



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday 4 November 2020 by remote access (via WebEx and viewable via Wyre Council's YouTube).

Planning Committee members present:

Councillors Moon, Ballard, I Amos, R Amos, Lady D Atkins, George, Le Marinel, Orme, Raynor and Stirzaker

Apologies for absence:

Councillors Catterall, Holden and Ingham

Other councillors present:

Councillors Leech and Robinson

Officers present:

David Thow, Head of Planning Services
Lyndsey Hayes, Planning Development Manager
Carmel White, Solicitor
Peter Foulsham, Democratic Services and Scrutiny Manager
Emma Keany, Democratic Services Officer
Marianne Unwin, Assistant Democratic Services Officer

One member of the public attended the meeting.

PA.8 Declarations of interest

None.

PA.9 Confirmation of minutes

The minutes of the Planning Committee meeting held on 7 October 2020 were approved as a correct record.

PA.10 Appeals

The committee noted the Schedule of Appeals lodged and decided between 14 September 2020 – 14 October 2020 as set out on pages 3 - 8 of the agenda. Any Member requiring any further details or clarification on any appeal should contact the relevant Case Officer.

PA.11 Planning applications

The Head of Planning Services submitted four reports to be considered, which the committee agreed to hear.

PA.12 Application B- Garstang Business and Community Centre, 96 High Street, Garstang, PR3 1EB (20/00618/FULMAJ)

The application was brought before the Planning Committee for consideration at the request of Councillor Lady Atkins and as the Planning Committee had previously considered applications at the site.

A site visit took place to enable councillors to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The committee considered the update sheet, which contained additional information and suggested that an additional condition be imposed.

The applicant, Eian Bailey, addressed the meeting and responded to questions from members of the committee.

It was proposed by Councillor Le Marinel, seconded by Councillor I Amos and a decision was taken that the application be **approved** (as per the recommendation but with the additional condition 27 as per the update sheet) under the provisions of the Town and Country Planning Act 1990, subject to a s106 agreement to secure financial contributions towards affordable housing, green infrastructure, local education, health care, sustainable travel and highway improvements and to secure public access to Memorial Garden, subject to the conditions set out below. The Head of Planning Services was authorised to issue the decision upon the satisfactory completion of the s106 agreement:

Conditions

1. The development must be begun before 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 08.07.2020 including the following plans/documents:

- Drawing No. KW/HSG/LP/01 - Location Plan

- Drawing No. KW/HSG/E/01 - Elevations
- Drawing No. KW/HSG/E/02 Rev C - NW and SE Elevations as Proposed
- Drawing No. KW/HSG/E/03 Rev C - NE and SW Elevations as Proposed
- Drawing No. KW/HSG/E/04 Rev C - South West True Elevation as Proposed
- Drawing No. KW/HSG/PD/02 - Ground Floor Demise Plan
- Drawing No. KW/HSG/FP/02 Rev B - First floor fire plan as proposed (showing proposed first floor layout)
- Drawing No. KW/HSG/PFP/02 Rev G - Proposed Second Floor and Roof Plan
- Drawing No. KW/HSG/SC/01 - Section A-A and B-B
- Drawing No. KW/HSG/SC/02 Rev B - Section C-C, D-D and E-E

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. The development shall be carried out strictly using those materials specified on the approved plans (Drawing no.s KW/HSG/E/02 Rev C, KW/HSG/E/03 Rev C, and KW/HSG/E/04 Rev C) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. 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 or first use of the development or 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 CDMP2 of the Adopted Wyre Local Plan 2011-31 and the provisions of the NPPF.

5. Prior to the first occupation or first use of any part of the development, plans should be submitted and approved in writing by the Local Planning Authority detailing the sewer diversions and proposed connections to the existing Combined Sewer Overflow which is a critical Utilities Asset, with foul and surface water drained on separate systems.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water in accordance with Policies CDMP2 and CDMP4 of the Adopted Wyre Borough Local Plan (2011-31) and the provisions of the NPPF.

6. No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme as submitted in the Scott Hughes Drainage Report (Project number 3396 dated October 2018). Thereafter the approved scheme shall be retained, managed and maintained at all times in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policy CDMP2 of the Wyre Local Plan and the National Planning Policy Framework.

7. No part of the development hereby approved shall be first occupied or opened for trading until the site access and the off-site highway works and improvements (namely Main Site access junction on High Street including provision of dropped kerbs for pedestrians; and 2No bus stops to Quality Bus Standard on High Street) have been constructed and completed, unless an alternative timeframe for implementation is first submitted to and approved in writing by the Local Planning Authority, in which case the works shall be completed by the alternative agreed timeframe.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

8. No part of the development hereby approved shall be first occupied or brought into first use 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.

9. The construction of the development including any demolition works shall be carried out at all times in accordance with the approved Construction

Environmental Management Plan (CEMP) (Tritan Construction: Construction Management Plan).

Reason: In the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan 2011-31.

10. Prior to first occupation or first use of any part of the development the written submission of additional gas monitoring results and confirmation of a historic oil spill, as set out within the submitted Geo Environmental Investigation report by Arley Consulting and Nov 18 Addendum report (Submitted March 19th 2019), is required and this shall be agreed in writing by the Local Planning Authority. Validation of the agreed remediation shall then be submitted and agreed in writing by the Local Planning Authority on completion of the works.

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 CDMP1 of the Wyre Local Plan.

11. A watching brief shall be undertaken 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 and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

12. Prior to the installation of any external lighting associated with the development hereby approved (other than 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 Policy CDMP3 of the Adopted Wyre Local Plan 2011-31 and the provisions of the NPPF.

13. Prior to first occupation or first use of any part of the development 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 CDMP1 of the Adopted Local Plan 2011-31, and the provisions of the NPPF.

14. 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 where 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 CDMP1 of the Adopted Wyre Local Plan and the provisions of the NPPF.

15. Prior to first occupation of any of the residential units hereby approved the approved sound proofing details and mitigation set out within the approved Noise Assessment report (Agility Acoustics- Noise Assessment AA18-1081-R01v2 Jan 19) shall be installed, as well as for apartments 19-23 within the first floor of the building, unless alternative measures are first

agreed in writing by the Local Planning Authority prior to implementation. The development shall be maintained and retained in accordance with the approved sound proofing details at all times thereafter.

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 CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

16. (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 CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

17. 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 CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

18. 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 CDMP1 of the Adopted Wyre Local Plan and the provisions of the NPPF.

19. The approved hard and soft landscape works as shown on approved plans Landscape Strategy Drawing No. 090.3.01 A, Hardworks Layout Drawing No. 090.3.02 A and Softworks Layout Drawing No. 090.3.03 A, which includes the relocation of T9: Millennium Tree, and the Tobermore Landscape Plan PA652, Tobermore Product Sheet PA652, 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 7 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 Policies CDMP3 and CDMP4 of the Adopted Wyre Borough Local Plan (2011-31).

20. During the construction works the Tree/Hedgerow Protection measures set out in the Bowland Tree Consultancy Tree Protection Scheme October 2018 shall be in place, and shall be retained for the duration of the works, and only removed once the development is complete and all machinery and works material has been removed from the site.

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 the NPPF and Policy CDMP4 of the Wyre Local Plan 2011-31.

21. The development hereby approved shall be implemented in full accordance with the approved Ecological Appraisal (document titled Dusk Survey Results in Relation to Bats, produced by Tyler Ecological Consultants, dated Oct 2018) including all the mitigation measures set out in that report.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

22. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and

section 15 of the National Planning Policy Framework.

23. 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 Policies CDMP1 and CDMP3 of the Wyre Local Plan.

24. 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 CDMP6 of the Adopted Wyre Local Plan.

25. Prior to the first occupation of any of the residential units a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

26. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan

(2011-31).

27. Notwithstanding the submitted plans showing a fully rendered side wall from ground floor level to the top of the parapet wall on the north east elevation, full details of the external facing materials to be used on this side parapet wall shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of this wall. The parapet wall shall be constructed and retained thereafter in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with Policies CDMP3 and CDMP5 of the Adopted Wyre Local Plan 2011-31.

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.

PA.13 Application A- Land to the North And South Of School Lane, Forton, Preston, Lancashire (18/00469/OULMAJ)

The application was brought before the Planning Committee for consideration as the application site formed an allocated site in the Wyre Local Plan and was of strategic importance.

A site visit took place to enable councillors to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The committee considered the update sheet, which contained suggested amendments to conditions 2, 23 and 25. An additional representation from the Forton Parish Council was read to the Committee which clarified an earlier concern they had raised concerned with the positioning of the access point proposed to the southern parcel. The Planning Development Manager commented and confirmed that it did not change the recommendation.

Councillor Leech (Wyre Borough Councillor for Wyresdale) spoke objecting to the application.

The applicant, Matthew Symonds, addressed the committee and responded

to questions from councillors.

It was proposed by Councillor I Amos, seconded by Councillor Le Marinel and a decision was taken that the application be **approved** (as per the recommendation but with amended conditions 3, 23 and 25, as per the update sheet) under the provisions of the Town and Country Planning Act 1990, subject to the conditions set out below and subject to a s106 agreement to secure on-site Affordable Housing and Green Infrastructure provision: financial contributions towards, green infrastructure, local education, health care, sustainable travel and highway improvements and community hall infrastructure and demolition of the buildings associated with Forton Bank Farm and all agricultural activities associated with the Farm to cease and that the Head of Planning Services was authorised to issue the decision upon the satisfactory completion of the s106 agreement:

Conditions

1. In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall 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 such matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 92 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 10/05/2018 including the following plans/documents:

- Proposed access arrangement Drawing Number 2125-F01 Rev C
- Proposed junction improvements to A6/School Lane Drawing Number 2125-F02 Rev J
- Location Plan Drawing Number 001

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3 (a) The total number of residential units to be provided on the site in the general locations shown on the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) shall be up to 195;

(b) No less than 1.0ha of land shall be provided on the site in the general location shown on the approved Indicative Concept Plan (Drawing Number

(03)010 Rev C) for the development of employment uses within class B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(c) No less than 0.2ha of land shall be reserved for the provisions of a neighbourhood centre in the general location shown on the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) for uses comprising a class A1 retail (convenience) store and a class D1 community centre as per the Town and Country Planning (Use Classes) Order 1987 (as amended) unless written confirmation is provided in writing by the Local Planning Authority that some or all of this safeguarded land is no longer required;

(d) The total amount of floorspace to be provided for the class A1 retail (convenience) store specified within (c) above shall not exceed 500m² (gross).

(e) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 or Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent order amending or revoking and replacing that order, the units hereby permitted within (b) above shall only be used for the purposes of classes B1/B2/B8 (or class E(g) if that was to become the lawful use of any B1 use implemented) and the retail unit hereby permitted within (c) above shall only be used for the purposes of class A1 (convenience) retail (or class E(a) or F2(a) if that was to become the lawful use of the A1 use implemented), nor shall any mezzanine floor be installed in any of those units, without the express permission of the Local Planning Authority.

[*NB: the transitional arrangements allowed by the Town and Country Planning (Use Classes) Order 2020 mean that the use classes specified by this condition are those applied for when the application was made]

Reason: To ensure that the development delivers appropriate sustainable housing and employment growth whilst ensuring the uses are provided in the right location on the site and will not undermine the vitality and viability of nearby centres in accordance with Policies SP1, SP2, HP1, EP1, EP5 and SA1 of the Wyre Local Plan (2011-2031) and the approved Forton Master Plan.

4. No development shall commence until a phasing programme for the whole of the application site to include the approved residential, green infrastructure, employment and neighbourhood centre, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved phasing programme 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 and to ensure the timely delivery of supporting infrastructure in accordance with policies SP7, CDMP3, EP1 and SA3/4 of the

Wyre Local Plan (2011-31)

5. Prior to the submission of a reserved matters application relating to layout for each approved development phase, or simultaneously with that first reserved matters application, a drainage scheme for the development phase, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

Each reserved matter relating to layout should demonstrate compliance with the agreed drainage scheme for that development phase.

No part of the development in that phase shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided for each development phase taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

6. Prior to the commencement of each approved development phase details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

Each development phase shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the

flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

7. Prior to the submission of a reserved matters application relating to layout for each approved development phase, or simultaneously with that reserved matters application details of the existing and proposed ground, slab and finished floor levels for that development phase shall be submitted to and approved in writing by the Local Planning Authority.

The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

8. The new estate road for each approved development phase shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any other development takes place within that phase.

Reason: To ensure that satisfactory access is provided to the development site, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

9. Prior to first occupation or first use of any part of the development hereby approved the site access and following off-site works of highway improvement hereby approved shall be completed, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority (in which case the works shall be completed in accordance with the alternative timetable approved):

- A6 / School Lane junction improvement to include right turn provision and pedestrian refuges -the scope of which is shown on approved plan 2125-F02 Rev J
- A6 relocation of bus stops and upgrade with shelters, raised boarding areas together with associated signs and road markings.
- New priority junctions on the north and south side of School Lane as shown on approved plan 2125-F01 Rev C
- Provision of new / improved footways along School Lane as shown on approved plan 2125-F01 Rev C

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable

travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

10. Prior to the commencement of development of any phase, a Construction Environmental Management Plan (CEMP), for the construction and operation of that phase, shall be submitted to and approved in writing 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.

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 Policies CDMP1, CDMP4 and CDMP6 of the Wyre Local Plan and the provisions of the NPPF.

11. Prior to the first occupation of any dwelling in each approved development phase or the first use of any commercial premises in each approved development phase, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority for that phase. The approved Travel Plan (and an associated Travel Plan Co-ordinator as specified in the approved Travel Plan) shall be implemented and operational from the point of the first occupation of any of the dwellings in that approved development phase or of any commercial premises in that approved development phase for a period of not less than five years from the date of full occupancy of the respective development phase.

Reason: To promote sustainable development by encouraging sustainable travel modes and reducing dependence on private motor vehicles in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

12. A scheme for the provision of electric vehicle recharging points (EVCP) shall be submitted for all dwellings and commercial premises with parking provision within each approved development phase unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling or commercial premises shall be occupied until the electric vehicle recharging point has been provided for the dwelling or premises to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

13. Prior to the commencement of each approved development phase a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority for that phase. If the desk study identifies potential contamination, a detailed site investigation shall be carried out for that phase in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of that development phase shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of that phase. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential

contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

14. Prior to the commencement of each approved phase of development, a programme of archaeological work and investigation (which shall include the timetable for the investigation) shall be submitted to and approved in writing by the Local Planning Authority. The archaeological work and investigation shall thereafter be carried out in accordance with the approved programme.

Reason: Such a programme of archaeological work and investigation was not submitted with the application but is necessary prior to the commencement of development to ensure that any archaeological remains at the site are recorded and to ensure that there is an understanding of the significance of the heritage asset before it is lost, in accordance with policy CDMP5 of the Wyre Local Plan (2011-31) and Section 16 of the NPPF. The condition is required to be approved prior to commencement of development to ensure full details are provided, that have not been forthcoming with the application, providing a true and accurate record which would not be possible after development.

15. No site clearance, site preparation or development work shall commence on the application site to the north of School Lane until a construction method statement, detailing the precautionary measures that will be implemented for the avoidance of impacts on priority species, particularly common toads, and the protection of habitats (on and off site) during site clearance and construction, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be adhered to at all times during the construction stages of development.

Reason: Such a scheme was not submitted with the application but is necessary for the protection of priority species and in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

16. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

17. No approved development phase shall commence until a landscape and habitat creation and management scheme for that phase has been submitted to and agreed in writing by the Local Planning Authority along with

a timetable for implementation.

For the purposes of this condition the scheme shall identify:

- the retention of hedgerows and trees, or where this is not possible, sufficient replacement native tree and hedgerow planting;
- the removal of any trees, with those which have the potential for bat roosting to have been inspected for the presence of bats. Should any bats be found these trees shall be either retained or compensation put forwards for the potential harm to bats;
- provision of bird nesting opportunities;
- details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat;
- continuous terrestrial connectivity along the boundaries of the development for species movement; and
- opportunities to enhance the value of the site for wildlife through, for example, new structure planting.

The development shall then proceed in full accordance with these agreed details

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

18. Prior to the installation of any external lighting within each approved development phase a scheme for the provision of external lighting together with an Artificial Lighting Assessment for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it is not intrusive to visual amenity or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places; and shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). 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 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: In order to safeguard visual amenity and biodiversity and residential amenity and in the interests of public safety in accordance with Policies CDMP1, CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

19. Prior to the commencement of each approved development phase a

repeat survey shall be undertaken for the presence of badgers and the survey together with proposals for mitigation/compensation, if required, shall be submitted to and approved in writing by the Local Planning Authority. Those approved mitigation measures shall then be implemented.

Reason: To prevent possible harm to ecology if the development were commenced without the necessary mitigation measures in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011) the NPPF.

20. The reserved matters application relating to layout for each approved development phase shall be accompanied with a noise assessment demonstrating that the noise levels set out in the supporting Noise Assessment submitted with the outline application (by Resource and Environmental Consultants dated 5th May 2018 - Ref AC104505-1R2) will be achieved, together with details of noise mitigation if required. The approved noise mitigation measures, if required, shall be provided prior to first occupation or first use of any part of the development and thereafter shall be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

21. The development hereby permitted shall be designed so that the rating levels for cumulative noise from all noise sources associated with the development (namely the neighbourhood centre) shall not exceed the existing background noise level (LA90) at the external façade of nearby noise sensitive premises as assessed in accordance with British Standard 4142 (2014) or any subsequent replacement national standards.

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

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

22. Prior to the commencement of each approved development phase, including any demolition or tree works within that phase, a Tree Protection Plan for the retained tree(s) within that phase shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), protective fencing and details of any specialist demolition or construction methods if appropriate.

The measures contained within the approved Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the

development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars (namely Tree Impact plan 2125-F02 Rev A).

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place

23. Prior to the commencement of each approved phase of the development:

(A) A scheme for the construction of the internal link road and access to the 1ha of Employment land as identified of the approved Concept Plan (ref: 03010 Rev C) and the approved Forton Masterplan shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be constructed and completed to at least base course level in accordance with the approved details prior to the first occupation of the 50th dwelling hereby approved.

(B) A scheme for the construction of the internal link road and access to the 0.20ha Neighbourhood Area as identified of the approved Concept Plan (ref: 03010 Rev C) and the approved Forton Masterplan shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be constructed and completed to at least base course level in accordance with the approved details prior to the first occupation of the 50th dwelling hereby approved.

Reason: In order to ensure that the designated area of employment land and neighbourhood centre is accessible and available concurrently with the remainder of the development in accordance with the provisions of Policies EP1 and SA3/4 of the Wyre Borough Local Plan 2011-2031.

24. Where an application is made for approval of details of layout on the part of the site which is located to the south of School Lane, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway across the site from its junction with the highway network at School Lane to its junction with the adjoining land at the western site boundary. Prior to occupation of the 100th dwelling the said primary access road shall be constructed to an adoptable standard for its entire full length and shall be offered to the local highway authority for adoption. After its construction in accordance with this condition the said primary access road

shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network and does not prejudice the delivery of further development phases within site allocation SA3/4 in accordance with Policies SP2, HP1, EP1, SA3, SA3/4 and CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

25. Where an application is made for approval of details of layout, the submitted details must provide for footpath / cycle links each 2.5 metres wide that connect the highway network on the site to the existing PROW network at the north easterly and southerly site boundary, as well as to Wallace Lane and School Lane, in the general locations shown on the approved Concept Plan (ref: 03010 Rev C). The said footpath / cycle links shall be constructed to an adoptable standard for their entire full length and width from their respective junctions with the highway network on the site to their respective junctions with the PROW network and/or adopted highway adjacent to the site. After their construction in accordance with this condition the said two footpaths shall thereafter be maintained and remain open and unobstructed at all times unless and until they have both been adopted by the local highway authority.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework

26. As part of any reserved matters application where layout is applied for, the amount, general location and type of green infrastructure shall be provided on site in accordance with the requirements of Policy HP9 of the Wyre Local Plan, the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) submitted with this application and any Masterplan approved by the Local Planning Authority for the site.

Reason: In order to ensure adequate provision of green infrastructure is secured by this planning permission in accordance with the provisions of the NPPF and Policy HP9 of the Wyre Local Plan.

27. As part of any reserved matters application in relation to each approved residential phase of development where layout is applied for, the mix of residential units shall be provided on site in accordance with the requirements of Policy HP2 of the Wyre Local Plan 2011-2031 and the Fylde Coast Strategic Housing Market Assessment - Wyre Addendum 3 Supplementary Note (May 2018) or any subsequent replacement Local Plan policy or evidence base document concerned with size and type of housing needed in Wyre.

Reason: In order to ensure that an appropriate mix of house types is provided to meet identified local needs in accordance with Policy HP2 of the Wyre

Local Plan (2011-31) and the provisions of section 5 of the NPPF.

28. Prior to the commencement of each approved residential phase of development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

Notes

1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority 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. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.
3. The applicant should be aware of water mains and public sewers in the vicinity of the proposed development site which could affect the layout of the development. The applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure both during and after construction. This includes advice regarding landscaping in the vicinity of pipelines. The applicant should note that the position of the underground apparatus shown on our records is approximate only and is given in accordance with the best information currently available. United Utilities will not accept liability for any loss or damage caused by the actual position being different from those shown on our records. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows:

Water assets - DeveloperServicesWater@uuplc.co.uk

Wastewater assets - WastewaterDeveloperServices@uuplc.co.uk

PA.14 Application C- Brickhouse Cottages, Brickhouse Lane, Hambleton, FY6 9BG (20/00411/FUL)

The application was brought before Members of the Planning Committee for determination at the request of Councillor Robinson.

A site visit took place to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

An update sheet with additional information was published on the council's website and made available at the meeting, this information only having become available after the original agenda was published. The committee considered the update sheet, which contained additional information, none of which, it was suggested, presented any new material planning considerations which would warrant a change in the recommendation in the original report.

Mrs Phelham, a member of the public, spoke objecting to the application.

Councillor Robinson (Wyre Borough Councillor for Hambleton and Stalmine) spoke against the application.

The applicant, Vicki Murray, addressed the committee.

The Committee discussed additional concerns regarding the impact of traffic on the amenity of residents of neighbouring properties along Brickhouse Lane and other users of Brickhouse Lane.

After consideration, it was proposed by Councillor Moon, seconded by Councillor Ballard, that the application be **refused** under the provisions of the Town and Country Planning Act 1990, as per the recommendation with one additional reason for refusal, which was agreed by the committee, as set out below:

1. The proposed development would result in the creation of a stand-alone business in an area of countryside as designated in the adopted Wyre Local Plan (2011-2031). It does not constitute either an expansion of an existing business or diversification of an agricultural business and therefore amounts to unjustified development in the countryside. Furthermore the proposed development is located in an unsustainable location and not well-related to the nearest settlement of Hambleton. As such it is therefore considered contrary to Policies SP2, SP4 and EP8 of the adopted Wyre Local Plan (2011-2031).

2. The proposal is for a main town centre use capable of functioning as an independent planning unit, and therefore requires a sequential test to demonstrate that there are no sequentially preferable sites available for the development in a defined centre. The sequential test provided with the application is insufficient on the basis of the lack of adequate justification for the size of building proposed. This would therefore be contrary to Section 7 of the NPPF and Policy EP5 of the Adopted Wyre Local Plan.

3. The proposed development lies within Flood Zone 3 and therefore it is required to be demonstrated that the proposal cannot be located at a site less vulnerable to flooding. The submitted sequential test has failed to provide sufficient evidence to show that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This position is further supported by the lack of adequate justification for the size of building proposed. As such this would not steer development to areas with the lowest probability of flooding, thereby increasing the number of people and properties at risk of flooding and failing the sequential test, contrary to the NPPF, the guidance in the NPPG and Policy CDMP2 of the Adopted Wyre Local Plan.

4. The proposed development, by reason of the increase in traffic caused by members of the public visiting the site, would cause significant harm to the amenity of residents of neighbouring properties along Brickhouse Lane and other users of Brickhouse Lane which would be in conflict with policies CDMP1 and CDMP3 of the Adopted Wyre Local Plan 2011-31.

PA.15 Application D- Bolanja, 45 Pilling Lane, Preesall, FY6 0EX (20/00793/FUL)

The application was brought before the Planning Committee for consideration at the request of Councillor Orme.

A site visit took place to enable councillors to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

Following discussion, it was proposed by Councillor Moon, seconded by Councillor Le Marinel and a decision was taken that the application be **approved** (as per the recommendation) under the provisions of the Town and Country Planning Act 1990, subject to the conditions set out below:

Conditions:

1. The development must be begun before 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 26.08.2020 including the following plans/documents:

- Site Location Plan as received 27.08.2020
- Site Plan as received 27.08.2020 - drawing number ML/PS/5296
- Proposed Floor Plan and received 26.08.2020
- Proposed Elevation as received 26.08.2020

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. The development shall be carried out strictly using those materials specified on the application form (walls) and in the email received from the agent dated 13/10/2020 (roof) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (received 27.08.2020) including the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

5. The development hereby permitted shall be used for purposes incidental or ancillary to the residential use of the dwelling house known as Bolanja, 45 Pilling Lane, Preesall and for no other purpose.

Reason: The use of the building as a separate dwelling house would require further consideration in accordance with Policies CDMP3 and SP4 of the Wyre Local Plan (2011-31)

The meeting started at 2.00 pm and finished at 4.01 pm.

Date of Publication: 9 November 2020