimum of 2m in height and shall be of close boarded construction with a minimum mass of 12kg/m². The barrier shall be free from holes; be sealed at the base to prevent sound transmission under the barrier; and the boards of the barrier shall be either tongue and groove type so that there is an overlap or the joins are covered with wood strips or battens to ensure there are no gaps at installation and subsequently following weathering. The installed enclosure shall be retained and maintained in good condition whilst the permitted use remains.
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. The rating level of noise emitted from the site's plant, equipment and machinery shall not exceed 5dB(A) below the existing LA90 background noise level at the façade of any of the nearby residential premises. All measurements and assessments shall be done in accordance with BS4142:2014+A1:2019, 'Methods for rating and assessing industrial and commercial sound'.
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. Any sound from vehicle movements (including reversing alarms) on site when measured 1m from the façade of any residential property shall not exceed 55dBLA, Max.
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. All hard and soft landscape works shall be carried out in accordance with the approved details shown on the 'Landscape Planning Plan, RLC-1000' and detailed in the

'Landscape Proposals Report' received by the Local Planning Authority 6th April 2021. 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.

22. The development shall be implemented in accordance with the mitigation strategy described in the 'Preliminary Ecological Appraisal' prepared by Environmental Business Solutions and deposited with the Local Planning Authority on 15th February 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.

Notes

1. Highway Notes

The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Environment Directorate for further information and advice by telephoning the Development Support Section on 0300 123 6780, or email lhscustomerservice@lancashire.gov.uk

This consent does not give approval to a connection being made to the County Council's highway drainage system.

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:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EC1 - The Economy and Employment Land

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

IF2 - Enhancing Sustainable Transport Choice

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.