

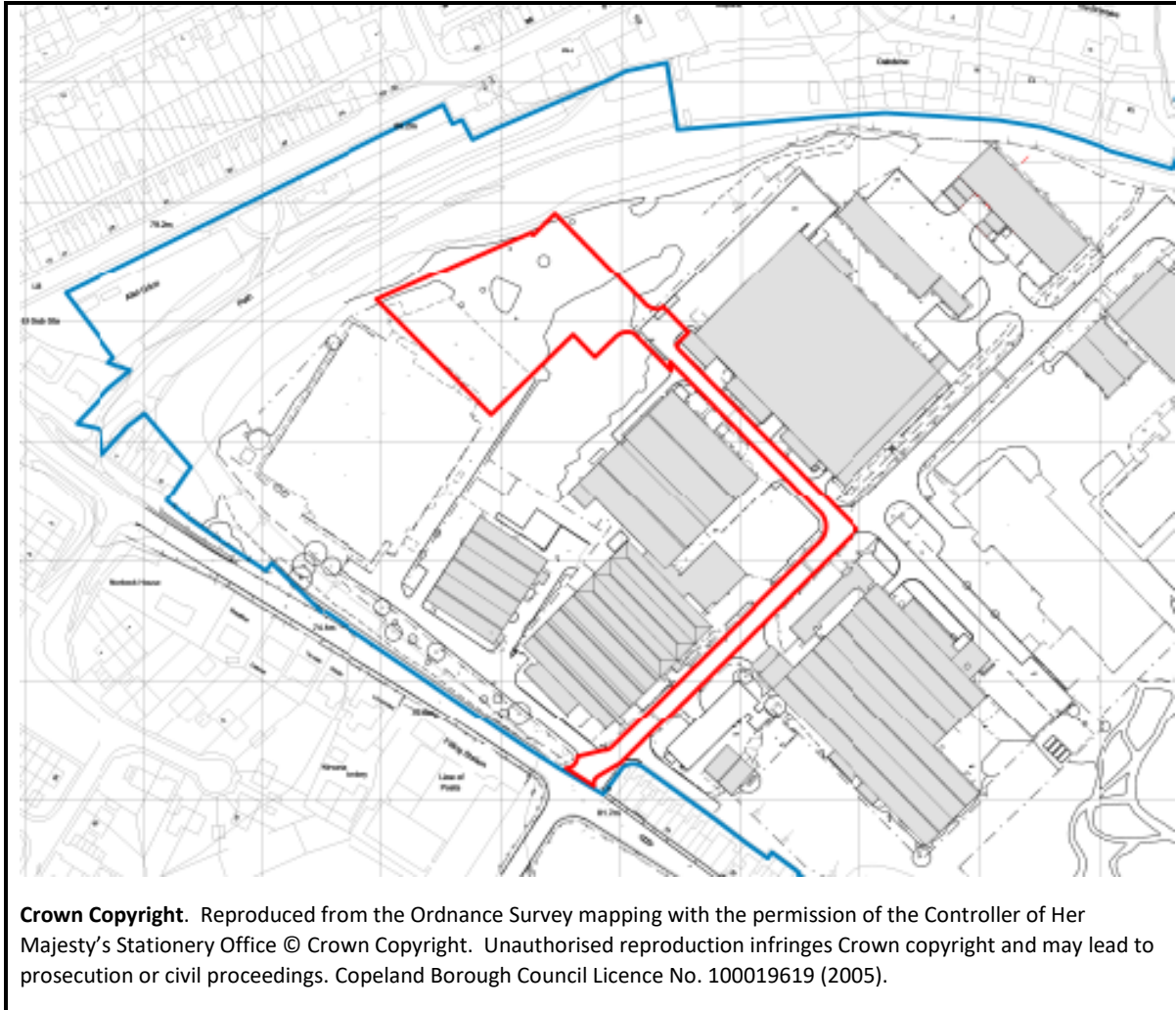


To: PLANNING PANEL

Development Management Section

Date of Meeting: 03/08/2022

Application Number:	4/22/2161/0F1
Application Type:	Full
Applicant:	Copeland Borough Council
Application Address:	LAND AT LECONFIELD INDUSTRIAL ESTATE, CLEATOR MOOR
Proposal	USE OF LAND AS STORAGE AND DISTRIBUTION CENTRE (CLASS B8) FOR GAS BOTTLES TOGETHER WITH THE SITING OF TWO SINGLE STOREY PREFABRICATED CABINS FOR ADMINISTRATIVE USE
Parish:	Cleator Moor
Recommendation Summary:	Approve subject to conditions



Reason for Determination by Planning Panel

This application is brought for consideration by Members of the Planning Panel as the proposal relates to land which is under the ownership of the Council. This is a requirement of both the Council's Constitution and also under Regulation 3 of the Town and Country Planning General Regulations 1992.

Site and Location

The application site is located within Leconfield, an established industrial estate which is located in Cleator Moor, some 600m to the north-west of the town centre. Accessed via a mini roundabout off the B5295 /Leconfield Street this forms the main part of the southern boundary, with the C2C cycle route forming the boundary to the North. To the west and east the estate is flanked by predominantly residential areas and community uses.

The estate currently accommodates some 20 industrial and warehouse units of varying sizes of standard commercial construction, including brick, profiled metal cladding and prefabricated steel frames, a number of which are vacant. There are also a number of

vacant / cleared plots. This established industrial estate has been in use since the 1940's and more recently suffered from a period of decline.

The site the subject of this application is some 0.34 ha in size and is located adjacent to the western edge of the industrial estate. The nearest residential properties are located some 100m to the west along Bowthorn Road, which are physically separated from the site by intervening allotments and dense scrub.

The site is currently vacant and comprises part hard standing, the legacy of a former industrial building, with the remainder grassland and lightly wooded areas. To the west it is bounded by a grassed area and dense woodland boundary planting, to the east and north by existing industrial buildings with another vacant plot/ hardstanding area to the south.

Background

BOC currently operate from an existing yard to the far east of the estate. It is the intention to relocate the facility on a 'like for like' basis to this vacant plot on the western edge as part of a redevelopment scheme for the whole industrial estate, renamed as the Cleator Moor Innovation Quarter (CMIQ). Their existing location forms part of phase 1 of the development for a new central feature known as 'The Hub', a bespoke new building some 4,000 square metres in floorspace accommodating a variety of light industrial/ office uses, including incubation spaces, workshop areas, conference and lecture facilities, community uses and a café. The intention is that it will act as a focus for collaboration and innovation activities. The relocation of the BOC yard will facilitate the delivery of The Hub.

The Proposal

The BOC yard currently operates as a storage and distribution yard for the supply of gas cylinders and liquid nitrogen for industrial and medical uses. It is proposed that the existing facilities will be relocated to the new site. The new development on the site will include:

- Erection of a 2.4m high palisade galvanised grey fence around the perimeter of the site to provide a yard.

Within the yard there is proposed to be:

- Provision for 5 car parking spaces
- 2 lorry parking spaces
- Central loading area
- Cylinder sorting and storage area
- Liquid nitrogen storage tank sited in the south-eastern corner (measuring 5m in height and 2.1m in circumference), finished in white.
- Gas cylinder location
- New vehicular access to the north side with 2.4m high double leaf gates
- Siting of 2 new single storey portacabins (each measuring 9.7m in length, 3m in width and 2.5m in height) to be painted white

- Separate secondary emergency only pedestrian access gate to the south of the site
- New hardstanding with various surface treatments denoting the different operational areas
- A new sign located close to the new entrance (subject to a separate advert application)

Storage of the gas cylinders within the yard will be predominantly at the perimeter of the site to allow for the free movement and loading of lorries across the centre of the yard. The two prefabricated modular cabins will be sited next to each other on the site's western boundary and will provide essential office accommodation and welfare facilities for on-site staff.

As with the existing site between 500no. - 800no. (max) gas cylinder bottles will be stored on the site at any one time. These will be stored in steel framed pallets allowing for their safe storage and movement.

In terms of lighting, it is proposed that 10 x lights (LED 150W) will be attached directly to the fencing along with 2 by the liquid nitrogen tank to provide extra illumination during filling procedure will provide adequate lighting for the site.

The new vehicular access on the northern boundary (including pedestrian access) will involve the creation of a 7.5m wide carriageway some 55m in length leading to the existing main internal estate road to the east. The new road will include 2m width of shared footpath/cycle provision.

Consultation Responses

Cleator Moor Town Council

Raise no concerns.

CCC Highway & Local Lead Flood Authority

No objection subject to appropriate conditions covering highway design and safety.

Environment Agency

No objection.

United Utilities

No objections subject to conditions.

Copeland Flood and Coastal Defence Engineer

No objections.

HSE

No comments but inform of the likelihood of a separate application for a new Hazardous substance Consent being required for the storage of LPG and nitrogen on the site.

Environmental Health

No objections subject to contamination and lighting conditions.

Natural England

No comments received.

Arborist

No objections subject to conditions requiring implementation of tree protection measures and landscaping.

Public Representation

This application has been advertised by way of a site notice and neighbour notification. No responses to date have been received to either.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 Strategic Development Principles

Policy ST2 Spatial Development Strategy

Policy ST3 Strategic Development Priorities

Policy ER4 Land and Premises for Economic Development

Policy ER5 Improving the Quality of Employment Space

Policy ER6 Location of Employment

Policy T1 Improving Accessibility and Transport

Policy ENV1 Flood Risk and Risk Management

Policy ENV3 Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 Achieving Quality of Place

Policy DM11 Sustainable Development Standards

Policy DM22 Accessible Developments

Policy DM24 Development Proposals and Flood Risk

Policy DM25 Protecting Nature Conservation Sites, Habitats and Species.

Policy DM26 Landscaping

Policy DM28 Protection of Trees

Copeland Local Plan 2001-2016 (LP):

Saved Policy EMP1 of the Copeland Local Plan (2001-2016) designates Leconfield Industrial Estate as an employment site where development for employment and industry uses (Class B1 Office and Business, B2 General Industrial and B8 Storage and Distribution Uses) will be permitted.

Emerging Local Plan (ECLP)

The emerging Copeland Local Plan has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

The following ECLP policies are relevant to this proposal:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS6PU: Design and Development Standards

Strategic Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy DS9PU: Sustainable Drainage

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy E1PU Economic Growth

Strategic Policy E2PU Location of Employment

Strategic Policy E4PU of the emerging Copeland Local Plan (2021-2038) allocates Leconfield Industrial Estate and adjacent land to accommodate the Cleator Moor Innovation Quarter business cluster. The primary uses on the Cleator Moor Innovation Quarter development will be limited to Use Class B2, Use Class B8 and Use Class E(g) only.

However, it should be noted that the CLP currently carries the primary weight in relation to decision making.

Other Material Considerations

National Planning Policy Framework (2021)

National Planning Policy Guidance

National Design Guide

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Assessment

The main considerations relevant to the determination of this application are the principle of development, design issues and potential impacts on trees, ecology, drainage and highway safety.

Principle of Development

The principle of development is already established with existing employment use rights on the application site which, although vacant, is an approved plot on a long-established industrial estate. It qualifies as previously developed 'brownfield' land given that it formerly contained a large industrial building, the footprint of which is evident on site. In this respect the proposal to redevelop a brown field plot within an industrial estate in the centre of Cleator Moor, a key service centre, is considered to accord with CLP Policies ST1 Strategic Development Principles, ST2 Spatial Development Strategy and ST3 Strategic Development Priorities which seek to ensure development is directed to the most sustainable locations. It also complies with the CLP Employment Policies ER5 and ER6 which support such employment development in key service centres.

Design

Relocating the distribution and storage yard to a less visually prominent site on the western extremity of the industrial estate will provide an opportunity to enhance the appearance of the eastern side of the estate and make way for the future new development of "The Hub" building.

The visual appearance of the new BOC Yard will directly benefit as a result with the provision of new modern facilities and layout. This accords with CLP Policy ER5 Improving the Quality of Employment Space, Criterion B of which supports improvements of specific industrial areas. It specifically recognises that a more attractive environment and better quality premises are needed to promote economic diversification. CLP Policy ST1 Strategic Development Principles and Policy DM10 Achieving Quality of Place also aim to ensure the creation and retention of quality places by requiring and supporting improved design.

Trees

An Arboricultural Impact Assessment accompanies the submission. This includes an assessment of the impacts of the proposed development, a tree protection plan and details of types of tree protection barriers.

The proposed development requires the removal of two woodland areas identified as low-quality tree groups (G27 & G28) and the partial removal of one low-quality tree group (G26). These groups contain Goat Willow trees. Following our Arborists advice, it is considered that new planting can replace their contribution to the landscape. It is therefore recommended that two conditions are imposed requiring the tree protection measures

detailed in the Arboricultural Report and the landscaping proposals detailed to be implemented in full. This work is considered necessary to deliver the development and the proposed conditions will help ensure that the identified mitigation is undertaken. This aligns with CLP policies DM26 and DM28 regarding landscaping and protection of trees on the site.

Ecology

The application is supported by an Ecological Assessment. In summary the Ecological Appraisal informs that the site has the potential to host protected species such as badgers, reptiles and amphibians and also nesting birds. The grassland and scrub habitats on the site are particularly suitable. There was no evidence though of bats although the site does have foraging potential and there are bats within the vicinity of the site.

However, given the retention of woodland edges and further habitat creation proposed elsewhere on the estate it is considered unlikely that the loss of grassland and scrub habitat on this site will significantly affect the availability of potential breeding territories. The Ecological Assessment advises that any works are carried out outside of the breeding bird season (March – September).

It is also recommended that a pre-works badger survey of the proposed development area is undertaken at least three months prior to work commencing.

Other recommendations include undertaking Reasonable Avoidance Measures (RAMS) to prevent any incidence with protected or notable species and the implementation of a bat sensitive lighting strategy to mitigate indirect disturbance impacts on roosting, commuting and foraging bats. Such measures to protect and enhance the site's ecological interests are considered acceptable in line with Policy ENV3 and DM25 of the CLP. An appropriate condition will ensure the recommendations are undertaken.

Drainage

The application is accompanied by a Flood Risk Assessment (FRA) and a Drainage Strategy. The FRA confirms that the site falls within Flood Zone 1 and as a result the risk of fluvial and surface water flooding is considered to be low.

Exploratory ground investigations have revealed that the ground is not suitable for discharging surface water by ground infiltration so it is proposed to discharge it via an existing culvert on site which leads to Nor Beck. Run off rates will be restricted and attenuation via SUDS is proposed.

The proposed drainage scheme for the development thus supports CLP Policies ENV1 and DM24. The Environment Agency are satisfied that the proposed development would be safe and that it would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The attenuation SUDs proposal is also acceptable in preference to any soakaway scheme due to the nature of the made ground and moderate risk to water quality.

The Council's Flood and Coastal Defence Engineer also raises no objection to the proposed drainage scheme providing it conforms to the LLFA and EA regulation requirements.

Transport and Access

The proposal involves the relocation of an existing business currently operating within the estate to a similar size of site elsewhere on the estate. No expansion or intensification of operations is proposed. As such it will not result in any increase in travel movements over the existing situation and no intensification in the use of the estate roads or access with Leconfield Street would result from the development.

A new vehicular and pedestrian access is proposed to the site at its northern boundary. A new 7.5m wide carriageway some 55m in length will connect with the existing internal estate road to the east. This will also include a 2m foot/cycle path provision. The road will not be adopted. The design will enable the safe and efficient use by pedestrians and vehicles.

The Highway Authority have raised no objection to the proposal subject to appropriate conditions covering highway design and safety. They have requested a Construction Traffic Management Plan as one of the conditions to ensure that the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

The proposal accords with the requirements of CLP Policies T1 and DM22 which set out the strategic principles for improving transport and requires development to be accessible to all users.

Planning Balance and Conclusion

This application seeks planning permission to use an existing vacant plot on the established Leconfield Industrial Estate in Cleator Moor as a storage and distribution yard for LPG cylinders and liquid nitrogen. It comprises the relocation of an existing business on the estate rather than the introduction of a new business.

The principle of development is accepted as the site is an allocated employment site in the key service centre of Cleator Moor and has previously been used for industrial/employment purposes. There are no issues in relation to design as it is considered that the proposal will serve to visually enhance the estate and facilitate good quality redevelopment. Although there will be some loss of trees and potential ecological habitat/ foraging areas to make way for the development this is compensated by ensuring the mitigation measures and landscaping proposed are implemented via appropriate conditions. It has also been demonstrated that there will be minimal flood risk from the development and that the drainage scheme is acceptable. Subject to conditions covering construction, highway design and safety there are no issues regarding transport and access.

On balance, it is considered that the proposed development will not raise any adverse material planning issues that will cause any demonstrable harm and outweigh the benefits of the proposal. It will help to facilitate the wider economic regeneration of Cleator Moor by enabling the delivery of the CMIQ.

Taking the above into account, it is concluded that the proposed development is compliant with the Local Plan and national guidance, and particularly the overarching objective of the NPPF to deliver sustainable development.

Recommendation:

Approve subject to the following conditions:-

Standard Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:

Documents

Design and Access Statement, by NORR, March 2022, ref. BOC D&A_08-03-22.

Planning Statement by Avison Young, dated March 2022.

Arboricultural Impact Assessment, Report, by Barnes Associates Ltd, dated 14/03/2022, ref. BA11303/1-AIA and BA11303_R CMIQ_BOC Yard Leconfield industrial estate C.

Ecological Appraisal, by Tetra Tech, ref. B034202 CMIQ BOC Yard Summary Report V2 FINAL, dated March 2022.

Plans and Drawings

Arboricultural Impact Assessment, by Barnes Associates Ltd, drawing no. BA11303BY_P CMIQ_BOC Yard Leconfield Industrial Estate BOC Yard C-TTP, scale 1:50, dated 14/03/2022.

Arboricultural Impact Assessment Plan, by Barnes Associates Ltd. drawing no. BA11303_P CMIQ_BOC Yard Leconfield Industrial Estate C-AIA, scale 1:50, dated 14/03/2022.

Tree Protection Plan, BA11303_P CMIQ_BOC Yard Leconfield Industrial Estate BOC Yard_C-TTP, scale 1:50, dated 14/03/2022.

Site- Proposed Landscape, by One-Environment, drawing no. N1045-ONE-ZZ-XX-DR-L-0201-P02_PlantingPlan, scale 1:200, dated 2/03/2022.

Externals Plan, by bgp, drawing no. CMIQ-BGP-04-XX-DR-C-90.4-04110_P01, scale 1:250, dated March 2022.

Drainage Plan, by bgp, drawing no. CMIQ-BGP-04-XX-DR-C-52.04130_P02, scale 1:500, dated January 2022

Flood Exceedance Flow Path, by bgp, drawing no. CMIQ-BGP-04-XX-DR-C-52-04102_P02, scale 1:1000, dated January 2022.

Impermeable Areas Plan, by bgp, drawing no. CMIQ-BGP-04-XX-DR-C-52-04101_P02, scale 1:500, dated January 2022.

Elevation Layout,(portacabin), by Elliott, drawing no. C0109A-CA25 Cleator Moor - Elevation Layout Rev D. scale 1:50, dated 17.01.2022.

Consultants Coal Mining Report, by WYG, Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part9

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part8

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part7

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part6

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part5

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part4

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part3

Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part2

Geo Environmental Desk Top Study, Appendix 1 - A114312 WYG Leconfield Industrial Estate DTS Report December 2019_Part1

WYG Phase 2 site wide_Part14

WYG Phase 2 site wide_Part13

WYG Phase 2 site wide_Part12

WYG Phase 2 site wide_Part11

WYG Phase 2 site wide_Part10

WYG Phase 2 site wide_Part9

WYG Phase 2 site wide_Part8

WYG Phase 2 site wide_Part7

WYG Phase 2 site wide_Part6

WYG Phase 2 site wide_Part5

WYG Phase 2 site wide_Part4

WYG Phase 2 site wide_Part3

WYG Phase 2 site wide_Part2

WYG Phase 2 site wide_Part1

Unit drawings, by Elliott, 0711 32 x 10 Canteen Toilet, Rev A, scale 1:25.

Unit drawings, by Elliott, 0711 32 x 10 2 office, scale 1:25

Tank technical drawing

Draft Phase 2: Site Investigation Site A, Leconfield Industrial Estate, Cleator Moor S220141, Solmek Ltd.

Plot Plan BOC SELLAFIELD-Model

Relocation Plan CMIQ-NOR-BOC-00-DR-A-90004 - RELOCATION PLAN_P06, dated 21/12/2021

Proposed Plan, CMIQ-NOR-BOC-00-DR-A-90002 - SITE - PROPOSED PLAN_P07, dated 21/12/2021

Existing Plan, CMIQ-NOR-BOC-00-DR-A-90001 - SITE - EXISTING PLAN_P06, dated 21/12/2021

Location Plan, CMIQ-NOR-BOC-00-DR-A-90000 - SITE - LOCATION PLAN_P06, dated 21/12/2021

SUDS Management Plan, CMIQ-BGP-04-XX-RP-C-SMP004_002, dated 4/03/2022

Flood Risk Assessment, CMIQ-BGP-04-XX-RP-C-FRA004_002, dated 4/03/2022

Drainage Philosophy, CMIQ-BGP-04-XX-RP-C-DP004_002, dated 4/03/2022

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre-commencement Conditions

3. Before development commences the carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted in writing to and approved by the Local Planning Authority. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

4. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;
 - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - construction vehicle routing;
 - the management of junctions to and crossings of the public highway and other public rights of way/footway;
 - Details of any proposed temporary access points (vehicular / pedestrian)
 - surface water management details during the construction phase

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safe.

5. Before development commences all of the tree protection measures detailed in the following report and plans shall be implemented in full and shall remain for the duration of construction until the development is complete:
- Arboricultural Impact Assessment Report, by Barnes Associates Ltd, dated 14/03/2022, ref. BA11303/1-AIA, & ref. BA11303_R CMIQ_BOC Yard Leconfield industrial estate C
 - Arboricultural Impact Assessment Plan, by Barnes Associates Ltd, drawing no. BA11303BY_P CMIQ_BOC Yard Leconfield Industrial Estate BOC Yard C-TTP, dated 14/03/22
 - Arboricultural Impact Assessment Plan, by Barnes Associates Ltd. drawing no. BA11303_P CMIQ_BOC Yard Leconfield Industrial Estate C-AIA, dated 14/03/2022.
 - Tree Protection Plan, BA11303_P CMIQ_BOC Yard Leconfield Industrial Estate BOC Yard_C-TTP, scale 1:50, dated 14/03/2022.

Reason

To ensure all the remaining trees are adequately protected during construction.

Highways

6. The development site shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason

To ensure a suitable standard of vehicular access in the interests of highway safety.

Trees

7. The development shall implement all of the landscaping proposals set out in the Site-Proposed Landscape, by One-Environment, drawing no. N1045-ONE-ZZ-XX-DR-L-0201-P02_PlantingPlan, scale 1:200, dated 2/03/2022.

Reason

To ensure an adequate landscaping scheme is provided in the interests of general amenity.

Ecology

8. The development shall implement all of the recommendations set out in the Ecological Appraisal by Tetra Tech, dated March 2022, and submitted as part of the planning application.

Reasons

To protect the ecological interests evident on the site.

Drainage

9. Prior to occupation the drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing CMIQ-BGP-04-XX-DR-C-52-04130, Rev P02, dated 04.03.2022. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. The drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

10. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or,

- management and maintenance by a resident's management company; and

- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Contamination

11. In the event that contamination on the site is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notice of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and be approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Artificial Lighting (External)

12. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 within the Institute of Light Engineers Guidance Notes For the Reduction of Obtrusive Lighting GN01 dated 2005.

Reason

To safeguard the amenities of nearby residential occupiers.

Informatives

Environment Agency – Environmental Permitting

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. The applicant/developer should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

HSE – Hazardous Substances Consent

As this proposal involves the storage of LPG and nitrogen tanks that an application for Hazardous Substances Consent may be required by yourselves. Further information and guidance is available [HSE: Land use planning - Hazardous substances consent](#)

Highways – Access Gates

Access gates if provided, to the development shall be hung to open inwards away from the highway.

Coal mining

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.