



Planning Committee Agenda

Wyre Borough Council
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**Planning Committee meeting on Wednesday, 22 March 2017 at 2.00 pm
in the Council Chamber, Civic Centre, Poulton-le-Fylde**

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| 6. | Conditions for items 01, 02, 04 - 09 (inclusive) | (Pages 1 - 60) |
| 7. | Education contributions for items 01, 02, 04 - 09 (inclusive) | (Pages 61 - 64) |
| 8. | Item 01 - Garstang Business And Community Centre | (Pages 65 - 66) |
| 9. | Item 01a - Garstang Business And Community Centre | (Pages 67 - 68) |
| 10. | Item 02 - Land to the West of the A6 (Preston/Lancaster New Road) | (Pages 69 - 72) |
| 11. | Item 03 - Land East of Lancaster New Road, Cabus | (Pages 73 - 74) |
| 12. | Item 04 - Daniel Fold Farm, Daniel Fold Lane, Catterall | (Pages 75 - 76) |
| 13. | Item 07 - Land at Garstang Road, Bowgreave | (Pages 77 - 78) |
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PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 22nd March 2017

CONDITIONS FOR ITEM NUMBERS 01, 02, 04 – 09 (INCLUSIVE)

AGENDA ITEM NUMBER 01

Conditions: - 16/00550/FULMAJ

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 16th June 2016, including the following plans:

- * Location Plan Dwg No. KW/HSG/LP/01 Rev A
- * Proposed Site Plan Dwg No. KW/HSG/SP/02 Rev J
- * Proposed Colour Site Layout Dwg No. KW/HSG/CSL/01 Rev J
- * Proposed Colour Site Layout Dwg No. KW/HSG/CSL/01 Rev J
- * Site Sections Dwg No. KW/HSG/SS/01 Rev B
- * Proposed Elevations Dwg No. KW/HSG/E/01 Rev E
- * Proposed Ground and First Floors Plans Dwg No. KW/HSG/PFP/01 Rev J
- * Proposed Second Floor and Roof Plan Dwg No. KW/HSG/PFP/02 Rev G
- * Boundary Detail Dwg No. KW/HSG/BD/01
- * Landscape Strategy Dwg No. 090.3.01 A
- * Hardworks Layout Dwg No. 090.3.02 A
- * Softworks Layout Dwg No. 090.3.03 A

The development shall be retained thereafter in accordance with the approved details.

Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

3. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: 880917-R1(02)-FRA, dated June 2016) and FRA Addendum (Ref: 880917/L01/KJ, dated 1 August 2016), and the following mitigation measures detailed therein:

- Limiting the surface water run-off generated so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
- Identification and provision
- Finished floor levels are set no lower than 18.87 metres above Ordnance Datum (mAOD).

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

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

4. (a) Prior to the commencement of development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part b (xii) 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.

(b) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features);
- ix. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- x. floodwater exceedance routes both on and off site;
- xi. a timetable for implementation
- xii. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;
- xiii. details of water quality controls, where applicable.

(c) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the existing site for the corresponding rainfall event.

(d) Foul and surface water shall be drained on separate systems. No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(e) In the event that underground surface water storage is proposed in the existing car park then clarification is required over land ownership and future maintenance of this parking area.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

5. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

6. No demolition, site clearance or construction shall commence until the Local Planning Authority has been provided in writing with either:

- a license issued by Natural England pursuant to Regulation 39, of the Conservation of Habitats and Species Regulations 2010 in respect of the likely harm to Common Pipistrelle Bats as a result of the demolition of the existing building authorising the specified activity / development go ahead: or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a license.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

7. No development shall take place (including any demolition, ground works or site clearance) until a Method Statement describing measures to be taken for mitigating for potential harm to bats has been submitted to and approved in writing by the local planning authority. The content of the Method Statement shall include the:

- a) Purpose and objectives for the proposed measures;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) Extent and location of proposed measures shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of demolition and construction;
- e) Persons responsible for implementing the measures described;
- f) Initial aftercare and long-term maintenance (where relevant);

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interest and conservation of Protected Species and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

8. Whilst it is not envisaged that otters will be affected by the works, due consideration should be given to this species and during the construction phase suitable working methods should be employed. These should include:

- Leaving no trenches uncovered over night; or if required, trenches should have a suitable means of escape in the form of ramp (scaffolding plank or similar) placed at an angle no steeper than 45°, and storing materials securely so that they will not become dislodged if disturbed. All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling;
- Suitable otter passes/routes should be maintained at all times.

Reason: In the interest and conservation of Protected Species and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

9. No works to trees or shrubs shall occur between 1st March and 31st July (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

10. Prior to the installation of any external lighting associated with the development hereby approved including any lighting of the site required during construction, a scheme for the provision of such external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", will be oriented and screened to prevent light spillage onto the adjacent residential dwellings and adjacent river, and appropriate lighting management will be in situ to ensure no active lighting of the wider site at night-time beyond what is considered reasonably necessary. The light intrusion into the windows of any sensitive premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The development shall operate in accordance with this approved scheme, which shall thereafter not be varied without the prior written approval of the local planning authority.

Reason: In the interests of public safety whilst protecting the amenity of neighbouring residential properties and nearby ecology in accordance with the provisions of saved policy SP14 of the Wyre Borough Local Plan and the NPPF.

11. Prior to the commencement of development, a scheme of biodiversity enhancement shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of bat bricks and / or tubes within the new development, bat boxes, bird boxes, and native tree and shrub planting. The scheme shall thereafter be implemented in accordance with the approved timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

12. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved in

writing by, the Local Planning Authority in consultation with the Highway Authority. The off-site highway works include:-

- Main Site access junction on High Street including provision of dropped kerbs for pedestrians.
- Public Transport facilities to quality bus standard on High Street - details of the stops to Quality Bus Standard to be agreed (2No bus stops)

No part of the development hereby approved shall be first occupied or opened for trading until the approved scheme has been constructed and completed in accordance with the scheme details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

13. No development shall take place until a Construction Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. a Management Plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site
- xi. intended hours of work

Reason: To maintain the operation and safety of the local highway network during site preparation and construction.

14. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

15. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local

Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

16. Prior to first occupation of the residential apartments hereby permitted, the building shall have been constructed or modified to provide effective sound insulation against internally generated noise from the retail use hereby permitted. The sound insulation works shall be in accordance with the maximum noise standards within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings': Living Rooms 35 dB LAeq,T where T is 16 hours (07.00 to 23.00), and bedrooms 30 dB LAeq,T where T is 8 hours (23.00 to 07.00). Additionally, the sound insulation works shall ensure that the maximum level for single sound events inside bedrooms will not exceed 45 dB LAFmax between the hours of 19.00 and 07.00.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

17. The residential apartments hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

- 35dB LAeq (16 hour) from 07.00 to 23.00 within living rooms and 30dB LAeq (8 hour) from 23.00 to 07.00 and 45dB LAFmax from 19.00 to 07.00 for single sound events within bedrooms, or any such level as approved in writing by the Local Planning Authority.

* The evening standard LAFmax will only apply were the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

- 50dB LAeq (16 hour) from 07.00 to 23.00 to outdoor living areas, or any such level as approved in writing by the Local Planning Authority.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from cumulative noise from the existing and proposed industrial, commercial and traffic sources, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

18. Prior to commencement of the development, full details of the type, siting, method of installation and sound-proofing (to minimise transmission of structureborne sound and vibration) of plant and machinery used in connection with the retail use hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The rating levels for cumulative noise from plant and machinery used in connection with the retail use hereby permitted shall not exceed 10 dB(A) below the existing background noise level (LA90) at noise sensitive premises as assessed in accordance with BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'. Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

19.

(a) There shall be no deliveries or collections of goods (including waste) to or from the retail use hereby permitted outside the hours of 08.00 to 20.00 Monday to Saturday, nor at any time on Sundays, Bank or Public Holidays.

(b) No vehicle delivering to or collecting from the retail use hereby permitted, or waiting within any part of the application site, shall operate the vehicle's engine or any mechanical refrigeration unit other than when entering or leaving the site.

(c) Prior to the retail unit hereby approved being first brought into use, a scheme of signage shall be submitted to and agreed in writing by the Local Planning Authority which shall include clearly legible signs displayed at all times to notify delivery and collection vehicle drivers of the permitted hours for deliveries/collections, the need to switch off vehicle engines and refrigeration equipment, and that they are in a noise sensitive residential area. This agreed signage scheme shall be implemented prior to first use.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

20. Waste compactors used in connection with the retail use hereby permitted shall not be operated between the hours of 20.00 and 08.00 Monday to Saturday, or at any time on Sundays and Public and Bank holidays.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

21. The retail use hereby permitted shall not be open to customers outside the following times 08.00 to 20.00, Monday to Saturday, and 10.00 to 16.00 on Sundays and Bank and Public Holidays.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

22. Prior to the commencement of any demolition, works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) shown as being retained in the submitted Arboricultural Impact Assessment (AIA) prepared by Bowland Tree Consultancy. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan. This plan must be agreed prior to the commencement of works on site in order to ensure that no works pursuant to the development damage any trees to be retained.

23. The approved hard and soft landscape works as shown on approved plans Landscape Strategy Dwg No. 090.3.01 A, Hardworks Layout Dwg No. 090.3.02 A and Softworks Layout Dwg No. 090.3.03 A, which includes the relocation of T9: Millennium Tree, shall be carried out as approved prior to first occupation or first use of the development hereby approved or on completion of the development (whichever is the sooner) and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development in the interests of the visual amenity of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

24. Notwithstanding the information shown on the approved plans and prior to the commencement of construction, details of the materials to be used on the external elevations of the building shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

25. Notwithstanding the information shown on the approved plans, section drawings showing the extent to which the windows and doors would be recessed relative to the elevations in which they are set shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation. The development shall then proceed in full accordance with these agreed details.

Reason: In order to ensure that the building benefits from adequate detailing in the interests of its appearance and visual amenity in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

26. Prior to first occupation of the residential development or first use of the commercial development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority detailing the location and amount of car parking spaces to be dedicated for the residential and commercial elements of the development hereby approved and the location and amount of car parking spaces to be made available for general public use, along with details of operational measures to ensure this parking provision will be made available for such users thereafter. The approved plan / management details shall be implemented in accordance with the approved details.

Reason: In order to ensure that adequate car parking provision exists on site in the interests of the appearance of the site and locality, residential amenity and highway safety in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

27. The refuse store for the apartments shown on the approved plans shall be provided before the apartments hereby approved are first occupied and shall thereafter be retained. The refuse store for the retail unit shown on the approved plans shall be provided before the retail unit hereby approved is first in use and shall thereafter be retained.

Reason: In order to ensure that adequate provision is available for the storage of refuse in the interests of residential amenity and the appearance of the site in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

Notes:-

1. The Environment Agency (EA) recommends that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with building control is recommended when determining if flood proofing measures are effective. Recommend that the applicant refers to the EA flood resilience guidance, which is available on the GOV.UK website. The EA advise that the applicant signs up to the EA flood warning scheme. Further information can be found on the GOV.UK website at: <https://www.gov.uk/sign-up-for-flood-warnings>

The River Wyre adjacent to the site is designated a Main River and the developer may need an Environmental Permit. They should check at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact Flood Risk Officer, Pippa Hodgkins, on 020 302 51397 to discuss EA requirements if a permit or advice is required. The EA has a right of entry to the River Wyre by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. It should be noted that the grant of planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

2. A public sewer crosses this site and United Utilities (UU) will not grant permission to build over or within 3 metres of the centre line of it. The requirement for UU permission is detailed within the guidance that supports Part H4 of the Building Regulations. If the proposals do not meet these specifications a modification of the site layout or a diversion of the public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

3. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.

4. For the avoidance of doubt, the LCC Lead Local Flood Authority consultation response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. The consultation response does not grant the applicant permission to connect to the highway drainage network. Neither does this response cover the suitability of any highway drainage proposal. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

AGENDA ITEM NUMBER 02

Conditions: - 16/00241/OULMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Development shall not begin until a phasing programme for the whole of the application site and a delivery mechanism for all highways and access works (including the decommissioning of and works to that part of the application site currently occupied by the A6 and the connection link between the development and the public open space on the eastern side of the A6), have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved phasing programme(s) and delivery mechanism(s) unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: To define the permission and in the interests of the proper development of the site.

3. (a) The total number of residential units to be provided on the site shall not exceed 269.

(b) the total amount of employment floorspace to be provided on the site shall not exceed 9,489sq m (gross). No more than 5,532sqm of the employment floorspace hereby approved shall be for use within class B1(a) of the Town and Country (Use Classes) Order 1987 (as amended). No less than 2.6ha of employment land shall be provided within the site for use within class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

(c) the total amount of floorspace for use within classes A1 and A3 of the Town and Country (Use Classes) Order 1987 (as amended) shall not exceed 795sq m (gross) with the total floorspace for use within class A1 not exceeding 495sq m (gross).

Reason: In the interests of highway safety and capacity and to safeguard the vitality and viability of Garstang Town Centre in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no change of use of the class A3 floorspace hereby approved to retail floorspace within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall take place without the express permission of the Local Planning Authority.

Reason: In order to maintain a mix of uses on the site and to safeguard the vitality and viability of Garstang Town centre in accordance with the provisions of the NPPF.

5. The development of any phase incorporating residential development shall not begin until a scheme for the provision of affordable housing for that phase of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

6. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (ref. L29212/01/DS/CJS Issue 2A dated May 2014) and the mitigation measures detailed therein. The mitigation measures capable of being implemented prior to first occupation shall be fully implemented prior to occupation and any other mitigation measures implemented subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be agreed in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

7. (a) Prior to the commencement of each phase of the development, the design of a scheme for the drainage of foul and surface water from that phase, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (d) 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.

(b) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development and including any discharge through culvert no. 37 under the Lancaster Canal)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features);
- ix. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- x. floodwater exceedance routes both on and off site;

- xi. a timetable for implementation;
- xii. a management and maintenance plan for the lifetime of the development which, as a minimum, shall include arrangements for adoption by an appropriate public body or statutory undertaker; management and maintenance by a Residents Management Company; arrangements of appropriate funding mechanisms for on-going maintenance of the scheme; and details of an inspection programme to assess performance, asset condition, operation costs, and any necessary maintenance and/or remedial works.

(c) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the undeveloped site for the corresponding rainfall event.

(d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;

(e) Details of water quality controls and appropriate mitigation measures to prevent pollution of ground or surface waters including the Lancaster Canal;

(f) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(g) The approved drainage scheme for each phase shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water and to protect drinking water supplies in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

8. No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of that phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:

- i. how biodiversity would be protected throughout the construction period
- ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
- viii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- ix. a Management Plan to identify potential ground and water contaminants;
- x. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- xi. a scheme to control noise during the construction phase,
- xii. a Construction Phase Dust Action Plan that has regard to current best practice provides detail of both the dust mitigation measures to be employed to minimise fugitive dust impacts on localised receptors, and the procedures to be adopted in response to complaints of fugitive dust emissions.
- xiii. the routing of construction vehicles and deliveries to site including the direction of construction traffic away from Cathouse Bridge (bridge no. 64) over the Lancaster Canal in order to minimise risk of damage to this bridge during construction.

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, during site preparation and construction, in accordance with Policy ENV17 of the Wyre Borough Local Plan and the provisions of the NPPF.

9. (a) No trees shall be felled or vegetation cleared during the bird breeding season (March to July inclusive) unless a report, undertaken by a suitably qualified person, has been submitted in writing to the local planning authority, demonstrating that nesting / breeding birds have been shown to be absent.

(b) No trees shall be felled or vegetation cleared during the main bat activity season (May to August inclusive) unless a report, undertaken by a suitably qualified person, has been submitted in writing to the local planning authority, demonstrating that roosting bats have been shown to be absent.

(c) Any trees to be felled shall be soft-felled whereby tree limbs are cut and left grounded over-night to allow any bats to make their way out.

Reason: In order to safeguard the biodiversity of the site in accordance with the provisions of the NPPF.

10. (a) Prior to the commencement of development, a method statement shall be submitted to and approved in writing by the Local Authority giving full details of how any possible harm to great crested newts would be avoided during the course of development. This approved method statement should be implemented in full.

(b) No groundworks, vegetation clearance, levelling or drainage of the site, or trapping, exclusion or translocation of amphibians should commence until the Local Authority has acknowledged in writing receipt of either:

(i) a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity to go ahead; or

(ii) a statement from the relevant licensing body to the effect that it does not consider that the specified activity would require a licence.

Reason: In order to safeguard biodiversity in accordance with the requirements of paragraph 17 and section 11 of the NPPF.

11. Prior to the commencement of each phase of the development, a Landscape and Habitat Creation and Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority and this approved plan shall be delivered in accordance with a timetable to be included therein and shall thereafter be retained and managed in accordance with the details of the approved scheme. The plan shall include species rich hedgerow planting; bolstering of existing hedgerows; the creation of ponds; and the provision of bat bricks or tubes, bat and bird boxes, and native tree and shrub planting. The scheme shall also include details of planting along the existing railway line that would support foraging bats.

Reason: In order to safeguard and enhance the biodiversity of the site in accordance with the provisions of section 11 of the NPPF.

12. Prior to the commencement of development, a method statement for the protection of trees and hedgerows during construction shall be submitted to and approved in writing by the Local Planning Authority. Development shall then proceed in full accordance with this approved statement. The method statement shall identify the trees and hedgerows to be retained and shall be in accordance with the guidelines set out under BS 5837:2012 'Trees in relation to design, demolition and construction'.

Reason: In order to safeguard existing trees and hedgerows on site in the interests of maintaining and enhancing biodiversity in accordance with section 11 of the NPPF.

13. No development shall be commenced until:

- (a) A revised conceptual site model and risk assessment in respect of potential land contamination has been submitted to and approved in writing by the Local Planning Authority, including (where necessary), detailed proposals for further site investigation work.
- (b) Any necessary site investigation works in relation to potential land contamination have been undertaken in full, strictly in accordance with the approved methodology, and a risk assessment of the findings submitted for approval by the Local Planning Authority, together (where appropriate) with a detailed remediation scheme
- (c) Remediation of any potential land contamination of the site has been undertaken strictly in accordance with the remediation strategy and a validation report has been submitted to the Local Planning Authority for approval in writing, confirming full implementation of the approved remediation scheme.

Any changes to the approved elements require the express consent of the Local Planning Authority.

Reason: In order to prevent harm to human health or the environment from land contamination.

14. The development shall incorporate suitable gas protection measures, details of which for each phase of the development shall be submitted to and be subject to the written approval of the Local Planning Authority prior to the commencement of that phase of development, unless shown not to be required as detailed below. The measures shall include, as a minimum: ventilation of confined spaces within the building, a well-constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building.

Alternatively, prior to the commencement of each phase of the development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures for that phase are not required. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

15.

(A) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

LAeq 50-55 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)

LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)

LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)

LAFmax 45 dB(8 hours – indoors night-time (23.00-07.00)

LAFmax 45 dB 4 hours – indoors evening (19.00-23.00)*

(B) The Noise Rating Levels for cumulative noise from all plant, machinery and vehicles used in connection with the industrial and commercial uses of the development shall not exceed the background noise level (LA90) at the external façade of each of the proposed dwellings, as assessed in accordance with British Standard 4142 (2014). Alternative levels and monitoring locations may be used subject to the prior agreement of the Local Planning Authority.

(C) The Maximum Instantaneous Noise Levels (LAFmax) from all plant, machinery and vehicles used in connection with the industrial and commercial uses of the development shall not exceed 60 dB(A) evening (19.00-23.00hrs)* and night-time (23.00-07.00hrs) at the external façade of each of the proposed dwellings.

Alternative levels and monitoring locations may be used subject to the prior approval of the Local Planning Authority.

*The evening standard LAFmax will only apply where the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(D) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from cumulative noise from the existing and proposed industrial, commercial and traffic sources, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

16. Prior to the occupation of each commercial unit, an Odour and Noise Management Plan for any extraction or air conditioning system in that unit shall be submitted to and approved in writing by the Local Planning Authority. The height of each kitchen extraction flue should be a minimum of 1m above the eaves, and the fixings used to attach the extraction flue to the wall of the building shall be designed so as to prevent vibration. The kitchen extraction system shall be designed in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. All extraction systems shall be installed and thereafter maintained in full accordance with these approved plans.

Reason: In order to protect the residential amenities of nearby neighbours in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of paragraph 17 of the NPPF.

17. No industrial or commercial unit shall be occupied until a Delivery Strategy for that unit has been submitted to and approved in writing by the Local Planning Authority. No deliveries (to include waste and recycling collections) shall take place outside of the hours specified by the approved Delivery Strategy.

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise and to ensure that highway safety is maintained at all times in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

18. Before any of the commercial elements of the scheme hereby approved are first brought into use, the operating hours of those commercial elements shall first be submitted to and approved in writing by the Local Planning Authority and the commercial use shall thereafter operate within those approved hours and at no other times.

Reason: In the interests of the amenity of nearby residents in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of paragraphs 17 and 123 of the NPPF.

19. No amplified recorded or live music shall be played in the outside areas of the commercial and industrial uses at any time.

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

20. Prior to the commencement of each phase of the development, an external lighting scheme and Artificial Lighting Assessment for that phase shall be submitted to and approved in writing by the Authority. The assessment shall demonstrate that any external artificial lighting to be provided would be installed in accordance with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and would not be intrusive to residential premises. Light intrusion into the windows of any residential premises shall not exceed 10 lux between 0700 and 2300 hours and 2 lux between 2300 and 0700 hours. The assessment shall also demonstrate that the orientation and luminosity of the lighting would not be detrimental to biodiversity.

Reason: In order to avoid an unacceptable impact on residential amenity and biodiversity by virtue of light pollution in accordance with Policy SP14 of the Local Plan and the provisions paragraph 17 and section 11 of the NPPF.

21. No part of the development hereby approved shall commence until a scheme for the construction of all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The following schemes to be covered by this condition include:

- (i) The Main Site access junction on re-aligned A6 - roundabout (serving both the employment and residential elements) as per agreed layout drawing ref: 1600402b
- (ii) 2 No. Site access junctions onto Nateby Crossing Lane as per agreed layout drawing 1600404
- (iii) Interim improvement scheme for A6 Preston Lancaster New Road / Croston Barn Road / Green Lane West / B5272 Cockerham Road / Croston Road Signalised Junction to include upgrade to MOVA and a toucan crossing over A6 south approach as per agreed layout drawing 1600401b
- (iv) Interim improvement scheme for A6 Preston Lancaster New Road / Moss Lane / Longmoor lane Priority junction in-line with wider scheme to include pedestrian footway and dropped kerbs as per agreed layout drawing 1600403b
- (v) Pedestrian Green Link, underpass of A6 (re-aligned), providing high quality connection for sustainable modes (pedestrian/cycle) to Garstang. Scheme details shall include the standard of the link, width and surfacing together with technical information and analysis that includes structural stability of the embankment, construction / structural detail of the proposals including any retaining structure, longevity of the structure, drainage, future maintenance, access for maintenance purposes, liability of the structure, responsibility, ownership and safety of workers has been submitted to, and approval has been granted by LCC as the Highway Authority, with all necessary legal agreements in place to deliver and maintain the proposal. This is required in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the proposed pedestrian/cycle underpass do not affect the future maintenance of the local highway network and are acceptable. Pedestrian and cycle access via the proposed underpass (old rail line) is to be maintained at all times post opening of the development.
- (vi) Pedestrian footway improvements on A6 (east and west side to Longmoor Lane in the south and Croston Barn Lane in the north) as agreed in layout drawings 1600401b 1600402b and 16000403b.
- (vii) Pedestrian footway improvements and traffic calming and Gateway measures on Nateby Crossing Lane as agreed in layout drawings 1600404 and 1600405a.

(viii) Public Transport facilities to quality bus standard on Croston Road and on the new link between A6 and Nateby Crossing Lane with details of the stops to Quality Bus Standard to be agreed.

(ix) Renewal of the carriageway markings at the Nateby Crossing Lane / Croston Barn Lane junction as agreed in layout drawing 1600405a.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site; to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users and to provide safe access to the site for all users (motorised and non-motorised).

22. The Framework Travel Plan prepared by Hy Consulting and referenced 16004 / March 2016 shall be implemented in full in accordance with the timetable within it unless otherwise approved in writing by the Local Planning Authority. All elements of the Framework Travel Plan shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least five years.

Reason: In order to ensure appropriate provision exists for safe and convenient access by sustainable transport modes.

23. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Nateby Crossing Lane to points measured 120m (for the northerly access) and 90m (for the southerly access) in each direction along the nearer edge of the carriageway of Nateby Crossing Lane, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure adequate visibility splays are maintained at all time.

24. Prior to the commencement of any of the commercial development hereby approved, a fully detailed Parking Management Strategy for that commercial development shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking and cycle parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority. The Parking Management Strategy will include an assessment and strategy to ensure adequate parking provision is delivered for all proposed site uses for both car parking and cycle parking.

Reason: To ensure that a satisfactory Parking Management Strategy is implemented for the development. This in turn will ensure adequate parking is provided for all uses so that the access to the site is not restricted, resulting in safety and capacity issues.

25. The car parking provision for each commercial unit as identified in the Parking Management Strategy for that unit shall be surfaced, demarcated and made available for use prior to the that unit being first occupied unless otherwise agreed in writing with the Local Planning Authority. The car parking shall then be available at all times whilst that part of the development is occupied.

Reason: To ensure that there is adequate parking for the development proposed when the buildings are occupied and the site is built out.

26. No commercial unit shall be occupied until space and facilities for bicycle parking have been provided in accordance with the Parking Management Strategy for that unit. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason: To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport.

27. No phase of the development hereby approved shall commence until a pedestrian and cycle signing strategy for that phase has first been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details in a timescale agreed in line with the phasing set out in condition 3, and thereafter retained.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the pedestrian and cycle network are acceptable before work commences on site. Also, in order to provide users of the development with appropriate access to sustainable transport options.

28. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

29. No part of the development hereby approved shall commence until a scheme for the construction of the internal link road between A6 Preston New Road and Nateby Crossing Lane and other internal access roads, cycleway and footway networks has been first submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details before the development is occupied or in accordance with a phased delivery programme to be agreed in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order to provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options.

Notes: -

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 County Council at County Hall, Preston PR1 0LD, in the first instance, to ascertain the details of such an agreement and the information to be provided.

3. Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

AGENDA ITEM NUMBER 04

Conditions: - 16/00144/OUTMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses in the locations identified on plan SCP/16028/SK04 Rev A and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- Main Site access junction on A6 Preston Lancaster New Road including provision of right turn facilities, shared cycle/footway and pedestrian refuge as indicated on plan SCP/16028/SK04 Rev A,
- Improvements to A6 / Cock Robin Lane – provision of pedestrian refuge / traffic island,
- Public Transport facilities to quality bus standard on Cock Robin Lane - details of the stops to Quality Bus Standard to be agreed (2 No bus stops – 1 eastbound and 1 westbound).

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site

xi. intended hours of work

xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

4. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options.

5. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of the A6 to points measured 146m (northwest) and 156m (southeast) along the nearer edge of the carriageway of the A6, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure adequate visibility splays are maintained at all time.

6. No development shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

A. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

B. A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

C. The results of the site investigation and detailed risk assessment referred to in (B) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

D. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (C) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components will require the prior written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure the development does not pose a risk of pollution to controlled waters

7. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xii) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. details of sewage pipework specifications and pollution prevention measures appropriate to the location in a Source Protection Zone;
- xii. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the undeveloped site for the corresponding rainfall event.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies and to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

8. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular

maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

9. The trees shown for retention on the submitted Tree Protection Plan (Dwg ref: 4066-02 Rev A) shall be retained unless otherwise agreed in writing by the Local Planning Authority. The tree protection measures indicated on the submitted Tree Protection Plan (Dwg ref: 4066-02 Rev A) and submitted Tree Survey and Arboricultural Impact Assessment shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees / hedgerows to be retained on site in the interests of the appearance of the site and biodiversity in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

10. No works to trees or shrubs shall occur between 1st March and 31st July (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

11. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of species rich hedgerow planting; bolstering of hedgerows and replacement hedgerow planting; pond creation (this could be held with sustainable drainage proposals); bat bricks and/or tubes within the new development; bat boxes; bird boxes; native tree and shrub planting; and placement of insect boxes. The scheme shall thereafter be implemented in accordance with the approved timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

12.

(A) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

LAeq 50-55 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)

LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)

LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)

LAFmax 45 dB(8 hours – indoors night-time (23.00-07.00)

LAFmax 45 dB 4 hours – indoors evening (19.00-23.00)*

Alternative levels and monitoring locations may be used subject to the prior approval of the Local Planning Authority.

* The evening standard LAFmax will only apply were the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(B) The rating levels for cumulative noise from use of the proposed medical centre car park and any external plant and machinery shall not exceed the existing background noise level (LA90), at noise-sensitive premises as assessed in accordance with British Standard 4142 (2014). Alternative levels and monitoring locations may be used subject to the prior agreement of the Local Planning Authority.

(C) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

13. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

14. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include, as a minimum: ventilation of confined spaces within the building, a well constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

15. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application including all the mitigation measures set out in section 6 of that report in respect of the construction period.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework (March 2012).

16. The development hereby approved shall reserve an area of land of equivalent size to the medical centre and pharmacy and associated 64 space car park shown on the indicative site plan submitted with this outline application fronting onto the A6 (precise location to be determined at reserved matters stage) for D1 health centre / dental surgery and A1 pharmacy including associated parking.

Reason: Providing an opportunity for a health centre and pharmacy to come forward at a future date within the application site (as indicated on the illustrative plan submitted with this outline planning application) to serve the wider community would enhance the economic and social benefits of this development and make it more sustainable.

17. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

18. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

19. The development shall not begin until a scheme of works to upgrade the existing public rights of way (02-09010 and 02-09-11) running alongside the site together with an implementation programme has been submitted to and approved in writing by the Local Planning Authority in consultation with Lancashire County Council. The approved scheme shall then be implemented in accordance with the approved details / timetable.

Reason: To ensure no policy conflict with saved policy TREC12 of the Wyre Borough Local Plan (1999) arises and to maximise sustainable modes of travel for future occupiers and visitors to the development.

20. Prior to first use of the proposed commercial development (health centre / dental surgery / pharmacy), an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting, for example, flood lighting to the car park and outside areas, will be designed so that it is not intrusive to nearby sensitive premises and boundary features which are important habitat for bats. The lighting shall be designed in accordance with the pre-curfew and post-curfew standards for 'Zone E2' as described by the Institution of Lighting Professionals' 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard residential amenity and biodiversity in accordance with the provisions of Policy SP14 of the Wyre Borough Local Plan (1999) and the NPPF.

Notes: -

1. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.
2. The Environment Agency (EA) approach to groundwater protection is set out in Groundwater Protection: Principles and Practice (August 2013), which is available on the GOV.UK website (<https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>). In particular, the proposed development must comply with the following position statements:-
G8 – Sewerage pipework
G12 – Discharge of clean roof water to ground

Pollution Prevention - Due to the sensitivity of site in the immediate vicinity of the public water supply abstraction, the operator should supply a method statement detailing the pollution prevention techniques and pollution incident procedures to be employed during the construction phase of the development. The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to ground or surface waters.
3. UU advise that two large diameter pipes cross the north-west edge of site: one raw water and the other a trunk main. As UU need access for operating and maintaining them, UU will not permit development in close proximity to the mains. You will need an access strip of no less than 10 metres, measuring at least 5 metres either side of the centre line of the pipe. UU note that tree planting is proposed within the easement and this would be prohibited in described in our standard conditions, a copy of which is enclosed. This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense. Under the Water Industry Act 1991, Sections 158 & 159, UU have the right to inspect, maintain, adjust, repair or alter our mains. UU water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991. According to UU records there is a 15ft easement (F3652/F3602 dated 31/07/1968) that runs along the site boundary on the west. Under no circumstances should anything be erected, planted or stored over the easement width, nor should anything occur that may affect the integrity of the pipe or UUs legal right to 24hr access. UU advise that the developer adheres to

the standard conditions for works adjacent to pipelines guidance as there is a main sewer pipe on the site.

4. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network.

AGENDA ITEM NUMBER 05

Conditions: - 16/00625/OUTMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access in the location identified on plan SCP/16018/SK02 and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- Main Site access junction on A6 including provision of right turn facilities and pedestrian refuge as indication on plan SCP/16018/SK02
- Public Transport facilities to quality bus standard on A6 - details of the stops to Quality Bus Standard to be agreed (2No bus stops – 1 northbound and 1 southbound)

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site

xi. intended hours of work

xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

4. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

5. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of the A6 to points measured 120m in each direction along the nearer edge of the carriageway of the A6, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure adequate visibility splays are maintained at all time.

6. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

7. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the undeveloped site for the corresponding rainfall event.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(D) Soakaways, as a means of storm / surface water disposal must not be constructed within 10 metres of Network Rail's boundary and storm / surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

(E) Consideration should be made to replace or reposition an existing stone culvert as part of the new surface water strategy.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

8. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

9. The trees identified in Table 3.2 and shown in Figure 1 (page 37) of the Ecological Survey and Assessment Report, Ref ERAP 2015-291 submitted with the planning application that are within the site shall be retained unless otherwise agreed in writing by the local planning authority. Prior to the commencement of any works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) shown as being retained in the submitted Ecological Survey and Assessment Report. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of those trees may require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

10. No works to trees or shrubs shall occur between 1st March and 31st July (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

11. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to mitigate for loss of any trees, shrubs and hedgerows; mitigation for loss of bird nesting habitat; provision of bat roosting and bird nesting opportunities; and ecological enhancement of retained hedgerow and wetland habitats. The scheme shall thereafter be implemented in accordance with the approved timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

12.

(A) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

L_{Aeq} 50-55 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)

L_{Aeq} 35 dB 16 hours – indoors, daytime (07.00-23.00)

L_{Aeq} 30 dB 8 hours – indoors, night-time (23.00-07.00)

L_AF_{max} 45 dB (8 hours – indoors night-time (23.00-07.00)

L_AF_{max} 45 dB 4 hours – indoors evening (19.00-23.00)*

Alternative levels and monitoring locations may be used subject to the prior approval of the Local Planning Authority.

* The evening standard LAFmax will only apply were the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(B) The proposed development shall be designed so that cumulative noise from external plant and machinery at the proposed A1 retail use will not exceed the background level (LA90) at the boundary with any noise-sensitive premises when measured as an LAeq,15 min in any one third octave band. Alternative levels and monitoring locations may be used subject to the prior written agreement of the Local Planning Authority.

(C) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

13. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

14. The developer shall undertake a watching brief during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered, reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to the Local Planning Authority for approval, prior to first occupation of the development.

Reason: In the interests of safeguarding human health and the environment against potential contamination.

15. The development hereby approved shall be implemented in full accordance with the Method Statement for the Protection of Amphibians put forward in section 9 of the Ecological Survey and Assessment report (ref. 2015-291).

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework (March 2012).

16. The development hereby approved shall reserve an area of land fronting onto the A6 (precise location to be determined at reserved matters stage) of equivalent size to the retail unit and associated car park shown on the indicative site plan submitted with this outline application for A1 retail provision below 500sqm floorspace including associated parking.

Reason: Providing an opportunity for a small-scale retail use to come forward at a future date within the application site (as indicated on the illustrative plan submitted with this outline planning application) to serve the wider community would enhance the economic and social benefits of this development and make it more sustainable.

17. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

18. The development shall not begin until a scheme of works to upgrade the existing public right of way running through the site together with an implementation programme has been submitted to and approved in writing by the Local Planning Authority in consultation with Lancashire County Council. The approved scheme shall then be implemented in accordance with the approved details / timetable.

Reason: To ensure no policy conflict with saved policy TREC12 of the Wyre Borough Local Plan (1999) arises and to maximise sustainable modes of travel for future occupiers and visitors to the development.

19. Prior to first use of the proposed commercial development (village shop), an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting, for example, flood lighting to the car park and outside areas, will be designed so that it is not intrusive to nearby sensitive premises and boundary features which are important habitat for bats. The lighting shall be designed in accordance with the pre-curfew and post-curfew standards for 'Zone E2' as described by the Institution of Lighting Professionals' 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard residential amenity and biodiversity in accordance with the provisions of Policy SP14 of the Wyre Borough Local Plan (1999) and the NPPF.

Notes: -

1. 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 Lancashire County Council,

in the first instance, to ascertain the details of such an agreement and the information to be provided.

2. Network Rail advises that in addition to any planning permission the developer must contact NR to discuss the proposed expected usage of Finch's bridge, whether for construction works or pedestrian / vehicle access and as a permanent arrangement. The developer will need to provide these details to NR and any use of the bridge must be agreed with NR prior to the commencement of any works on site. As the proposal includes works which may impact the existing operational railway, a Basic Asset Protection Agreement will need to be agreed between the developer and NR. The developer is to submit directly to NR a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway. The developer will need to serve a Party Wall Act 1996 notification on NR for the works adjacent to the railway boundary. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to Network Rail.

3. UU advises that a public sewer crosses this site and they will not grant permission to build over or within 3 metres of the centre line of it. The requirement for their permission is detailed within the guidance that supports Part H4 of the Building Regulations. If the proposals do not meet these specifications a modification of the site layout or a diversion of the public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with UU at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

4. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network.

5. The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.

AGENDA ITEM NUMBER 06

Conditions: - 16/00807/OUTMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access in the location identified on plan 16046_003 and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- Main Site access junction on A6 including provision of right turn facilities and pedestrian refuges as indication on plan 16046_003
- Public Transport facilities to quality bus standard on A6 - details of the stops to Quality Bus Standard to be agreed (2No bus stops – 1 northbound and 1 southbound)

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site

xi. intended hours of work

xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

4. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

5. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of the A6 to points measured 120m in each direction along the nearer edge of the carriageway of the A6, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure adequate visibility splays are maintained at all time.

6. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

7. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed Greenfield Qbar run off rate (the submitted Flood Risk Assessment demonstrates this to be 27.07 l/s however this appears to be high for this site; further clarification will be required as set out in part (A ii) above).

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(D) Soakaways, as a means of storm / surface water disposal must not be constructed within 10 metres of Network Rail's boundary and storm / surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

8. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

9. The trees identified in paragraph 3.27 of the Ecological Assessment (Ref BOW17.615) and identified as Category A or B (considered for retention) on the Tree Impact (Removal Plan) submitted with the planning application shall be retained unless otherwise agreed in writing by the local planning authority. Prior to the commencement of any works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated / approved as being retained. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of those trees may require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

10. No works to trees or shrubs shall occur between 1st March and 31st August (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

11. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to mitigate for loss of trees shrub and hedgerow; mitigation for loss of bird nesting habitat; provision of bat roosting opportunities; and ecological enhancement of retained hedgerow and wooded habitat. The scheme shall thereafter be implemented in accordance with the approved details / timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

12. (A) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

LAeq 50-55 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)

LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)

LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)

LAFmax 45 dB (8 hours – indoors night-time (23.00-07.00)

LAFmax 45 dB 4 hours – indoors evening (19.00-23.00)*

Alternative levels and monitoring locations may be used subject to the prior approval of the Local Planning Authority.

* The evening standard LAFmax will only apply were the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(B) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

13. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

14. The developer shall undertake a watching brief during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered, reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to the Local Planning Authority for approval, prior to first occupation of the development.

Reason: In the interests of safeguarding human health and the environment against potential contamination.

15. Prior to any earthworks commencing on site a method statement detailing eradication and/or control and/or avoidance measures for rhododendron and cotoneaster should be submitted to and agreed in writing by the local planning authority. The agreed method statement shall be implemented in full unless otherwise agreed in writing by the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework (March 2012).

16. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for

use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

17. Prior to the installation of any external lighting, an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting will be designed so that it is not intrusive to boundary features which are important habitat for bats. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard biodiversity in accordance with the NPPF.

Notes: -

1. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.
2. Network Rail advises that when designing acoustic fencing proposals adjacent to the railway line, any measurements must be taken from the operational railway / NR boundary and not from the railway tracks themselves. Any acoustic fencing and its foundation design would be subject to the Network Rail Asset Protection Engineer review and agreement. As the proposal includes works which may impact the existing operational railway, a Basic Asset Protection Agreement will need to be agreed between the developer and NR. The developer is to submit directly to NR a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway. The developer will need to serve a Party Wall Act 1996 notification on NR for the works adjacent to the railway boundary. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to Network Rail.
3. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.
4. Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

5. 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).
6. The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this Act.

AGENDA ITEM NUMBER 07

Conditions: - 15/00420/OUTMAJ

1. a) In the case of any reserved matter, namely access, appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The off-site highway works include:-

- Public Transport facilities to quality bus standard on Garstang Road - details of the stops to Quality Bus Standard to be agreed (2No bus stops)
- Provision of 2m wide footway to the full highway frontage of the development site.

No part of the development hereby approved shall be first occupied or opened for trading until the approved scheme has been constructed and completed in accordance with the scheme details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site

- xi. intended hours of work
- xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

4. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

5. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

6. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;

- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed pre-development Greenfield run off rate.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

7. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

8. Prior to the commencement of any works or development on site, a tree retention / removal and protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority together with an ecology survey for those trees identified for removal which surveys the possible presence of roosting bats. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated as being retained. If bats are found to be present by the ecology survey then it shall also be accompanied by a Method Statement giving details of measures to be taken to avoid any possible harm to bats during tree works. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed. If required, the approved Method Statement must be implemented in full.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of those trees may require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

9. No works to trees or shrubs shall occur between 1st March and 31st August (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

10. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to mitigate for loss of trees shrub and hedgerow; mitigation for loss of bird nesting habitat; provision of bat roosting opportunities; and ecological enhancement of retained hedgerow and wooded habitat. The scheme shall thereafter be implemented in accordance with the approved details / timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

11. As part of any reserved matters application where layout is applied for, no built development shall be provided within the area adjacent to the Friend's Meeting House along the southern-most boundary indicated as a landscape buffer / open space on the Illustrative Masterplan drawing ref. 592-PS7 No. 10 Rev A submitted with the outline application.

Reason: In order to provide an adequate landscape buffer with the Friend's Meeting House which is a Grade II Listed Building to preserve the setting of this heritage asset in accordance with paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 128-137 of the NPPF.

12. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

13. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement

of development. The measures shall include, as a minimum: ventilation of confined spaces within the building, a well constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building.

Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

14. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

15. Prior to the installation of any external lighting, an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting will be designed so that it is not intrusive to boundary features which are important habitat for bats. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard biodiversity in accordance with the NPPF.

Notes: -

1. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.

2. The developer is advised to refer to the Environment Agency (EA) Groundwater protection: Principles and practice (GP3) document to ensure that the development does not impact on groundwater quality in the area. United Utilities (UU) has abstraction boreholes in the Garstang area and the development is located within Source Protection Zones 2 (SPZ2) of some of these boreholes. SPZs identify the groundwater catchment areas of sources of potable water (that is high quality water supplies usable for human consumption) and show where they may be at particular risk from polluting activities on or below the land surface. The prevention of pollution to drinking water supplies is critical. In particular, the developer is referenced to the following position statement of this document:

- G12 - Discharge of clean roof water to ground – Summary of key issues from GP3 document

The discharge of clean roof water to ground is acceptable both within and outside SPZ1 provided that all roof water down-pipes are sealed against pollutants entering the system from surface run-off, effluent disposal or other forms of discharge. The method of discharge must not create new pathways Together with the EA, UU supports the principles of sustainable drainage systems (SuDS) for new discharges. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ, the EA will require a risk assessment to demonstrate that pollution of groundwater will not occur. They will also require approval from the SuDS approval body (SAB), when these bodies have been established, to ensure they follow the criteria set out in the SuDS national standards (when published), including standards for water quality, design and maintenance. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit.

3. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

AGENDA ITEM NUMBER 08

Conditions: - 15/00891/OUTMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The off-site highway works include:-

- Public Transport facilities to quality bus standard on Garstang Road - details of the stops to Quality Bus Standard to be agreed (4 No bus stops – 2 northbound and 2 southbound).
- Pedestrian / Cycle / Emergency Vehicle (if considered necessary by the Local Highways Authority) access to Byerworth Lane South.

No part of the development hereby approved shall be first occupied or opened for trading until the approved scheme has been constructed and completed in accordance with the scheme details.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

3. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team

- x. the routing of construction vehicles and deliveries to site
- xi. intended hours of work
- xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

4. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To ensure that the development provides sustainable transport options.

5. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

6. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD

- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.
- xii. confirmation of the opening up of any culverts across the site.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed pre-development Greenfield run off rate.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

7. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

8. a) The Category A, B and C trees identified as considered for retention on the Tree Impact Plan (contained within the Arboricultural Impact Assessment) submitted with the planning application in particular those along the western and south western boundary and all hedgerows along the western, northern and eastern boundaries shall be retained as part of the development unless otherwise agreed in writing by the local planning authority. Prior to the commencement of any works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation

to the interfaces between the development and the tree(s) indicated / approved as being retained. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

b) Where the local planning authority gives its written consent to the removal of trees in addition to those indicated in condition 8 (a) above, an ecology survey for those trees / hedgerows agreed to be removed which surveys the possible presence of roosting bats shall be submitted to and agreed in writing by the Local Planning Authority. If bats are found to be present by the ecology survey then it shall also be accompanied by a Method Statement giving details of measures to be taken to avoid any possible harm to bats during tree works. If required, the approved Method Statement must be implemented in full.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of additional trees will require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

9. No works to trees or shrubs shall occur between 1st March and 31st August (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

10. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to create and enhance 0.5ha of semi-natural habitat; mitigate for loss of trees shrubs and bird nesting habitat; provide continuous terrestrial connectivity along the eastern boundary of the development for movement of amphibians and mammals; retain and enhance the boundary trees and hedgerows along the northern and western; and create one new pond along the eastern boundary

Reason: In order to safeguard, mitigate for and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

11. No demolition, site clearance or construction shall commence until the Local Planning Authority has been provided in writing with either:

a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 in respect of the likely harm to great crested newts authorising the specified activity / development go ahead: or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a license.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

12. Emergence great crested newts surveys shall be carried out on both Ponds 1, 2 and the garden pond (identified in the Great Crested Newt Survey submitted with the outline planning application) prior to the commencement of development and the results of these surveys shall be

submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with any recommendations / mitigation measures identified.

Reason: In the interests of the ecology of the area and in accordance with the NPPF

13. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

14. The developer shall undertake a watching brief during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered, reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to the Local Planning Authority for approval, prior to first occupation of the development.

Reason: In the interests of safeguarding human health and the environment against potential contamination.

15. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

16. Prior to the installation of any external lighting, an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting will be designed so that it is not intrusive to boundary features which are important habitat for bats. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard biodiversity in accordance with the NPPF.

17. Prior to the commencement of any development, a programme of improvements of the main golf facility at Garstang Golf Club, which includes opportunities to increase general public use of the facility, together with an implementation programme for such improvements shall be submitted to and approved in writing by the Local Planning Authority. The approved programme shall be implemented thereafter in accordance with the approved details / timetable unless the Local Planning Authority gives its written approval to any such variation.

Reason: To deliver an improved and diversified recreation offer on the remainder of the golf course facility being retained in order to adequately compensate for the loss of the existing driving range facility having regard to saved policy TREC8 of the Wyre Borough Local Plan (1999).

Notes: -

1. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.
2. Whilst the building to be demolished has been assessed as very low risk for bats, the developer is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.
3. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

AGENDA ITEM NUMBER 09

Conditions: - 15/00928/OUTMAJ

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access in the location identified on plan 882-F02 and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- Main Site access junction on to Calder House Lane, provision of footways, street lighting and gateway signing
- Provision of traffic calming on Garstang Road as shown on drawing 882-F03
- Public Transport facilities to quality bus standard on A6 - details of the stops to Quality Bus Standard to be agreed (2No bus stops – 1 northbound and 1 southbound)

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

3. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of the Calder House Lane to points measured 43m in each direction along the nearer edge of the carriageway of Calder House Lane, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure adequate visibility splays are maintained at all time.

4. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;

- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site
- xi. intended hours of work
- xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

5. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

6. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved) ;
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF and to reflect the level of provision proposed by the applicant in the application submission.

7. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) 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.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed pre-development Greenfield run off rate.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

8. Prior to the commencement 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 approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements 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 scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

9. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (Ref: 5936/R1, dated November 2015) submitted with this outline application and the following mitigation measures detailed within the FRA:

1. The development platform is contained within Flood Zone 1.
2. Provision of compensatory flood storage on a level for level basis is provided as per the hydraulic model (RPS, November 2015), which has been submitted to and verified by the Environment Agency. This is to compensate for all land on site that is raised out of Flood Zone 2 and 3.

The mitigation measures shall be fully implemented prior to first occupation or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants; and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

10. With the exception of those trees identified for removal on the Tree Location Plan (contained within the Tree Report submitted with the planning application) all trees on site shall be retained as part of the development unless otherwise agreed in writing by the local planning authority. Prior to the commencement of any works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated / approved as being retained. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of those trees may require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

11. No works to trees or shrubs shall occur between 1st March and 31st July (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

12. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat; provide continuous terrestrial connectivity along the boundaries of the development for species movement; and enhance the value of the site for wildlife through, for example, new structure planting. The scheme shall thereafter be implemented in accordance with the approved details / timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

13. As part of any reserved matters application where layout is applied for, no built development shall be provided outside of the "Development Parcel" area in the northern part of the application site as illustrated on the Indicative Parameters Plan drawing ref. 15040 01 submitted with the outline application.

Reason: In order to ensure an acceptable visual impact in the defined countryside and to prevent a coalescence between the settlements in accordance with saved policy SP13 of the Wyre Borough Local Plan (1999).

14. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

15. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include, as a minimum: ventilation of confined spaces within the building, a well constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building.

Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

16. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

17. Prior to the installation of any external lighting, an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting will be designed so that it is not intrusive to visual amenity or to boundary features which are important habitat for bats. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard visual amenity and biodiversity in accordance with saved policies SP13 and SP14 of the Wyre Borough Local Plan (1999) and the NPPF.

Notes: -

1. 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 Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.

2. The watercourse Little River Calder adjoining the site is designated a Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency (EA) is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Little River Calder. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within the 8 metre easement without their prior consent. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the EA for consideration. The EA has a right of entry to the Little River Calder by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact the EA to discuss their access requirements.

3. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>. Neither does the response grant the applicant permission to connect to the highway drainage network. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

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PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 22nd March 2017

Education contributions for item numbers 01, 02, 04, 05, 06, 07, 08 and 09

Final consultee responses have been received from Lancashire County Council (LCC) in its capacity as Local Education Authority (LEA). These stipulate the following contribution requirements / named infrastructure projects:

| <u>App. ref.</u> | <u>Location</u> | <u>No. of units</u> | <u>Primary school requirements</u> | <u>Secondary school requirements</u> |
|---------------------|---|---------------------|---|--|
| 15/00420/ OUTMAJ | Land off Garstang Road, Bowgreave | 46 | No contributions sought | No contributions sought |
| 15/00891/ OUTMAJ | Garstang Golf Club, Garstang | 95 | 13 places £175,168.89 Kirkland and Catterall St. Helen's Church of England Primary School | 7 places £142,125.13 Broughton High School |
| 15/00928/ OUTMAJ | Land off Calder House Lane, Bowgreave | 49 | 19 places £256,016.07 Kirkland and Catterall St. Helen's Church of England Primary School | 7 places £142,125.13 Broughton High School |
| 16/00144/ OUTMAJ | Land at Daniel Fold Lane, Catterall | 66 | 25 places £336,363.25 Kirkland and Catterall St. Helen's Church of England Primary School | 10 places £203,035.90 Garstang Community Academy |
| 16/00230/ OULMAJ | Land to south of Gubberford Lane, Cabus | 183 | 70 places £943,217.10 Garstang Community Primary School | 27 places £548,196.03 Garstang Community Academy |
| 16/00241/ OULMAJ | Land off Nateby Crossing Lane, Garstang | 269 | 102 places £1,374,402.06 Garstang Community Primary School | 40 places £812,143.60 Garstang Community Academy |

| <u>App ref.</u> | <u>Location</u> | <u>No. of units</u> | <u>Primary school requirements</u> | <u>Secondary school requirements</u> |
|---------------------|------------------------------------|---------------------|--|--|
| 16/00550/ FULMAJ | Garstang Business Centre, Garstang | 18 | 1 place £13,474.53 Garstang Community Primary School | No contributions sought |
| 16/00625/ OUTMAJ | Land off the A6, Barton | 72 | 27 places £363,812.31 Broughton-in-Amounderness Church of England Primary School | 11 places £223,339.49 Archbishop Temple Church of England High School and Technology College |
| 16/00807/ OUTMAJ | Land at Shepherds Farm, Barton | 34 | 13 places £175,168.89 Bilsborrow John Cross Church of England Primary School | 5 places £101,517.95 Our Lady's Catholic High School |

Officer Response:

The figures quoted above represent 'point-in-time' calculations that include certain assumptions based on the outline nature of the majority of the applications. They have been calculated based on the order in which LCC re-assessed the applications. For example the application re-assessed first by LCC treats none of the other applications as committed developments whereas the application re-assessed last by LCC treats all of the other applications as committed developments. Officers are therefore concerned that there are inconsistencies between the figures quoted and that the applications haven't been treated fairly.

For example, in Bowgreave the application for 49 dwellings (15/00928/OUTMAJ) generates a requirement for nearly £400,000 towards both primary and secondary places whereas the application for 46 dwellings (15/00420/OUTMAJ) does not require a contribution despite the number of units and location of the sites being very similar. The application at the golf club for 95 dwellings (15/00891/OUTMAJ) generates a significantly smaller contribution requirement than the scheme for 49 units. Furthermore, the secondary school identified is in Broughton despite the three schemes being in very close proximity to Garstang Community Academy, however it is understood this is likely to be because the number of applications that LCC have already named as contributing towards Garstang Community Academy has already reached five and therefore alternative schools are identified in order to be CIL compliant.

Members will be aware that the potential cumulative impact arising from the level of development proposed has caused particular problems for LCC in its capacity as the Local Highway Authority (LHA). These issues have led LCC to devise a bespoke approach to the calculation of contributions as set out in detail in the Committee agenda. To reflect this approach, of those applications being recommended for approval, the recommendations to Members authorises the Head of Planning Services to issue the decision upon the agreement of the contributions towards the highway initiatives to be determined by LCC as

the LHA (once they know which applications Members have resolved to permit) and the satisfactory completion of the s106 agreement.

Notwithstanding the position of LCC as local education authority, on the basis of Counsel advice received in connection with the highways issue, it is considered that the same approach should be taken with regard to education contributions to ensure that all schemes make an equitable contribution towards local education provision at the most appropriate schools. It is felt that the levels of contribution and identification of the most appropriate schools can only be reasonably determined once it is known which schemes are to be supported by Members. This assessment would be in accordance with LCC's standard Education Methodology and the CIL Regulations in terms of naming of infrastructure. In the event that a different approach is to be taken the applications would be brought back to Committee.

Update to Recommendations:

On this basis, and in light of the information set out above, the recommendations for application refs. 16/00550/FULMAJ (item 01), 16/00241/OULMAJ (item 02), 16/00144/OUTMAJ (item 04), 16/00625/OUTMAJ (item 05), 16/00807/OUTMAJ (item 06), 15/00420/OUTMAJ (item 07), 15/00891/OUTMAJ (item 08) and 15/00928/OUTMAJ (item 09) are amended as follows:

That members resolve to grant outline planning permission subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works, and that the Head of Planning Services be authorised to issue the decision upon the agreement of heads of terms with regard to the contributions towards the highway initiatives **and local education provision** to be determined by **LCC Highways Lancashire County Council in its capacity as Local Education Authority and Local Highway Authority** and the satisfactory completion of the S106 agreement.

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| 16/00550/FULMAJ | LYNDSEY HAYES | 01 | 19-47 |

Representation

Officers are aware that Garstang Town Council has issued a letter to Members of the Planning Committee in respect of this application. The letter raises objection on the following grounds:

- The use of a conservation specialist based at Chorley Council has been to the detriment of Garstang’s heritage assets;
- The building is a locally listed asset;
- It is in a prominent position within the Garstang Conservation Area;
- The loss of the building as a community asset is unacceptable and the need for a community facility in Garstang has been previously acknowledged;
- The loss of public car parking is unacceptable;
- The mass and scale of the proposal is in conflict with relevant policy and the scheme would be excessive in scale and out-of-character with the area;
- The north elevation would be visually obtrusive;
- The balconies would result in loss of privacy.

The letter has been accompanied by the heritage assessment undertaken on behalf of the Town Council by CgMs and originally submitted in September 2016.

Officer response

The Conservation Officer used by the Council is now employed by Chorley Council but is a former Wyre Council employee. He is therefore familiar with the area and its heritage assets. The Officer is suitably qualified and experienced in conservation and heritage matters. His advice to the Council takes full and proper account of the nature and value of the existing heritage assets, the relevant policy considerations, and the development proposed. The review previously provided on behalf of the Town Council by CgMs has been considered by the Conservation Officer and comments provided and reflected in the main report. Officers are confident that a robust and appropriate assessment of heritage impact has been undertaken and the advice of the Conservation Officer is accepted.

The building is not locally listed as the Council does not have a local list of heritage assets.

The issues relating to heritage impact, parking, scale, appearance and amenity have been addressed in the officer report and no further comment is necessary.

Members are respectfully advised that the building is listed as an Asset of Community Value. However, this listing in itself is not a material planning consideration. The loss of the building as a community facility has been addressed in the report. The previously identified need for a community facility has been met

through the development of St. Thomas' Church Hall which is understood to be used by the Town Council. No further comment is offered.

Representation

Officers have been made aware that an email of objection has been sent to the Members of the Committee. This representation raises the issue of privacy. This matter has been addressed in the officer report and no further comment is offered.

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Condition

It is recommended that the following condition be added to those previously circulated in respect of this application (the need for this condition is outlined in the main committee report):

No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the programme of works should include a photographic survey of the interior and exterior of the building as set out in 'Understanding Historic Buildings' (Historic England 2016, <https://historicengland.org.uk/imagesbooks/publications/understanding-historic-buildings/>). It should be undertaken by an appropriately qualified professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net).

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.

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| 16/00241/OULMAJ | LYNDSEY HAYES | 02 | 48-94 |

Recommendation

The application is subject to a request that the Secretary of State considers calling it in for his consideration should the Council be minded to grant a planning permission. On this basis, the recommendation in respect of this application is amended as follows:

That members resolve to grant outline planning permission **subject to the application not being called in for consideration by the Secretary of State and** subject conditions and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works, and that the Head of Planning Services be authorised to issue the decision **following confirmation from the Secretary of State that the application is not to be called in for his determination and** upon the agreement of heads of terms with regard to the contributions towards the highway initiatives **and local education provision** to be determined by **LCC Highways Lancashire County Council in its capacity as Local Education Authority and Local Highway Authority** and the satisfactory completion of the S106 agreement.

Representations

This application was due to be considered by the Planning Committee in October 2016 but was deferred.

Prior to the Committee meeting, the Nateby Fields Neighbour Group submitted a report raising the following issues:

- Highways
 - Baseline data, including traffic counts and accident records, is flawed and incorrect
 - The proposed roundabout would be unsafe
 - A dangerous rat-run would be created through the site
 - Local junctions could not accommodate the development
 - Safe pedestrian access could not be achieved
 - LCC response falsely implies that a road safety audit has been done for the whole application
- Impact on Garstang Town Centre
 - The submitted office impact assessment is flawed
 - No sequential test has been applied
 - Permitted development rights would allow the offices to change to retail
- Drainage
 - Drainage proposals are inadequate
 - Increased risk of flooding from surface-water

Officer response: Lancashire County Council (LCC) was asked for a response in relation to the highway comments. LCC has confirmed that the data upon which the submitted transport assessment and their consultee response have been based is suitable and robust. The acceptability of the roundabout access is reiterated. The access road that would be created through the site would be designed to appropriate standards and would be safe for expected traffic. The mitigation measures detailed in the Committee report that are identified as being necessary are expected to deliver improvements at nearby junctions. The proposed new route beneath the A6 would improve pedestrian access and further improvement will be provided through the identified mitigation and at detailed design stage. LCC's response is clear with regard to the Road Safety Audit that has been carried out and it is considered that this piece of work is in accordance with relevant guidelines. LCC confirm that their assessment is robust and that their advice is in-line with the NPPF.

With regard to the impact on Garstang Town Centre, this is covered in the Committee report. The applicant has provided additional information to confirm that there are no sequentially preferable locations within or on the edge of Garstang Town Centre that could accommodate the quantum of office floorspace proposed. As such, the sequential test is met. Members are respectfully advised that no permitted development rights exist that would allow office floorspace to be converted to retail floorspace. The drainage issues raised have been covered in the Committee report.

On the evening before the Committee meeting scheduled in October 2016, a report of objection was submitted by SCP transport planning consultants. This report identified issues in relation to three local junctions and alleged that the draft Committee report misrepresented the LCC position. The report argued that the highway impacts of the scheme would not be properly mitigated and that the proposal would present a serious risk to highway safety.

Officer response: This report has been considered by LCC Highways and a response has been provided. This response notes that LCC have suitably reviewed the submitted Transport Assessment (TA) and the information presented, and that a suitable response with due regard to the NPPF has been provided. It is suggested that SCP misrepresented or misunderstood the LCC position. The author criticises aspects of the submitted TA but has replicated those elements in his own TA in respect of another scheme in the A6 corridor. It is suggested that the strategy put forward by LCC is misunderstood or misrepresented. SCP acted as transport consultants in respect of a scheme at Daniel Fold Lane in Catterall in 2015 which supported this general strategy. LCC maintain that the TA submitted is acceptable as a whole. The concerns raised in respect of the local junctions are not agreed or accepted. It is noted that the modelling criticised by SCP has been used by them in respect of another scheme within the corridor (16/00230/OULMAJ). It is further suggested that SCP failed to fully appreciate the approach taken by LCC. It is stated that the LCC stance was correctly represented in the report to Committee. The response concludes with a reiteration that LCC identify no outstanding issues in relation to this application.

Officers are aware that a further letter has been sent to the Chairman of the Planning Committee on behalf of the Nateby Fields Neighbourhood Group. This letter raises the following issues:

- The application should not be determined until a decision is issued in relation to the ongoing appeal against application ref. 14/00458/OULMAJ;

- The applicant's deny that the roundabout proposed as part of this scheme is any safer than the previous access arrangement proposed under application ref. 14/00458/OULMAJ and refused by the Committee;
- The car park to the Bellflower is used as a rat-run and this would be exacerbated by the proposal;
- A rat-run would be created through the development proposed in the form of the link road between the A6 and Nateby Crossing Lane;
- The submitted information is incorrect, traffic volumes are increasing;
- The footpaths along the A6 do not meet Design Manual for Roads and Bridges standards;
- Danger of flooding due to inadequate attenuation;
- Retail provision on the site would increase with impact on Garstang Town Centre;
- Inconsistency in the application of planning policy following the refusal of a scheme of three dwellings;
- The scheme would increase congestion.

Officer response: Members are respectfully advised that the current application is entirely separate to that previously refused under application ref. 14/00458/OULMAJ and that it would not be lawful to refuse determination of the current application pending the determination of a separate appeal. The current application must be determined on its own merits. The evidence presented by the applicant's to the ongoing appeal was in support of that scheme and must therefore be considered in context. The Committee is respectfully reminded that the current scheme has been considered in detail by professional officers and that Lancashire Council Council in its capacity as Local Highway Authority has raised no objection subject to adequate highway improvement initiatives being secured as set out in the main report. The existing highway conditions have been taken into account as part of the assessment process and a comprehensive scheme of improvement works is proposed as detailed in the introduction to the agenda. The matter of drainage has been addressed in the main report. Any additional retail units proposed on site would require planning permission. A development of 3 dwellings is not considered to be comparable to a scheme including 269 dwellings and so no inconsistency in policy application is acknowledged.

Four further representations have been received raising the following issues:

- Insufficient highway arrangements to support the scheme;
- Insufficient provision for pedestrians and cyclists;
- Inadequate car parking within Garstang to accommodate the cumulative level of development proposed;
- Use of the Bellflower pub car park as a cut-through
- Increase in congestion;
- Funding would be needed to upgrade nearby junctions;
- Impact on infrastructure, particularly medical services;
- Provision of affordable housing;
- Impact on the character of the town;
- The recommendation in respect of this application is inconsistent with that for application ref. 16/00230/OULMAJ (land south of Gubberford Lane);
- Insufficient weight has been given to the existing local plan.

Officer response: The recommendations in respect of this application and that at Gubberford Lane are justified in the relevant officer reports. It is not considered that this scheme would result in any material coalescence between the settlements of Garstang and Nateby. The other issues, including the assessment of the proposal against planning policy, have been addressed in the officer report and above and so no further comment is offered.

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| 16/00230/OULMAJ | LYNDSEY HAYES | 03 | 95-127 |

Agent response to review of landscape and visual appraisal undertaken by Urban Vision as set out in main committee report

The response asserts that the presence of buildings along the A6 frontage demonstrates existing coalescence between Garstang and Cabus and that this is demonstrated by viewpoints 1 and 2. It notes that the pre-application advice given did not stipulate that a landscape and visual appraisal would be necessary and that the submitted document was prepared to provide an overview in response to officer concerns. Whilst some impact is acknowledged it is contended that this would be limited. It is argued that a full visual appraisal would be required to support the conclusion reached by Urban Vision on behalf of the Council.

Officer comment

These comments are noted but nevertheless Officers maintain their assessment contained within the main committee report with respect to settlement merger and landscape and visual impact, and have no reason to disagree with the conclusions reached by Urban Vision. On this basis, the recommendation for refusal is maintained.

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| 16/00144/OUTMAJ | LYNDSEY HAYES | 04 | 128-155 |

Clarification

Paragraph 9.11 of the report states it would not be lawful for the Council to condition the delivery of a medical centre in this instance...and that members are respectfully recommended to attach limited weight to this aspect of the proposal when considering the overall planning balance. For the avoidance of doubt, whilst the Council could not reasonably condition the provision of a medical centre to be delivered in conjunction with the residential development, the agent has agreed to a condition reserving the area size of land indicated on the illustrative layout for a medical centre and associated uses including associated parking should there be a demand / need / delivery mechanism for this in the future. This approach does not change the overall assessment of the development whereby limited weight can be afforded to its inclusion in the scheme.

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| 15/00420/OUTMAJ | LYNDSEY HAYES | 07 | 204-226 |

Consultee response

The consultee response from the Council's Head of Engineering Services in respect of surface water drainage has been summarised at paragraph 6.13 of the report. Paragraph 9.22 of the report assessment states that surface water could be discharged into the existing watercourse on site that flows into the Little Calder River. It is stated that this approach has been considered by the Council's Drainage Engineer and judged to be acceptable. However, further clarification is considered necessary to accurately reflect the consultation response provided by the Head of Engineering Services which recommends refusal. This is because any system discharging water into the existing watercourse would depend upon a pump and inconsistent and insufficient information has been provided at this stage.

Paragraph 14 of the National Planning Policy Framework (NPPF) clearly sets out an expectation for local planning authorities to support development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Paragraphs 17 and 100 identify flood risk as a serious issue and require local planning authorities to ensure that new developments would be safe from flooding without increasing flood risk elsewhere. Paragraph 80 of the National Planning Practice Guidance (NPPG) states that surface water run-off should be drained in accordance with an established hierarchy with order of preference given to infiltration; discharge to a surface water body; discharge to a drain and finally discharge to a combined sewer.

As Members will be aware, conditions are routinely used, particularly on outline applications, to agree technical matters once a determination has been made with regard to the principle of development. It is common for a condition to be attached to outline planning permissions to require details of surface water drainage to be agreed. In order for the final drainage scheme to be agreed, the developer must demonstrate that more preferable options in the hierarchy have been considered and reasonably discounted.

In this case, whilst the Council's Drainage Engineer recommends refusal on the basis that a system relying on a pump may not be desirable and that inconsistent and insufficient information has been provided with the application, he does accept that a workable solution can be found for the site. It would be possible for a pump-dependent system to include attenuation features that could hold flood water in the event of pump failure and thereby mitigate against this risk. It may also be possible for the developer to connect into an existing surface water drain on Gryersdale Drive or into the existing foul water drain along Garstang Road. There could also be an option for water to be discharged directly into the Little Calder River although it is accepted that this may be dependent upon access over third party land. Nevertheless, it is considered that a workable solution in accordance with the established drainage hierarchy could be found. On this basis, and notwithstanding the original comments provided by the Council's Drainage Engineer, it is not

considered that a refusal on the grounds of surface water drainage could be substantiated. As such, the recommendation to Members is maintained.

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| 15/00928/OUTMAJ | LYNDSEY HAYES | 09 | 255-280 |

Correction

Paragraph 9.39 of this report (summary on sustainability) makes reference to the provision of 30% affordable housing but the applicant is proposing 40% provision as set out within the assessment on infrastructure set out earlier within the main report. This increased level of provision has been taken into account throughout the assessment and has informed the recommendation. No further amendment is required.

Representation

A representation has been received which states to be on behalf of local residents but does not indicate which residents are represented or on what basis. The representation raises the following points:

- Development pressure in the area and the potential for cumulative traffic generation given the proximity of a school and the condition, width and occasional absence of pavements in the area;
- The use of Calder House Lane by heavy goods vehicles which compromises access;
- Concern over the cumulative impact from other schemes in the wider area;
- On-street parking pressure from the Friends Meeting House and the local school;
- Impact on the mineral safeguarding area;
- Loss of green gap between Bowgreave and Catterall
- Impact on flooding

Officer response – these issues have all been raised previously and have been addressed in the main report. No further response is necessary.

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