

PLANNING PERMISSION

Application by Lancashire County Council and Maple Grove Developments Limited

Part I – Particulars of application

Date of application: **19 August 2022** Application No. **LCC/2022/0044**

Particulars and location of development:

Application for outline planning permission (with all matters reserved save for access from the public highway to Development Zones A, B and D (M65 Terminus Roundabout, A49 Wigan Road and Stanifield Lane) and strategic infrastructure/landscaping) for a mixed-use development including the provision of employment use (Use Classes B2/B8/E(g)); retail (Use Class E(a)); food, drink and drive-through restaurant use (Use Class E(b)/sui generis drive-through); hotel use (Use Class C1); health, fitness and leisure use (Use Classes E(d)/F(e)/F2(b)); creche/nursery (Class E(f)); car showrooms (Use Class sui generis car showroom); residential use (C3) and the provision of associated car parking, access, public open space, landscaping and drainage at Cuerden Strategic Site, East of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall

Part II – Particulars of Decision

The **Lancashire County Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

Time Limits

1. The full permission elements of the development shall commence not later than 5 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(b) of the Town and Country Planning Act 1990.

2. The outline elements as identified as Development Zones A, B, C, D and E on Parameter Plan 1 Drawing Number 21017-FRA-XX-ZZ-DR-A-9111-P13 are approved subject to the following:
- i) Written approval of the details of the following reserved matters in relation to each phase of the development shall be obtained from the County Planning Authority prior to any works in respect of such development phase taking place on site:
 - a) the layout of buildings and siting of associated infrastructure including highway infrastructure.
 - b) the scale and design of buildings, having regard to the development parameters identified on Parameter Plan 1 Drawing Number 21017-FRA-XX-ZZ-DR-A-9111-P13.
 - c) Where development would result in any additional loss of habitats including trees, hedgerows or ponds beyond that already identified and agreed via the approved Arboricultural drawing numbers SF3236 AIA01 – 1 of 4 – Rev H – Phase A Green Infrastructure SF3236 AIA01 – 2 of 4 – Rev H – Phase A Green Corridor, SF3236 AIA01 – 3 of 4 – Rev H – Wigan Road Junction, and SF3236 AIA01 – 4 of 4 – Rev H – Stanifield Lane Junction there shall be a statement (including survey data and where relevant, tree, hedgerow and pond removal plans) setting out the nature and extent of the proposed impacts or losses, alternatives explored to avoid or minimise those impacts or losses, and a demonstration of why those alternatives were not feasible.
 - d) Where habitat impacts and/or losses are unavoidable in (c) above, details shall be provided of mitigation/compensation measures relevant to each development phase, which shall be carried out before the occupation of that phase.
 - e) the external appearance of the buildings (including structures, plant and machinery)
 - f) details of the existing and proposed ground levels including spot heights, cross sections and finished floor levels of all buildings and structures.
 - g) All landscaping beyond that identified as strategic landscaping in condition 3 specifying both the hard and soft treatments and means of enclosure.
 - h) the remaining means of access specifying vehicular, cycle and pedestrian routes.
 - ii) Any application for the approval of the reserved matters shall be made in writing to the County Planning Authority before the expiration of 15 years beginning from the date of this permission.

- iii) Any development subject to reserved matters approval shall be implemented before the expiration of 5 years from the date of the reserved matters approval.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 and to ensure the developer has sufficient time to deliver this large and complex strategic development site.

Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following:

- a) Submitted documents/drawings:

Parameter Plans

21017-FRA-XX-ZZ-DR-A-9111, rev P13 - Parameter Plan 1: Development Zones, Land Use, Quantum and Building Heights

21017-FRA-XX-ZZ-DR-A-9112, rev P20 - Parameter Plan 2: Highways and Access

21017-FRA-XX-ZZ-DR-A-9113, rev P14 - Parameter Plan 3: Strategic Landscape

Design Code - Rev P12

Local Highway Network Drawings

84465-WSP-XX-DR-003, rev P02 - Stanifield Lane Access Junction to Residential Phase

84465-WSP-XX-DR-010, rev P04 - Stanifield Lane Access Junction to Phase D Extent of Detailed Application

84465-WSP-XX-DR-011, rev P05 - Highways Layout Extent of Detailed Application

84465-WSP-XX-DR-012, rev P02 - Wigan Road Access Junction Extent of Detailed Application

84465-WSP-XX-DR-014, rev P03 - J1 Stanifield Lane – A582 Sheet 1 of 3

84465-WSP-XX-DR-015, rev P03 - J1 Stanifield Lane – A582 Sheet 2 of 3

84465-WSP-XX-DR-016, rev P02 - J1 Stanifield Lane – A582 Sheet 3 of 3

84465-WSP-XX-DR-017, rev P02 - J4 Wigan Road

84465-WSP-XX-DR-018, rev P01 - Highways Layout - Stoney Lane Traffic Calming

Strategic Road Network Drawings

84465-WSP-XX-DR-004, rev P08 - M65 Terminus roundabout

84465-WSP-XX-DR-013A, rev P02 - M6 J 29

84465-WSP-XX-DR-020, rev P02 - M6 JUNCTION 29 PROPOSED TRAFFIC SIGNALS

On-Site Infrastructure Plans

21017-FRA-Z1-GF-DR-A-20-1001, rev P1 – Proposed GA Pump House Plan
21017-FRA-Z1-GF-DR-A-20-1003, rev P1 – Proposed GA Substation Plan
21017-FRA-Z1-GF-DR-A-20-1004, rev P1 – Proposed GA Substation Elevations
21017-FRA-Z1-GF-DR-A-20-1002, rev P1 – Proposed GA Pump House Elevations
21017-FRA-Z1-GF-DR-A-20-1005, rev P1 – Pump House Boundary Line Section
21017-FRA-Z1-GF-DR-A-20-1006, rev P1 – Substation Boundary Line Section

Strategic Landscaping Plans

SF 3236 LL08, rev H – Green Infrastructure Masterplan
SF 3236 LL04, rev J – Green Infrastructure Zone A
SF 3236 LL05, rev J – Green Infrastructure Zone B
SF 3236 LL06, rev K – Green Infrastructure Zone C
SF 3236 LL07, rev H – Green Infrastructure Zone D
SF 3236 LL09, rev E – Green Infrastructure Zone E

Arboricultural Plans

SF3236 TS01, Rev B – Tree Survey Plan
SF3236 ASR, Rev H – Arboricultural Survey Report
SF3236 AIA01 – 1 of 4 , rev H – Phase A Green Infrastructure
SF3236 AIA01 – 2 of 4 , rev H – Phase A Green Corridor
SF3236 AIA01 – 3 of 4, rev H – Wigan Road Junction
SF3236 AIA01 – 4 of 4 , rev H – Stanifield Lane Junction

b) All details approved in accordance with this permission.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development and to comply with Policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

4. The details of the reserved matters submitted pursuant to this permission shall accord with the principles established by the approved Parameter Plans and the Design Code (Revision P12 – February 2023). No part of the development shall exceed the approved development parameters.

Reason: To ensure the satisfactory development of the site to ensure high quality design and to comply with Policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

5. The gross internal area of the commercial development constructed under the outline element of the application shall not exceed 160,000 sqm. The residential development hereby approved shall not exceed 116 dwellings. The uses and maximum areas permitted within this floorspace cap shall be:

Retail (E(a)) – 4,000sqm
Hotel (C1) – 2,500sqm
Gym (E(d)) – 1,000sqm
Food and Drink and Drive Thru (E(b)/Sui Generis) – 800sqm
Car Sales (Sui Generis) – 4,000sqm
Creche (E(f)) – 500sqm
Health Centre (E(e)) – 1,500sqm
Employment (B2, B8)- 155,000sqm
Business (E(g)(i-iii)) – 19,000sqm
Leisure Centre ((E(d), F1(e), F2(b))) – 26,000sqm

Reason: To control the development and to comply with Policy C4 of the South Ribble Local Plan.

6. No development shall take place until a Phasing Strategy has been submitted to and approved in writing by the County Planning Authority.

The Phasing Strategy shall include:

- a) The sequence in which phases of the development are to be commenced.
- b) Details of the phased provision of access and junction infrastructure, drainage, landscaping, and services into and through the site in relation to commencement of development of each phase of the site.
- c) Details of phased provision of footpath and cycle links including unmetalled multi-use surface track provision for horses and other users, and connections to the external network.

The development shall be carried out in accordance with the Phasing Strategy approved pursuant to this condition.

Reason: To provide order to the development and comply with Policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

7. As part of any Reserved Matters application relating to residential development, details of the provision of affordable housing shall be submitted to and approved in writing by the County Planning Authority. The affordable housing shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework (dated September 2023) and shall remain affordable in perpetuity. The scheme shall include:

- a) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units, unless demonstrated otherwise on the basis of viability evidence;
- b) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- c) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The development shall proceed in full accordance with the approved affordable housing details.

Reason: To ensure the provision of affordable housing on-site in accordance with Policy 7 of the Central Lancashire Core Strategy and the Affordable Housing Supplementary Planning Document.

Building Materials

8. No external cladding or finishes to any building or structure shall be applied until details of the building materials to be used for the external elevations and the roof of the building, have been submitted to and approved in writing by the County Planning Authority. Thereafter, only those materials approved by the County Planning Authority shall be used.

Reason: to safeguard the visual amenity of the area and mitigate impacts to heritage assets and to comply with Policy 17 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

9. The development hereby permitted shall be registered with the Building Research Establishment (BRE) under BREEAM and constructed to target a BREEAM rating of 'Very Good'. No phase of the development shall commence until a Design Stage Pre-Assessment Report showing that that phase of the development will achieve a BREEAM rating of 'Very Good' within that phase has been submitted to and approved in writing by the County Planning Authority.

Reason: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

10. Within 6 months of completion of each phase of development hereby approved a Building Research Establishment issued Post Construction Review Certificate confirming that the phase or development as a whole has achieved the BREEAM rating set out in the Design Stage Pre-Assessment Report approved by condition 9 shall be submitted to the County Planning Authority for approval in writing.

Reason: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

Landscape and Ecology

11. Only those trees and hedgerows identified for removal on Arboricultural drawing numbers SF3236 AIA01 – 1 of 4 – Rev H – Phase A Green Infrastructure SF3236 AIA01 – 2 of 4 – Rev H – Phase A Green Corridor, SF3236 AIA01 – 3 of 4 – Rev H – Wigan Road Junction, and SF3236 AIA01 – 4 of 4 – Rev H – Stanifield Lane Junction shall be removed as part of full permission infrastructure works. No further trees or hedgerows shall be removed unless approved under condition 2 in relation to reserved matters assessment and approval.

Reason: To ensure that tree and hedgerow retention is properly considered and assessed and to comply with policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

12. The development hereby approved shall deliver a Biodiversity Net Gain in habitat and hedgerow units on the site (to be calculated using the Biodiversity Metric 4.0 or any subsequent updates) against the 2017 baseline position. Each application for reserved matters shall be supported by an updated calculation to demonstrate the cumulative position across the site.

Reason: To safeguard the ecological interest of the site and comply with Policy 22 of the Central Lancashire Adopted Core Strategy and Policies G13 and G16 of the South Ribble Local Plan.

13. Prior to the commencement of any phase of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. The CEMP shall include, but not be limited to:

- a) Plan showing the location of all the ecological features.
- b) Risk assessment of the potentially damaging construction activities.
- c) Practical measures to avoid and reduce impacts during construction.
- d) Location and timing of works to avoid harm to biodiversity features including ponds.
- e) Use of protective fences, exclusion barriers and warning signs.

Development shall be carried out in accordance with the approved CEMP.

Reason: To ensure the provision and maintenance of trees, other plants and grassed areas and biodiversity, in the interests of visual amenity and the ecology of the site and to comply with Policy 22 of the Central Lancashire Adopted Core Strategy and Policies G13 and G16 of the South Ribble Local Plan.

14. No development shall commence until details of landscape and habitat establishment and management for the strategic landscaping areas shown on

drawing numbers SF 3236 LL08 Rev H – Green Infrastructure Masterplan, SF 3236 LL04 Rev J – Green Infrastructure Zone A, SF 3236 LL05 Rev J – Green Infrastructure Zone B, SF 3236 LL06 Rev K – Green Infrastructure Zone C, SF 3236 LL07 Rev H – Green Infrastructure Zone D, and SF 3236 LL09 Rev E – Green Infrastructure Zone E have been submitted to and approved in writing by the County Planning Authority.

The submitted details shall include:

- a) The nature and depth of any soil materials.
- b) The design, construction and planting of waterbodies.
- c) Native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of hard surfacing materials including paths, and shared user tracks and their management.
- f) Details of the type, number and location of bird and bat boxes.
- g) The ongoing maintenance and management of the landscaping and habitats at the site while the development remains in place.

Thereafter, the development shall be carried out and managed in accordance with the approved details.

Reason: To ensure the mitigation of landscape and ecological impact and to preserve the local amenity and to comply with Policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

15. No tree felling, vegetation clearance works, or other works that may affect nesting birds shall take place during the period between 1 March and 31 August, unless the absence of nesting birds has been confirmed by a survey first submitted to and approved in writing by the County Planning Authority.

Reason: The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding, and also to comply with Policy 22 of the Central Lancashire Core Strategy and Policy G16 of the South Ribble Local Plan.

16. No development shall commence in any phase of the development (construction or demolition), until a Tree Protection Plan associated with that phase has been submitted to, and approved in writing, by the County Planning Authority. The Tree Protection Plan shall be in accordance with Para 5.5 of BS5837: 2012 'Trees in Relation to Design, Demolition and Construction - Recommendations'. Before any site activity (construction or demolition) commences in any phase of development, barrier fencing shall be erected around all trees to be retained in that phase as detailed in the approved Tree Protection Plan. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant,

removal or addition of soil (including ground disturbance for utilities) may take place.

The fencing shall remain in place until completion of all construction development works associated with that phase and removal of site vehicles, machinery, and materials in connection with that phase of development.

Reason: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan.

17. The reserved matters for each phase shall be accompanied by a landscaping and habitat establishment and management plan for each phase and shall be submitted to and approved in writing by the County Planning Authority.

The submitted details shall include:

- a) The nature and depth of any soil materials.
- b) The design, construction and planting of waterbodies.
- c) Native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of hard surfacing materials including paths, shared user tracks, car parking areas and vehicle manoeuvring areas.
- f) Details of the type, number and location of bird and bat boxes.
- g) The ongoing maintenance and management of the landscaping and habitats at the site while the development remains in place.

Thereafter, the development of that phase shall be carried out in accordance with the approved details. Car parking and vehicle manoeuvring areas shall be marked out in accordance with the approved plan prior to the commencement of use of any building within the phase.

Reason: To ensure the mitigation of landscape and ecological impact and to preserve the local amenity and to comply with Policies 17, 18, 22, 27, and 29 of the Central Lancashire Adopted Core Strategy and Policies C4, G7, G8, G13, G16 and G17 of the South Ribble Local Plan.

18. No development shall take place in the residential zone (Zone E), until details of the layout, landscaping, maintenance and retention of formal and informal public open space within the residential zone have been submitted to and approved in writing by the County Planning Authority. Public open space provision shall be calculated in accordance with the requirements of Policy G10 of the South Ribble Local Plan.

Thereafter, the development shall proceed in accordance with the approved details.

Reason: In the interest of residential amenity and to comply with Policies G10 and G17 of the South Ribble Local Plan.

Pollution control

19. No development of any phase shall take place until a Construction Management Plan for that phase has been submitted to, and approved in writing by, the County Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials.
 - c) storage of plant and materials used in constructing the development. the location of the site compound.
 - d) suitable wheel washing/road sweeping measures.
 - e) appropriate measures to control the emission of dust and dirt during construction.
 - f) appropriate measures to control the emission of noise and vibration during construction in accordance with guidance set out in British Standard BS 5228: 2009 +A1 2014 Code of practice for noise and vibration control on construction and open sites.
 - g) details of all external lighting to be used during the construction.
 - h) a scheme for recycling/disposing of waste resulting from construction works.
 - i) details of wheel washing facilities for the cleaning of wheels of vehicles leaving the site.
 - j) temporary lighting within compounds and on site.
 - k) security strategy including all access points to/from the compound and along the perimeter of the site and to/from each phase of development.
 - l) facilitate the needs of DVSA and those phases open during site construction.

Reason: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties and to comply with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.

20. Any piling activities shall be limited to between the hours of 0800 and 1800 Monday to Friday and 0900 to 1300 on Saturdays, with no such activities permitted on Sundays and Bank Holidays.

Reason: To seek to minimise construction working impacts on the amenities of neighbouring properties and to comply with Policy G17 of the South Ribble Local Plan.

21. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any

watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

Reason: To reduce the risk of pollution to the water environment and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

22. The rating level of noise emitted from any or all of the sources listed below located at the site shall not exceed the existing background level at the boundary of any premises used for residential purposes when assessed in accordance with British Standard BS 4142:2014+A1(2019).

- Industrial and manufacturing processes.
- Fixed plant and equipment (mechanical and electrical).
- Loading and unloading of goods.
- Mobile plant and vehicles.
- extraction/ventilation systems.
- external plant.

Reason: In the interests of residential amenity and in accordance with Policy G17 of the South Ribble Local Plan.

23. As part of any reserved matters application relating to residential development, an acoustic assessment shall be submitted to and approved in writing by the County Planning Authority, which assesses the impact of ambient noise and includes, where necessary, mitigation measures to ensure that:

- a) external noise levels within external amenity spaces shall not exceed 55 dB LAeq,16hr (0700 – 2300).
- b) bedrooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A), and an 8-hour LAeq (23:00 to 07:00) of 30dB(A), with individual noise events not exceeding 45dB LAFmax more than 10 times (23:00 to 07:00 hours).
- c) living rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A).
- d) dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 40dB(A).

All approved mitigation measures shall be carried out prior to the first occupation of housing development and shall be retained and maintained thereafter while the housing remains on the site.

Reason: In the interests of residential amenity and in accordance with Policy G17 of the South Ribble Local Plan.

24. Construction operations shall only take place between the hours of:

0730 hrs to 1800 hrs Monday to Friday
0800 hrs to 1300 hrs Saturday

No construction operations shall take place on Sundays, Bank or Public Holidays.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy G17 of the South Ribble Local Plan.

25. All mobile plant/vehicles retained on site to be used in connection with the construction phase of the development shall be fitted with broadband/non-audible reversing systems, which shall be employed at all times during the operation of the mobile plant/vehicles.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G17 of the South Ribble Local Plan.

26. Prior to the occupation of any phase of the development, full details of the waste storage, refuse and recycling facilities within that phase shall be submitted to and approved in writing by the County Planning Authority. The approved facilities shall be provided prior to first occupation of any of the buildings within that phase and retained thereafter.

Reason: To provide effective storage facilities for domestic refuse and to safeguard the visual amenity of the area in accordance with Policies 17 and 27 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.

27. Prior to any phase of development being first brought into use, a scheme for external lighting of that phase shall be submitted to and approved in writing by the County Planning Authority.

The external lighting details shall include the following:

- a) Location, type and intensity of lights.
- b) Types of masking or baffle at head.
- c) Type, height and colour of lighting columns.
- d) Number and size of lighting units per column.
- e) Light levels at the site and at nearby properties.
- f) Control of the times of illumination of the lighting.
- g) Assessment of light levels in relation to appropriate guidance to demonstrate that there would be no unacceptable impact on neighbouring land users or bats.

The approved details shall be implemented in full before that phase of development is first brought into use and retained thereafter. No external lighting other than that shown in the approved scheme shall be installed thereafter.

Reason: To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Policy G17 of the South Ribble Local Plan.

Highways and Transport

28. No development shall take place until full design details of a highway mitigation scheme at the interface of the M65 terminus roundabout and site access, as shown in outline on drawing number 84465-WSP-XX-DR-004 P08 and that accords with the lane designations for the proposed highway mitigation to the A6 / A582 junction to the north, have been submitted to and approved in writing by the County Planning Authority in consultation with the highway authority for the M65 and M6 motorways.

The details to be submitted shall include:

- a) Final details of how the scheme interfaces with the existing highway alignment.
- b) Full carriageway surfacing and carriageway marking details.
- c) Full construction details.
- d) Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards).
- e) An independent Stage 2 Road Safety Audit carried out in accordance with current departmental standards and current advice.

Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the County Planning Authority that the final details of highway works are acceptable and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

29. No part of the development shall be brought into occupation unless and until the highway mitigation scheme referred to in Condition 28 has been carried out to the satisfaction of the highway authority for the M65 and M6 motorways in consultation with the County Planning Authority.

Reason: In the interests of highway safety and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

30. No direct vehicle access shall be permitted between the M65 terminus roundabout and the development unless and until the highway mitigation scheme referred to in Condition 28 has been carried out to the satisfaction of the highway authority for the M65 and M6 motorways in consultation with the County Planning Authority.

Reason: In the interests of highway safety and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

31. No development shall take place until full design details of the highway mitigation scheme at the M6 Junction 29a roundabout, as shown in outline drawing reference 84465-WSP-XX-DR-013A P02, have been submitted to and approved in writing by the County Planning Authority in consultation with the highway authority for the M6 motorway.

The details to be submitted shall include:

- a) Final details of how the scheme interfaces with the existing highway alignment.
- b) Full carriageway surfacing and carriageway marking details.
- c) Full construction details.
- d) Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards).
- e) An independent Stage 2 Road Safety Audit carried out in accordance with current departmental standards and current advice notes.

Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the County Planning Authority that the final details of highway works are acceptable and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

32. No development shall be brought into occupation unless and until the highway mitigation scheme referred to in Condition 31 has been carried out to the satisfaction of the highway authority for the M65 and M6 motorways in consultation with the County Planning Authority.

Reason: In the interests of highway safety and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

33. No development shall take place until full design details of the highway mitigation scheme at the interface of the southbound link road and the M6 Junction 29

roundabout, as shown in outline on drawing reference 84465-WSP-XX-DR-020 P02, have been submitted to and approved in writing by the County Planning Authority in consultation with the highway authority for the M6 motorway.

The details to be submitted shall include:

- a) Final details of how the schemes interface with the existing highway alignment.
 - b) Full carriageway surfacing and carriageway marking details.
 - c) Full construction details.
 - d) Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards).
 - e) An independent Stage 2 Road Safety Audit carried out in accordance with current departmental standards and current advice notes.
34. No development shall be brought into occupation unless and until the highway mitigation scheme referred to in Condition 33 has been implemented to the satisfaction of the highway authority for the M6 motorway in consultation with the County Planning Authority.

Reason: In the interests of highway safety and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

35. No development shall take place until; (a) a plan showing the alignment and design of a close-boarded fence of not less than two metres in height to be erected along the northern boundary of the development site (or at least one metre from any part of the existing Motorway fence where the boundary lies within one metre of this) including details of its future management and maintenance in perpetuity, has been submitted to and approved in writing by the county planning authority in consultation with the Highway authority for the M65 and M6 motorways; and (b) the fence approved by part (a) of this condition has been erected in accordance with the approved details.

Thereafter, the fence shall remain in situ and only be repaired or replaced in accordance with the approved fencing design for this condition.

Reason: For reasons of safety, liability and maintenance in relation to the strategic road network and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

36. No excavation works and/or landscaping works adjacent to the M65 motorway shall take place until geotechnical submissions have been prepared in accordance with the requirements of the Design Manual for Roads and Bridges

and submitted to and approved in writing by the County Planning Authority (in consultation with the highway authority for the M65 and M6 motorways).

Reason: To mitigate any adverse impact from the development on the motorway in accordance with DfT Circular 01/2022.

37. No surface water shall be permitted to run off from the development on to the Strategic Road Network or into any drainage system connected to the Strategic Road Network. No drainage connections from any part of development may be made to any Strategic Road Network drainage systems.

Reason: In the interests of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

38. No development shall commence until details for the construction of all highway works applied for including permanent, temporary and any remediation works post-delivery have been submitted to and approved in writing by the County Planning Authority. The details shall also include development phasing and reference to trigger points for construction work delivery and other advice in accordance with that set out in the planning application response letter from Lancashire County Council Highways Development Control dated 8 November 2023.

Thereafter, the site access construction and works for highway improvement shall be carried out in accordance with the approved details.

Reason: In order to satisfy the County Planning Authority that the final details of highway works are acceptable and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

39. No phase shall commence until details for the internal highway layout of that phase have been submitted to and approved in writing by the County Planning Authority. The submitted details for internal highway layout shall include reference to safety, visibility and manoeuvrability, servicing, Traffic Regulation Order requirements, and location and routing of all deliveries and waste collection, Public Rights of Ways, signing, bus stops, shelters, laybys, formal and informal crossings, that are in accordance with advice set out in the planning application response letter from Lancashire County Council Highways Development Control dated 8 November 2023.

Thereafter, the development shall be carried out in accordance with the approved details for that phase.

Reason: In order to satisfy the County Planning Authority that the final details of highway works are acceptable and to comply with Policies 3 and 17 of the Central

Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

40. Prior to first occupation of each phase of the development hereby approved a Car Park Management Strategy shall be submitted to and approved in writing by the County Planning Authority. The Strategy shall include;
- a) All areas of development related parking, setting out the layout, means of access and egress to areas vehicle parking.
 - b) The provision of electric vehicle charging points.
 - c) Car park layouts including the appropriate number of spaces for motorised and non-motorised vehicles, including dedicated cycle storage areas, and user types in accordance with the local planning authority standards, swept path analysis, dedicated routeing within car parks for sustainable modes, sizes of parking bays satisfying intended vehicle types, other infrastructure to be located within car parks, having regard to their use, servicing and safety.

The approved strategy and layouts shall be implemented in accordance with the approved details prior to the occupation of the unit to which the car park relates.

Reason: To allow for the effective and efficient use of the parking areas and maintain flow of traffic on local roads when the development is operational and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

41. No development shall take place in any phase until a Construction Traffic Management Plan has been submitted to and approved in writing by the County Planning Authority. The approved Plan for that phase shall be adhered to throughout the construction period. The Plan shall provide information on delivery routes, plant, abnormal loads; temporary road or footpath closures; signing and communication with the neighbouring residents.

Reason: To maintain the operation and safety of local streets and the routes in the area during site preparation and construction and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

42. Prior to the first use of any phase of development, a delivery, collections and servicing strategy shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the approved strategy shall be adhered to for the phase of development.

Reason: In order to maintain flow of traffic on local roads when the development is operational and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

43. Prior to the first occupation of the development, a highway monitoring and management strategy shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include details of a programme of annual traffic surveys and observations commencing from the first occupation of any building and continuing for a period of 5 years. Thereafter, the approved strategy shall be employed.

Reason: To understand scheme impacts on local and wider network operation, to enable the efficient flow of traffic on local roads when the development is operational supporting changes to signal operation over time and to comply with Policies 3 and 17 of the Central Lancashire Adopted Core Strategy and Policies C4 and G17 of the South Ribble Local Plan.

44. There shall be no occupation of built development within Zone A until the Initial Site Infrastructure (within that Zone) has been constructed as shown on drawing no. 21017-FRA-XX-ZZ-DR-A-9112-P20 - Parameter Plan 2: Highways and Access.

Reason: to provide access to the wider Cuerden Strategic site as set out in the Adopted Masterplan and to comply with Policy C4 of the South Ribble Local Plan.

45. No building shall be occupied until a travel plan for that building has been submitted to and approved in writing by the County Planning Authority. The Travel Plan shall be developed in accordance with the Lancashire Central Framework Travel Plan dated July 2022.

Thereafter, the approved travel plan shall be complied with during occupation of the building.

Reason: To ensure that the development promotes greener, cleaner travel choices and reduces reliance on the car and to comply with Policy 3 of the Central Lancashire Adopted Core Strategy.

Surface and foul water management

46. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment and surface water sustainable drainage strategy WIE11556-104-R-2.1.2-FRA&DS produced by Waterman in July 2022.

The measures shall be fully implemented prior to the first use of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the County Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

47. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the County Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i. 100% (1 in 1-year) annual exceedance probability event;
 - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
 - iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;

- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
 - d) Evidence of an assessment of the existing on-site surface water drainage systems / sewer / watercourse / culverted watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
 - e) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

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

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

48. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the County Planning Authority.

The details of the plan to be submitted for approval shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

49. The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of sustainable drainage components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component (including watercourses);
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework and

to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

50. The commencement of use of any phase of development shall not be permitted until a site-specific verification report for the phase, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

51. As part of the first reserved matters application, and any subsequent reserved matters applications thereafter, a detailed scheme for the protection from damage of United Utilities water mains that are laid within the site boundary shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include:
- a) A survey that identifies the exact location of the water mains;
 - b) The potential impacts on the water mains from construction activities (including the construction compound);
 - c) Identification of mitigation measures, including a timetable for implementation, to protect and prevent any damage to the assets both during construction and post completion of the development; and
 - d) A pre-construction condition survey of water mains within the site boundary.

The approved scheme of mitigation measures shall be implemented in full prior to and throughout the construction period, with approved post-completion measures retained thereafter for the lifetime of the development.

In the event that the survey effort of the water mains identifies that any development shall be within a 3m standoff either side of the main (6m in total), no development shall take place until such time as details of the agreement with

the relevant statutory undertakers for a diversion of the relevant infrastructure have been submitted to the County Planning Authority and approved in writing.

Reason: In the interest of public health and to ensure protection of the public water supply and to comply with Policies 17 and 29 of the Central Lancashire Adopted Core Strategy and Policy G17 of the South Ribble Local Plan.

Notes

The grant of planning permission does not entitle a developer to obstruct any highway/right of way and any proposed stopping-up or diversion of an adopted public highway or right of way should be the subject of an Order under the appropriate Act.

The proposed highways works will require the developer to enter into an appropriate Legal Agreement with Lancashire 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 highway department in the first instance to ascertain the details of such an agreement and the information to be provided.

Heloise MacAndrew

Date: 12 December 2023

**Heloise MacAndrew
LANCASHIRE COUNTY
COUNCIL DIRECTOR OF
LAW AND GOVERNANCE**

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

NOTE:

1. Appeals to the Secretary of State

You can appeal a planning decision if any of the following apply:

- You were refused planning permission.
- You were granted planning permission but subject to conditions that you object to.

Details of the planning appeals service can be found at the following address:

<https://www.gov.uk/appeal-planning-decision>

If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/01B Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District/Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for Communities, Local Government and the Regions on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.