

Officer Report

Application Number: 06/2018/0700

Proposal: Two storey distribution centre with associated landscaping, car parking and modified access

Site Address: Oak Nurseries , Pudding Pie Nook Lane, Preston, PR3 2JL

Case Officer: Ben Sandover

Decision: Approve with conditions

1	Information
1.1	Location
	<p>The site comprises 2.7 ha of land occupied by a former garden nursery with adjoining open land at Pudding Pie Nook Lane on the south side of Whittingham Lane, approximately 150m to the east side of the junction of Whittingham Lane and Langley Lane. The site is situated within open countryside, approximately 70m to the eastern edge to the settlement boundary for Broughton village and is identified within open countryside on the Proposals Map of the Preston Local Plan and is part of an Area of Separation between Broughton and Goosnargh on the Policies Map of the Publication Preston Local Plan.</p>
1.2	Proposal
	<p>To erect a storage and distribution facility for the handling of fruit and vegetables on land at and to the south side of a former garden nursery at Pudding Pie Nook Lane. The proposal involves widening Pudding Pie Nook Lane to a minimum width of 5.0m between the junction of Pudding Pie Nook Lane and up to an existing access to the former Oak Nurseries site which would be improved to provide the proposed access to the site. The site which comprises former nursery buildings to the north would be cleared of buildings and landscaped; the proposed access would pass through this area and lead to the adjoining open land to the south which extends almost to the bottom of Pudding Pie Nook Lane where there are a number of cottages adjacent to Almonds Farm.</p> <p>Within this larger area of the site, the proposed access road, which would involve resurfacing an existing informal track, would lead to a warehouse building measuring approximately 42.4m long x 18.8m wide with a pitched roof to a maximum height of approximately 11.1m. The building would provide for an entrance/reception, fridges, storage and preparatory rooms on the ground floor and two mezzanine floor areas at opposing ends of the building to provide for offices and further storage. The proposed building would be constructed with green metal cladding with orange coloured panelling at the north west corner of the building to mark the building's entrance and to the 3no. roller shutter doors on the long side elevation facing into the service yard. An area of the site would also be used for growing herbs as part of the fruit and vegetable business.</p>

	<p>The proposed service yard would be to the western and southern sides of the building and staff/visitor parking would be to its north side. The proposed building and service yard would take up a relatively small proportion of the site. The remainder of the site would be retained as open land under grass. The proposal also states that a new pond may be formed for drainage purposes.</p> <p>The applicant is proposing to re-locate their current fruit and vegetable distribution business from a smaller site (Dean Farm Warehouse) on the west side of Pudding Pie Nook Lane to this site. The proposed new site is required to allow the business to grow and to improve its facilities. The current business employs 16 staff and this would be increased by a further ten staff as part of the proposed scheme. The applicant states that the business receives the raw products (fruit and vegetables) from various local farms and suppliers and then prepares, packages and distributes the produce to local schools, businesses and shops.</p>
1.3	<p>Relevant Planning History</p>
	<p>06/2008/0003 - Change of use from horticultural nursery to garden centre, erection of two-storey shop and cafe with first floor ancillary offices, workshop, training room and storage, erection of polytunnels, construction of car park, new access, ornamental lake and external display areas, and widening of Pudding Pie Nook Lane between its junction with Whittingham Lane and the new access. Approved September 2008.</p> <p>06/2010/0827 - erection of polytunnels, construction of car park, new access, ornamental lake and external display areas, and widening of Pudding Pie Nook Lane between its junction with Whittingham Lane and the new access (application for extension of time limit to previously approved planning application 06/2008/0003). Approved May 2011.</p> <p>06/2014/0699 - Erection of two storey distribution centre with associated landscaping, car parking and modified access. Approved February 2015.</p>
1.4	<p>Planning Policy Framework</p>
	<p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>The Development plan comprises:</p> <p><u>Adopted Central Lancashire Core Strategy</u> Policy 1 – Locating growth Policy 3 – Travel Policy 13 – Rural economy Policy 17 – Design of new buildings Policy 19 – Areas of separation Policy 22 – Biodiversity and geodiversity Policy 26 – Crime and community safety Policy 27 – Sustainable resources and new developments</p>

	<p>Policy 29 – Water management</p> <p><u>Adopted Preston Local Plan</u></p> <p>Policy AD1(a) – Development within (or in close proximity to) the existing residential area</p> <p>Policy EN1 – Development in the open countryside</p> <p>Policy EN4 – Areas of separation</p> <p>Policy EN9 – Design of new development</p> <p>Policy EN10 – Biodiversity and nature conservation</p> <p>Policy EN11 – Species protection</p> <p>Policy ST1 – Parking standards</p> <p>Policy ST2 – General transport considerations</p> <p>Other Material Considerations:</p> <p><u>Adopted Central Lancashire Supplementary Planning Documents</u></p> <p>Design Guide SPD</p> <p>National Planning Policy Framework (the Framework)</p> <p>National Planning Practice Guidance (NPPG)</p> <p>National Planning Policy for Waste</p>
1.5	<p>Consultation responses</p>
	<p>Greater Manchester Ecology Unit – Further to the submission of additional information regarding amphibians, a condition is recommended requiring works to be undertaken in accordance with the Reasonable Avoidance Measures contained within the submitted ecological assessment. Trees on site were assessed as having a bat roost potential, and therefore a condition is recommended which recommends bat survey information to be submitted should certain trees be removed. There is a low risk to reptiles being present, however an informative is recommended to make the applicant aware of their responsibilities under other legislation. A condition is recommended which requires no works to trees or shrubs during the bird nesting season, to avoid harm to such species, unless further survey work is undertaken. Himalayan Balsam has been identified on the site, and therefore a condition for dealing with this invasive species is recommended. The site is of low to negligible ecological value, and a landscape management plan should be submitted to mitigate for loss of trees and shrubs, and bird nesting habitat.</p> <p>Parks and Streetscene – Trees – No objections to removal of the existing hedgerow, to facilitate access road widening. All trees along the access road need to be protected when road widening works are carried out. Appears that no trees of significance are proposed for removal along the east/south of the site.</p> <p>Environmental Health – No objections to the application, subject to conditions requiring contamination survey, and method statement and remediation strategy, followed by validation report; recommendations contained within the submitted noise impact assessment should be implemented; lighting scheme to be submitted; and any facilities for the storage of oils or fuels shall be sited on impervious bases and surrounded by an impervious bund, details of which shall be submitted to the Council.</p>

Cadent Gas – Notes presence of a major accident hazard pipeline in the vicinity. Recommends informative advising applicant to contact Cadent prior to works commencing.

United Utilities – No objections subject to conditions requiring foul and surface water to be drained on separate systems, and submission of a surface water drainage scheme.

Lead Local Flood Authority - No objections subject to conditions requiring an appropriate surface water drainage scheme, no occupation of the development until completion of a sustainable drainage scheme and a management and maintenance plan, and a surface water lifetime management and maintenance plan.

Natural England – No objections to the proposal.

County Highways – Notes previous concerns regarding increase HGV movements along Pudding Pie Nook Lane, however considers that the submitted widening scheme is acceptable to overcome these concerns – a condition is recommend requiring the works to be undertaken prior to other works on the site. Visibility at the junction with Whittingham Lane is acceptable. It is not considered that highway capacity or on-site parking provision would be unacceptable. A condition requiring a Construction Method Statement to be submitted is recommended. A condition requiring a scheme for the surface or paving of the car park is recommended. Two further conditions are recommended requiring the cycling and motorcycle facilities to be implemented in accordance with a scheme first submitted to the Council.

Environment Agency – No comments to make.

Design for Security – Recommends that the scheme is designed in accordance with Secured By Design 'Commercial 2015' security specifications.

Whittingham Parish Council – Support the application, given it would promote local food distribution and create new jobs. Note that the access road would require widening works, and consider this should take place before other works commence. Additional signage should be erected given slow moving vehicles at the access point.

Publicity:

- 2 letters of objection have been received. The main points raised are listed below:
- Conifer hedge has been removed, exposing the site to neighbouring properties. Although a banking has been erected to screen the site, the boundary to a neighbouring site remains undeveloped.
 - The proposed development would expose surrounding properties to privacy concerns.
 - 24 hour operation of the site would disrupt neighbouring amenity. Noise and light levels should be kept within acceptable conditions.
 - Screening should be put in place prior to any building works commencing.
 - Site should be relocated away from neighbouring properties.
 - Site should be used by the applicant only.

	<ul style="list-style-type: none"> The proposed road access width is insufficient, given increased vehicle and pedestrian movements.
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1.6	Analysis
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	<p><u>Principle of proposal</u></p> <p>Core Strategy (CS) Policy 1 relates to all types of development, seeking to focus growth and investment on well located brownfield sites, identified strategic locations and other main urban areas whilst protecting suburban and rural areas. The hierarchical sequence for locating development puts other places, including small villages, at the bottom of the hierarchy where development is expected to be small scale and limited to appropriate infilling, conversion of buildings and development to meet local need unless there are exceptional reasons for a larger scale redevelopment scheme.</p> <p>PLP Policy EN1 seeks to limit development in the open countryside to that needed for agricultural, forestry or other uses appropriate to the rural area, the re-use of existing buildings or infilling within groups of buildings in smaller rural settlements.</p> <p>Core Strategy Policy 13 seeks to achieve economic and social improvement for rural areas by sustaining and encouraging appropriate growth of rural businesses.</p> <p>The application site contains a number of unused buildings and areas of hardstanding from its former use as a garden nursery but is otherwise open land under grass. Its former use as a garden nursery does not alter the agricultural use of the land and it forms part of the open countryside around Broughton. Core Strategy (CS) Policy 1 seeks to focus development and investment in urban areas in order to promote sustainable patterns of development and to protect rural areas. The proposed development is for a distribution centre (Class B8) which would normally be expected to be located within urban areas or sites designated for industrial purposes. In this case, the proposal is to re-locate and expand an existing rural enterprise which would enhance the rural economy which would, in principle, comply with the thrust of CS Policy 13. The same development was approved on the application site in 2015. Whilst the proposal does not comply with Policy 1 and Policy EN1, it complies with Policy 13 and this previous planning permission is a material consideration that weighs in favour of the proposal. Any potential harm resulting from the development should be considered in terms of its impact on the open countryside and an Area of Separation as well as other matters.</p> <p><u>Impact upon the Area of Separation</u></p> <p>The site is identified as falling within an Area of Separation, where the requirements of Core Strategy Policy 19 and Local Plan Policy EN4 apply. These policies aim to avoid the merging of settlements and the prevention of any harm to the effectiveness of the gap between settlements. Proposals that lead to a risk of settlements merging will be resisted. Policy EN4 further states that proposals will be assessed in terms of their impact upon the Area of Separation, including any harm to the effectiveness of the gap between settlements and also the degree to which the development would compromise the function of the Area of Separation.</p>
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The site lies to the edge of Broughton village at its furthest distance from Goosnargh village; given the lack of visual intrusion that the development is likely to generate within the countryside, the proposal would have only a limited impact on the gap between villages and would not lead to a risk of merger which PLP Policy EN4 seeks to prevent. As such, the proposal would have an acceptable impact on the identified Area of Separation.

Impact on the open countryside and landscape character of the area

The supporting text to PLP Policy EN1 states that it is important that these areas (open countryside) are protected from unacceptable development which would harm its open character (the actual policy wording is silent on this matter). The Framework says that the intrinsic character and beauty of the countryside should be recognised, with the planning system contributing to and enhancing the natural and local environment. It does not seek to protect all countryside from development; rather it concentrates on the protection of “valued” and “distinctive” landscapes, and seeks to encourage development on previously developed land. CS Policy 13 requires development to conserve and where possible enhance the character and quality of the landscape. CS Policy 21 does not have the objective of preventing development in principle. Instead it seeks to ensure that any development that does take place is compatible with its surroundings, further stating that it should contribute positively to its conservation or restoration or the creation of appropriate new features.

The proposal would lead to the removal of nursery buildings and their replacement with landscaping which would enhance the part of the application site that would be viewed more closely from Pudding Pie Nook Lane. The proposed area of construction in the form of a large rectangular shaped portal framed building and new hardstanding would be in the part of the site that is relatively remote from the lane and highly screened by existing dense evergreen planting. The dense planting around the application site boundaries creates a self-contained site. Whilst screening development from its surroundings does not necessarily make an inappropriate development acceptable or protect the intrinsic beauty of the countryside, it is noted that in this, the proposal would lead to a similar, albeit smaller in scale development to a previous approval on the site to erect a garden centre, including a two storey shop with café, offices, workshop and polytunnels.

The latest previous permission (06/2014/0699) on the site has recently lapsed but it represents a fallback position because it was determined post Framework and the adoption of the Core Strategy so there have been no material changes in policy direction. Development in the countryside is strictly controlled and the essence of this is largely unchanged over time. The nature of the site which is well contained by trees and landscaping which effectively screens the development and minimises its impact on the openness and character of the countryside.

Although the previous permissions have lapsed, they are considered relevant insofar as the visual impact of the present proposal would be less than the previous approvals. The proposed building would occupy a smaller footprint but be sited at a similar position within the site as the previously approved garden centre. The proposed building would sit within open surroundings within its immediate setting and be effectively screened from public views of the site from Pudding Pie Nook Lane. The visual impact of the development as a whole

is likely to be less significant than the previously approved garden centre and would not be visually harmful to the effective openness and visual amenities of the countryside.

Design and layout

Core Strategy Policy 5 seeks efficient use of land, stating that development densities should be in keeping with local areas and have no detrimental impact on the amenity, character, appearance, distinctiveness or environmental quality of an area. Core Strategy Policy 6 seeks to improve the quality of housing by, amongst other things, facilitating the greater provision of accessible housing and use of higher standards of construction. Core Strategy Policy 17 states that the design of new buildings is expected to take account of the character and appearance of the local area, including siting, layout, massing, scale, design, materials and landscaping. Local Plan Policy EN9 states that applications will be approved where they accord with the principles and guidance set out in the Central Lancashire Design SPD which stresses the importance of good design and of setting out design principles and aspects of good design. In addition, Core Strategy Policy 26 requires the reduction of crime and improvement of community safety. The Framework states that planning should always seek to secure high quality design that responds to local character and distinctiveness.

The proposed building is appropriately designed for its use as a warehouse and would be clad in mainly green (walls) and grey (roof). Some neighbour concerns have been made in respect of the use of a small proportion of orange coloured cladding to the north west corner of the building and to the roller shutter doors where a contrasting colour is used to define the entrance and the features of the building. Given that the building would be so well screened from its surroundings, the use of a small proportion of orange would not appear intrusive or out of keeping with its surroundings. The proposed building would be sited where there would be sufficient space for new hardstanding to provide areas for loading, unloading and turning as well as parking and would retain an open and green appearance to the majority of the site.

The existing site of former nursery buildings and hardstanding would be removed and replaced by landscaping which would restore the land to a green appearance. A condition is recommended to ensure that the current structures and associated hardstanding are removed and that this area of the site is enhanced by a scheme of landscaping to be agreed with the Council. There are other opportunities to improve the landscaping of the site as a whole which can be secured through the recommended landscaping scheme. With these provisions, the proposal represents an appropriate design and layout of the site and would comply with CS Policies 17 and 26, PLP Policy AD1(a) and EN9 and the Framework.

Traffic and Highway Safety

Core Strategy Policy 1 and Local Plan Policy EN1 seek to direct new development to the most sustainable locations, restricting development in the countryside. Local Plan Policy ST2 requires that proposals show that they would not prejudice road safety or the efficient and convenient movement of all highway users and would make appropriate provision for public transport and for access by foot or cycle. Core Strategy Policy 3 also promotes sustainable travel. The Framework similarly seeks development to promote sustainable patterns of travel and also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The proposal involves making minor improvements to Pudding Pie Nook Lane which is a private road that serves the existing applicant's fruit and vegetable distribution business, the former Oaks garden nursery and twelve dwellings. It is a rural unadopted lane with no footways and is generally narrow. The initial section of the lane from its junction with Whittingham Lane to the entrance to the former garden nursery would be widened from 4m to a minimum of 5.0m which would be sufficient for two vehicles to pass along this section. Similar improvements were previously secured (but not implemented) for the previously approved garden centre at this site.

The applicant operates the fruit and vegetable distribution business with one 7.5t truck, six 3.5t trucks and a sales van. The proposed expansion of the business would lead to an additional two 3.5t trucks. In addition, there are some deliveries made to the applicant by some suppliers. County Highways previously assessed the Transport Statement that has been submitted by the applicant and considered the adequacy of the existing access and proposed improvements to cater for the likely traffic generation. This assessment has taken into account the potential traffic from a continued use of the Dean Farm Warehouse site which would be vacated by the applicant. County Highways consider that the existing junction provides adequate visibility onto Whittingham Lane (180m in each direction) and adequate capacity for the total traffic using Pudding Pie Nook Lane. Notably, the Transport Statement indicates that the level of traffic that would be generated by the proposed business would be significantly less than the use of the site as a garden centre. County Highways is also satisfied that the proposed widening to the first section of Pudding Pie Nook Lane up to the site entrance is sufficient for the type of delivery vehicles and traffic that would be generated by the proposal. They recommend that these works are carried out prior to the commencement of any works on the proposed development, and a relevant condition is recommended. In addition, the proposed layout provides for sufficient turning, manoeuvring and parking of all delivery vehicles and car traffic (from employees) to the site.

The site is not well served by public transport. A bus service passes close to the site on Whittingham Lane (hourly service between Longridge, Whittingham and Fulwood/Preston) during the daytime but notably, the applicant's business operates 24 hours and as such there is a reliance on the car. The applicant states that out of the present 16no staff, two use car share and two travel by cycle. The existing staff would only be re-locating to the other side of Pudding Pie Nook Lane and as such, these arrangements would be likely to continue. In order to further encourage travel by cycle and motorcycle, County Highways recommend a condition to require the provision of covered cycle and motorcycle parking facilities.

The proposed development is therefore likely to have an acceptable impact on the traffic numbers, safety and patterns of travel subject to the conditions recommended by County Highways to secure the widening works to Pudding Pie Nook Lane, to require a Construction Management Plan in order to minimise disruption to the lane during the construction period and to require cycling/motorcycle parking facilities. On the basis of the above the proposal satisfies the requirements of Core Strategy Policy 3, Local Plan Policy ST2 and the Framework.

Impact on residential amenity

Paragraph 17 of the Framework states that one of the core principles of the planning system is to seek a good standard of amenity for all existing and future occupants of land and buildings. CS Policy 17 and PLP Policy EN9 state that the design of new buildings will be expected to take account of the character and appearance of the local area, being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the local area.

In this case, the proposed building and zone of activity has been positioned away from existing cottages on Pudding Pie Nook Lane; there would be a minimum of 120 metres between the nearest part of the building and neighbouring properties and approximately 95m between the edge of a parking area and residential properties. Views of the proposed building would be screened by the evergreen conifers that edge most of the boundaries to the site. Any gaps within the dense coverage could be planted with suitable new trees. This can be satisfactorily dealt with in respect of landscaping measures for the whole of the site. Visually, therefore, the proposed development is unlikely to have any significant affect on the outlook of neighbours. It is furthermore considered that the distance between the site and the service yard, together with the tree cover within and around the site would diminish any strength of headlights and prevent excessive light towards neighbouring properties. In respect of other sources of external lighting, a condition is required to ensure that details of sensitive and low level of lighting is agreed.

Neighbour concerns have been raised concerning potential smells from refuse bins and the drainage of used water from the washing of fruit and vegetables. The proposed refuse bins would be appropriately located on the outside of the building on its southern side from where there would be a significant separation from the nearest dwellings (approximately 115m). It is unlikely in these circumstances that the presence of the refuse bins would create any nuisance from odours to neighbouring properties. In respect of water used in connection with the washing of produce, this would be treated as foul water and would not be dealt with in the same way as surface water.

The proposed distribution depot would operate in a similar way to its current operation at Dean Farm Warehouse which involves a mainly 24 hour operation apart from a short period of closure from 5pm Saturdays to 5am on Sundays. Vehicles would arrive at the site from 5am onwards and depart from 6am, returning to the site about midday. The Council's Environmental Health Officer requested that a noise assessment be carried out to assess the impact of potential noise to neighbouring properties during the noise sensitive parts of the day. The assessment indicates a number of measures including a 1.8m close boarded fence to a high specification which would be erected within the site, the use of asphalt to the service yard to create a smooth driving surface, controls over noise from plant and machinery and a series of working methods and procedures including the closure of doors, running of engines, and the use of white noise type beepers which would satisfactorily mitigate against the noise generated by the proposed use of the site. With these provisions, the site is capable of being satisfactorily developed and would safeguard existing residential amenities and comply with CS Policy 17, PLP Policy EN9 and the Framework.

Ecology and trees

CS Policy 22 and PLP Policies EN10 and EN11 seek to conserve, protect, and enhance the biological and geological assets of the area, including protected species. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and where possible providing net gains.

Consultation has taken place with the Council's Arborist, who notes that the proposed widening of the existing access road would require removal of section of Conifer, Beech and Hawthorn. The Arborist considers that the removal of the hedgerow would cause minimal visual impact to the surrounding area. It is noted that two trees of value are situated along the access road (an Oak and Yew tree), and all of the trees along the access road would require protection measures during construction. A further row of mature Conifers and an Oak are situated closer to the site, and these also require protection during works. The Arborist considered that the trees to the east and south of the site would be retained aside from those which are considered of little significance.

Consultation has taken place with the Greater Manchester Ecology Unit. They note the presence of great crested newts within ponds in proximity to this site, and following further consultation are satisfied with employing reasonable avoidance measures, which are recommended to be controlled by means of a planning condition. They note that three trees on site, which are proposed to be retained, have a bat roosting potential, and therefore a condition is recommended requiring additional bat survey information prior to their felling if this is to take place. It is noted that Himalayan Balsam is present on the site, and therefore a scheme for control and eradication of this invasive species is recommended via condition. The Ecology Unit note that the site is currently of low to negligible ecological value, however given the loss of trees and shrubs, it is recommended that mitigation for habitats should be incorporated, to be controlled by a condition. Furthermore, no works to trees or shrubs should occur during the bird nesting season, unless a survey to confirm there are none present has been submitted to and approved by the LPA. There is a low risk of reptiles being present on the site, and an informative is recommended to remind the applicant of their responsibilities under the Wildlife and Countryside Act 1981 (as amended), regarding offences surrounding the taking or killing of reptiles. Subject to the above recommended conditions, it is considered that the tree proposals are acceptable and ecological matters have been adequately addressed, according with the above policies and the Framework.

Flood risk and drainage

Core Strategy Policy 29 seeks to improve water quality, water management and reduce the risk of flooding. The Framework states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere.

The site is situated in Flood Zone 1 (low probability of river flooding i.e. less than a 1 in 1000 annual probability) where there is a low risk of flooding. The Lead Local Flood Authority have raised no objections subject to conditions requiring an appropriate surface water drainage scheme, no occupation of the development until completion of a sustainable drainage scheme and a management and maintenance plan, and a surface water lifetime management and maintenance plan. United Utilities have recommended conditions requiring foul and surface water to be drained on separate systems, and submission and subsequent provision and management of a surface water drainage scheme. As such, the proposal would comply with the above policies and the Framework.

	<p><u>Ground conditions</u></p> <p>Core Strategy Policy 17 and Local Plan Policy EN7 state that proposals should ensure that contaminated land and other risks are considered and addressed through appropriate remediation and mitigation measures. The Framework states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/landowner. The National Planning Practice Guidance (NPPG) also states that local authorities should use conditions to secure the adequate remediation of contaminated land.</p> <p>In this case, the Council’s Environmental Health Officer recommends a condition is imposed to ensure that a desk top study and, if appropriate, a further land investigation and remediation measures are submitted and carried out. With this provision, the site is capable of being safely developed and as such, the proposal would comply with CS Policy 17, PLP Policy EN7 and the Framework.</p> <p><u>Sustainability</u></p> <p>CS Policy 27 requires new buildings to meet a minimum requirement of a ‘very good’ rating under BREEAM (Building Research Establishment’s Environmental Assessment Method) in order to reduce carbon emissions. A condition is recommended to ensure that this standard is achieved. With this provision the proposal would incorporate sustainable resources and make a positive contribution towards reducing carbon emissions in accordance with CS Policy 27.</p> <p><u>Waste</u></p> <p>The National Planning Policy for Waste states that proposals should make sufficient provision for waste management and promote good design to secure the integration of waste management facilities with the rest of the development.</p> <p>The proposed plans show the provision of a bin store area directly to the south side of the building. The applicant states that waste and recyclable waste would continue to be collected once per week as is the case at their current site at Dean Farm Warehouse. A condition is recommended to ensure the provision and retention of the bin store area to ensure the tidiness of the site. With this provision, the proposed scheme would comply with the requirements of the NPPW by making adequate provision for waste.</p>
1.7	Value Added to the Development
	<p>Noise mitigation measures identified and secured by condition.</p> <p>Replacement tree planting and landscaping secured by condition.</p>
1.8	Conclusions
	<p>In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, decisions are made in accordance with the development plan unless material considerations indicate otherwise. The proposed development represents a rural enterprise that would appropriately assist in diversifying the rural economy. The site is self-contained within a rural setting and would have no significant impact on the apparent openness and character of the countryside or the Area of Separation between Broughton and Goosnargh/Whittingham settlements. The proposed development would be beneficial in allowing a current business which occupies a neighbouring site to expand and improve its efficiencies and facilities and</p>

	would also bring about improvements to Pudding Pie Nook Lane to provide adequate levels of safety for its users. Objections to the proposal have been taken into account but the distance between the proposed building and activities at the site is sufficient to deal with any potential concerns to amenity with conditions to require, amongst other things, the implementation of noise mitigation measures. As such, the proposal complies with the relevant provisions of the development plan and there are no material considerations which outweigh this finding.
1.9	Recommendation
	Approve with conditions.
2	Compliance with paragraph 38 of the National Planning Policy Framework
	The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by providing pre-application advice, liaising with the applicant, assessing the proposal against relevant planning policies and all material considerations including representations that have been received and subsequently deciding to grant planning permission in accordance with the presumption in favour of sustainable development.

Conditions

1. The development hereby permitted shall only be implemented in accordance with the approved plans. This approval relates to drawing numbers:
 - Drawing no. 18 0532 P04.
 - Drawing no. 18 0532-P03.
 - Drawing no. 18 0532-P02.
 - Drawing no. 18 0532 P01.
 - Drawing no. 18 0532 L01.
2. The development hereby permitted must be begun not later than the expiry of three years beginning with the date of this permission.
3. The building and use of the application site hereby approved shall be for the wholesale handling and distribution of fruit and vegetables only and not for any retail sales or any other use within Class B8 of the Town and Country Planning Use Classes Order 1987 or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
4. Prior to any above ground works commencing on the site, samples of the materials to be used in the construction of the external elevations of the proposed building shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

5. Prior to the commencement of development hereby approved, a construction and environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide for: (i) The means of highway access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel methods for construction workers, (ii) loading and unloading of plant and materials, (iii) storage of plant and materials used in constructing the development, (iv) storage, disposal and removal of spoil and waste arising out of the construction works, (v) hours of working and access, (vi) site security arrangements, including hoardings and other means of enclosure, (vii) piling methods, if used, (viii) wheel cleaning facilities, (ix) measures to control the emission of dust and dirt during construction, (x) measures to control the emission of noise. The approved CEMP shall be adhered to throughout the construction phase of the development.
6. Prior to the commencement of any other development, Pudding Pie Nook Lane between Whittingham Lane and the proposed site access shall be widened in accordance with the approved plans and constructed to at least base course level. The approved development shall not be first brought into use until the widened part of Pudding Pie Nook Lane has been surfaced with a sealed surface.
7. The approved distribution centre shall not be first brought into use until the proposed site access and access road have been improved and constructed in accordance with the approved plans.
8. Prior to the approved distribution centre being first brought into use, the service yard, loading/unloading areas, turning areas and car parking spaces shall be constructed, drained, surfaced and made available for use in accordance with details of surfacing materials to be first submitted to and approved in writing by the Local Planning Authority. The service yard, loading/unloading , turning areas and car parking spaces shall thereafter be retained at all times in the future.
9. Prior to the approved distribution centre being first brought into use, secure and covered cycle and motorcycle parking facilities shall be constructed and made available for use in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter be retained and remain available at all times in the future.
10. Prior to the commencement of the development hereby approved, a surface water drainage scheme for the site, based on sustainable drainage purposes and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a) Information about the lifetime of the development, design storm period and intensity (1 in 1, 1 in 2, 1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and

pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

- b) The drainage strategy should demonstrate that the surface water runoff must not exceed the pre-development greenfield runoff rate (calculated using the FEH Statistical or ReFH2 methods).
- c) The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.
- h) Breakdown of attenuation volume in pipes, manholes, swales and attenuation ponds.

For the avoidance of doubt, foul and surface water shall be drained on separate systems.

The scheme shall be implemented in accordance with the approved details before the development is first occupied. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

11. Prior to the commencement of the development hereby approved, details of the implementation, maintenance and management of the sustainable urban drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:
 - i. A timetable for its implementation, and
 - ii. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangement to secure the operation of the sustainable urban drainage scheme throughout its lifetime. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.
12. Prior to the commencement of construction work on the distribution centre building hereby approved, the existing polytunnels, structures and hard surfacing relating to the former use of the site as a nursery, shall be demolished and removed from the site in accordance with the approved plans.
13. Prior to the commencement of the development hereby approved, a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The scheme of landscaping shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development and shall also include details for the planting of replacement trees for any that will be removed as part of the development and the infilling of any gaps between trees around the site's perimeter.
14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the

development, which ever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless, the Local Planning Authority gives written consent to any variation.

15. Prior to the commencement of site clearance, site preparation or development work, a method statement outlining preventative measures to ensure protection of great crested newts shall be submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall then be adhered to throughout the construction phase.
16. There shall be no tree felling, vegetation clearance works, or other works that may affect nesting birds on the development site or off-site habitat creation areas, between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections submitted to and approved in writing by the Local Planning Authority.
17. Prior to the commencement of site clearance, site preparation or development work a habitat creation, enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved plan.
18. Prior to the commencement of development hereby approved, details of a scheme for the eradication and/or control of Himalayan Balsam and other invasive species on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
19. The felling of trees T1-T3 as identified within submitted drawing G7043.001 shall not take place until a survey to establish the presence of bats has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter take place in accordance with the approved details.
20. Prior to the commencement of site clearance, site preparation or development work, a scheme for the means of protecting trees and hedges which are to be retained within and immediately adjacent to the site in accordance with BS 5837 (2012), including the protection of root structures from injury or damage prior to or during the development works (which shall include any special measures that are required to protect trees adjoining the internal access road where any excavation is required), has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also provide for no excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited so as to cause damage or injury to the root structure of the retained trees or hedges. The approved scheme of protection measures shall be implemented in its entirety before any works are carried out, including any site clearance work and thereafter retained during building operations until the completion of the development.
21. Prior to the first occupation of the development hereby approved and within three months of the commencement of development on site, a BRE Interim Certificate confirming that the development shall achieve a post-construction

Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'very good' shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and a BRE Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

22. Prior to the first use of the development hereby approved, details of the length and siting of the acoustic fence referenced within the submitted Environmental Noise Study (prepared by Red Acoustics, dated 16 December 2014) shall be submitted to and approved in writing by the Local Planning Authority. The approved fence shall then be installed and the recommendations and noise attenuation measures contained within the study shall be implemented prior to first use of the development and shall be retained and maintained as necessary in perpetuity.

23. The rating levels for cumulative noise from all plant and machinery within the site shall not at any time exceed 10 decibels (measured in dB(A)) below the background noise level at the nearest noise sensitive premises to the proposed development as assessed in accordance with BS 4142 (2014).

24. Prior to the commencement of the development hereby approved:

a) A desktop study shall be undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.

b) A site investigation shall be designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site.

c) The site investigation and associated risk assessment shall be undertaken in accordance with details approved in writing by the Local Planning Authority.

d) A Method Statement and remediation strategy, based on the information obtained from c) above shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.

Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority.

25. Prior to the commencement of the development hereby approved, details of a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall demonstrate sensitivity to the rural character and openness of the site and the avoidance of lighting in the direction of nearby neighbouring properties. The development

shall thereafter only be carried out in accordance with the approved scheme and no additional external lighting shall be installed that deviates from the approved scheme.

26. Any facilities for the storage of fuels or oils shall be sited on impervious bases and surrounded by an impervious bund, details of which shall be first submitted to and approved in writing by the Local Planning Authority and be implemented during development. For the avoidance of doubt, the minimum volume of the secondary containment provided by the bund should be at least equivalent to 110% of the tank capacity.

Reasons

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
3. The development hereby approved is acceptable in this instance, having regard to its close association with the rural locality but alternative Class B8 uses are unlikely to be appropriate within the rural area and would therefore require further consideration, in accordance with Policy 1 of the adopted Central Lancashire Core Strategy, Policy EN1 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
4. To secure a satisfactory development in materials which are appropriate for the locality in accordance with Policy EN9 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the guidelines of the Central Lancashire Supplementary Planning Document 5: Design Guide and the Residential Extensions and Alterations Supplementary Planning Document.
5. Details are required prior to commencement, in order to maintain the operation of the local and strategic highway networks and to protect to amenities of neighbouring residents in accordance with Adopted Central Lancashire Core Strategy Policy 3 and Policies ST2 and AD1(a) of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
6. In order to ensure safe access to the site for all highway users in accordance with adopted Central Lancashire Policy 3 and Policy ST2 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
7. In order to ensure safe access to the site for all highway users in accordance with adopted Central Lancashire Policy 3 and Policy ST2 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
8. To ensure adequate turning, manoeuvring and parking within the site and the use of appropriate surface materials, in accordance with adopted Central

Lancashire Policy 3 and Policy ST2 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

9. To encourage travel by employees to the site by cycle and motorcycle , in accordance with adopted Central Lancashire Policy 3 and Policy ST2 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
10. To prevent the increased risk of flooding, both on and off site, details of which are required prior to the commencement of development in order to ensure the development is carried out in accordance with the agreed details, in accordance with Adopted Central Lancashire Core Strategy Policy 29 and the National Planning Policy Framework.
11. Details are required prior to commencement to ensure that any construction works to the unnamed ordinary watercourse do not pose an up- or down-stream flood risk and ensure water quality is not compromised as a result of any construction work on the development site or to the watercourse in accordance with Adopted Central Lancashire Core Strategy Policy 29 and the National Planning Policy Framework.
12. To ensure the satisfactory implementation of the proposal, in order to ensure the site is suitably cleared and tidied, in the interests of the visual amenities of the site and its surroundings, in accordance with Policy 1 of the adopted Central Lancashire Core Strategy, Policy EN1 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
13. Details are required prior to the commencement of development in order to prevent damage to those existing trees, shrubs or hedges indicated on the approved drawings and approved landscape plans as remaining on completion of the development and to ensure that any impact on the environment and the amenity of neighbouring residents is minimised, in accordance with Policy 22 of the Adopted Central Lancashire Core Strategy, Policy EN10 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
14. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings development in accordance with Policy EN9 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
15. Details are required prior to commencement in order to adopt a precautionary measure to ensure the protection of European Protected Species in accordance with Policies EN10 and EN11 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
16. In order to ensure that ground nesting birds are not unacceptably affected, in accordance with Policies EN10 and EN11 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

17. In order to ensure that, prior to the commencement of development, any impact on the environment, ecology and biodiversity of the site and surrounding area is minimised, in accordance with Policy 22 of the Adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
18. Details are required prior to the commencement of development in order to ensure the removal/check to the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981, in order to safeguard the biodiversity of the site and its surroundings, in accordance with Policy 22 of the Adopted Central Lancashire Core Strategy.
19. In order to adopt a precautionary measure to ensure the protection of European Protected Species in accordance with Policies EN10 and EN11 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
20. Details are required prior to the commencement of development in order to prevent damage to those existing trees, shrubs or hedges indicated on the approved drawings and approved landscape plans as remaining on completion of the development and to ensure that any impact on the environment and the amenity of neighbouring residents is minimised, in accordance with Policy 22 of the Adopted Central Lancashire Core Strategy, Policy EN10 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
21. To ensure adequate energy conservation/renewable energy measures are incorporated into the design of the scheme, in order to contribute to reducing carbon emissions, in accordance with Policy 27 of the Adopted Central Lancashire Core Strategy.
22. Details are required prior to the commencement of development in order to safeguard the residential amenities of surrounding neighbouring properties, in accordance with Policy 17 of the adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
23. To safeguard the residential amenities of surrounding neighbouring properties, in accordance with Policy 17 of the adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
24. Details are required prior to the commencement of development in order to identify all previous site uses, potential contaminants that might reasonably be expected given those uses, and the source of contamination, pathways and receptors; to enable a risk assessment to be undertaken, refinement of the conceptual model, and the development of a Method Statement and Remediation Strategy; to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site; to ensure that the potential effects of ground contamination are known about and adequately mitigated in accordance with the Policy EN7 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

25. Details are required prior to the commencement of development in order to avoid excessive artificial lighting to protect the rural character and appearance of the site and to prevent glare or loss of amenity to neighbouring properties from excessive illumination, in accordance with Policy 17 of the adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
26. To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health in accordance with Policy EN7 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies), Adopted Central Lancashire Core Strategy Policy 29 and the National Planning Policy Framework.

Informatives

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
2. 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 Lancashire Highways 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.
3. The applicant is reminded that reptiles are protected under schedule 5 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to take or kill reptiles. If a reptile is found on or near the site during the development work should cease and a suitably experienced ecologist employed to how best to safeguard the reptile(s).
4. A major accident hazard pipeline (Walton Le Dale - Slyne Pipeline) is situated in close proximity. It is the responsibility of the applicant to contact Cadent Gas prior to any works commencing on site, at Plant Protection Team, 3rd Party Enquiries, National Grid Block 1 Floor 2 Brick Kilm Street, Hinckley, Leicestershire, LE10 0NA.
5. The applicant is advised to contact United Utilities regarding a potential water supply or connection to public sewers, at Developerserviceswater@uuplc.co.uk.
6. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found at: <https://www.lancashire.gov.uk/>
7. The applicant is advised to employ the following measures, in order to control against excessive noise arising from the site operations:

All loading bay doors should be kept closed when not in use.
All fire doors should be kept closed.

Vehicle engines should be switched off when not in use.
Fork lift trucks used on site should be powered by either electric or gas.
Traditional reversing beepers should not be used, instead the site should use either a banks man or white noise type beepers.
Refuse service vehicles should be scheduled to collect refuse after 07:00 hours.