



Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 28 April 2021 at the Civic Centre via WebEx.

Members of the public will be able to view the meeting via Wyre Council's YouTube Page (<https://www.youtube.com/WyreCouncil>).

Planning Committee members present:

Councillors Moon, Ballard, I Amos, R Amos, Lady D Atkins, Catterall, Holden, Ingham, Le Marinel, Orme, Stirzaker, D Walmsley and O'Neill

Apologies for absence:

Councillor Raynor

Other councillors present:

Councillor Baxter

Officers present:

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

PA.50 Declarations of interest

The Chairman, Councillor Moon, declared a personal interest in application 5D as he knew the one of the directors who are contracted to do the building for this application but that this was not such as to prejudice his judgement or to be reasonably be seen to do so. Therefore, he remained in the meeting and participated in the determination of the application.

Additionally, Councillor Catterall declared an interest into application 5B as she was a Great Eccleston Parish Councillor but that this was not such as to prejudice her judgement or to be reasonably to seen to do so. Therefore, she stayed in the meeting and participated in the determination of the application.

PA.51 Confirmation of minutes

The minutes of the Planning Committee meeting held on 7 April 2021 were

approved as a correct record.

PA.52 Appeals

The Committee noted the Schedule of Appeals lodged and decided between 15 March 2021 – 15 April 2021 as set out on pages 3 – 10 of the Agenda pack. Any Member requiring any further details or clarification on any appeal should contact the relevant Case Officer.

PA.53 Planning applications

PA.54 Application E - 20 Ormont Avenue, Thornton Cleveleys, Lancashire, FY5 2BT (21/00105/FUL)

The application was brought to committee for determination at the request of Councillor Baxter.

Due to the easing of the Covid-19 Government lockdown restrictions, a site visit took place, in groups of six, to enable councillors to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

Councillor Baxter, Wyre Councillor for Victoria and Norcross Ward, addressed the committee.

Following debate, it was proposed by Councillor Moon, seconded by Councillor Orme, and a decision was taken that the application be **approved**, as per the recommendation but with the additional condition (6) imposed by the Committee, under the provisions of the Town and Country Planning Act 1990, subject to the conditions 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 22.01.2021 including the following plans/documents:

- Site Location Plan as received 22.01.2021
- Revised Proposed Site Plan and Elevation Plans as received 09.04.2021 - drawing number 428-03 REV B
- Revised Proposed Floor Plans as received 09.04.2021 - drawing number 428-02 REV B

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 plan (428-03 REV B) 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) 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. Prior to the first occupation or use of the development hereby approved, the first floor window in the rear elevation serving the bathroom shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The window(s) (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

6. Prior to first use of the development hereby permitted, details of a bin store provision (including location, design and materials of construction) shall be submitted to and approved in writing by the Local Planning Authority. The bin store provision shall be provided in accordance with the approved details prior to first use of the development and shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the site and locality in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

PA.55 Application A - Land South Of Prospect Farm West Of A6 Garstang (20/00212/FULMAJ)

This application was before the Committee for determination for a second time after being deferred at the 7 April 2021 Planning Committee meeting. The Committee deferred the application to encourage further consideration of highway safety impacts and mitigation measures, to be discussed between the applicant and Lancashire County Highways, with specific reference to crossing the A6 opposite the site in particular the type and location of the crossing and the potential use of guard railings.

As the Committee had visited the site previously a site visit did not take place on this occasion. Nevertheless, site photos and plans were displayed by the Development Manager to familiarise members of the site and its surroundings.

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 updated information about the access to the site and a revised Highway Works Plan and consequent amended conditions 2 and 7.

Alexis De Pol, the agent of the applicant, spoke in support.

Mark Edwards, the applicant's highways consultant, addressed members in support of the application.

Councillor Stirzaker joined the meeting during the discussions of item 5A, therefore, she was unable to vote.

Members of the committee raised a number of concerns over the visibility of the pedestrian refuge and the speed limit of this particular section of the A6, in particular members expressed the need for Lancashire County Council Highways to reduce the speed limit to 40 mph.

It was proposed by Councillor Ballard and seconded by Councillor I Amos, and a decision was taken that the application be **approved**, in accordance with the recommendation, under the provisions of the Town and Country Planning Act 1990, subject to the following conditions and a S106 legal agreement to secure on-site affordable housing (30%) and green infrastructure and financial contributions towards the A6 Highway Strategy and health care. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement. It was also agreed that the Head of Planning Services would write to the local highway authority to ask them to consider the following matters in regard to the development:

1. the use of natural stones/rocks instead of concrete for the disruptive paving.
2. the use of taller lighting infrastructure on the pedestrian refuge island

similar to that used nearby.

3. the reduction in the speed limit along that stretch of the A6 to 40mph.

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 02.03.2020 including the following plans/documents:

Plans:

- Planning Layout Drawing No.R104/1 Rev C;
- Planning Layout Coloured Drawing No.R104/1 Rev C;
- External Surfaces Layout Drawing R104/4 Rev B;
- Swept Path Analysis Drawing No.J32-4013-PS-003;
- Preliminary Site Access Drawing No.J32-4013-PS-001;
- Main Drainage Layout Drawing No.ROW05-101 REV S;
- Green Infrastructure Provision Drawing No.R104/1001 Rev B;
- Additional Access Measures Drawing No.J32-4013-PS-004 Rev A;

House Types

- Drg No.HT130-P-116 - Reynold Floor Plans;
- Drg No.HT130-P-117 - Reynold Elevations;
- Drg No.HT164-P-10 - Lowry Elevations;
- Drg No.HT164-P9 - Lowry Floor Plans;
- Drg No.HT174-P-6 - Kingswood Floor Plans;
- Drg No.HT174-P-7 - Kingswood Elevations;
- Drg No.HT138/P/21 - Ashgate II House Type (Elevations - Art Stone Heads & Cills Aff);
- Drg No.HT146/P/117 - Belgrave House Type (with addition side windows);
- Drg No.HT181-182/P/1 Rev A - Bridewell-Bressingham Floor Plans;
- Drg No.HT181-182/P/2 Rev B - Bridewell-Bressingham Elevations;
- Drg No.HT182/P/1 Rev A - Bressingham House Type;
- Drg No.HT166-P-115 - Charleston House Type;
- Drg No.HT105-P-124 - Burlington House Type;
- Drg No.HT107-P-110 Rev C - Marlborough Floor Plans;
- Drg No.HT107-P-115 Rev A - Marlborough Elevations;
- Drg No.HT132-P-114 Rev B - Victoria House Type;
- Drg No.HT146-P-116 Rev B - Belgrave House Type;
- Drg No.HT167-P-4 Rev A - Brantwood II House Type;
- Drg No.HT169-P-205 Rev A Aroncroft House Type
- Drg No.HT180-P-1 - Ramsey Bungalow;
- Drg No.P/SG/1 Rev B - Single Detached Garage.

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. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31). The information submitted with this application was considered to be insufficient in terms of brick variety.

4. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan (Planning Layout Drawing No.R104/1 Rev C) as relating to that dwelling has been laid out, surfaced and drained. The parking / turning area(s) shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

5. a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be

maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. No dwelling shall be first occupied until the 2 metre wide footpath link shown on the approved site layout plan to the front of plot 55 connecting to the A6 has been constructed up to the 2 metre wide footpath running along the site frontage, in surface materials as shown on the approved External Surfaces Layout Drawing R104/4 Rev B. The footpath link shall thereafter be maintained and remain open and unobstructed at all times, unless its closure is required during the period of construction.

Reasons: In the interests of highway safety and sustainability and in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

7. Prior to first occupation of any dwelling hereby approved, the site access and off-site works of highway improvement [namely, assessment and any required changes to street lighting and provision of tactile paving at the site access, a 2m wide footpath to the full frontage of the site along the A6, relocation of existing pedestrian refuse, right turn lanes to serve the new site access and Kepple Lane, assessment and any required changes to the street lighting as part of the off-site works and pedestrian crossing points on the A6 to link the new site access to Kepple Lane, provision of signage and road markings and deterrent paving along the verge as indicated on Additional Access Measures Drawing No.J32-4013-PS-004 Rev A] shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

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. (a) The new estate road for the development 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 from the highway before any other development takes place within the site.

(b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

(c) In the event that the new estate road is not proposed for adoption by the Local Highway Authority then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed

in accordance with the approved details.

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. 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).

10. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garages hereby approved shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose without prior express planning permission from the Local Planning Authority.

Reason: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway without prior express planning permission from the local planning authority.

Reason: To safeguard the appearance of open plan development and in accordance with Policy CDMP3 Wyre Local Plan.

12. 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.

13. Prior to the first occupation of any dwelling hereby approved, the windows specified below shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
 - ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
- First floor windows in side elevations of Charleston House Type;
 - First floor windows in side elevations of Victoria House Type;
 - First floor window in south facing side elevation of Marlborough House Type;
 - First floor windows in side elevations of Lowry House Type;
 - First floor window in south facing side elevation of Plot 44;
 - First floor window in north facing side elevation of Plot 35.

The windows (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

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 construction of any of the dwellings hereby approved. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the construction of any of the dwellings hereby approved, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring programme 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.

Reason: The footprint of the proposed development is within the immediate vicinity of an area of infilled ground. The nature of the fill is unknown. Works

are therefore required in the interests of public safety and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

15. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:
 - (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
 - (d) contractors' compounds and other storage arrangements
 - (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
 - (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
 - (g) the routeing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
 - (h) external lighting of the site during the demolition / construction period
 - (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (j) recycling / disposing of waste resulting from demolition / construction work
 - (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period 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 Policy CDMP1 of the Wyre Local Plan (2011-31).

16. No dwelling shall be first occupied until the drainage works have been completed in accordance with the approved details shown on Drawing No.101 Rev S (Main Drainage Layout Development Area). 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 and to prevent an undue

increase in surface water run-off to reduce the risk of flooding in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

17. Prior to the commencement of development 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.

The development 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.

18. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Betts Hydro Ref HYD466 Dated January 2021 and the following mitigation measures detailed within Chapter 4.8 of the FRA:

1. Set finished floor levels (FFL) of residential dwellings to a minimum of 150mm above the existing ground levels;
2. Overland flows generated by the development to be carefully controlled and safe avenues directing overland flow way from any existing and proposed buildings to be provided.
3. Surface water run-off generated by the proposals to be managed effectively with the peak rates of run-off being restricted to the equivalent of the pre-development situation (with betterment where required);

4. The proposed onsite surface water drainage system to be sized to contain the 1 in 30yr return period event below ground with exceedance from storm events up to and including the 1 in 100yr return period storm event with a 40% allowance for climate change being contained onsite.

The mitigation measures shall be fully implemented prior to first occupation of any dwelling 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.

19. No dwelling shall be first occupied until the boundary treatments that relate to that dwelling have been completed in accordance with the following details:

- Drg No.R104/2 Rev B - Fencing Layout
- Drg No.SD-1 Rev A - 1.8m High Close Boarded Timber Fence
- Drg No.SD-104 - Typical Entrance Wall Detail
- Drg No.SD-177 - 1.2m Post
- Drg No.SD-21 - 900mm Post
- Drg No.SD-23 Rev B - 0.45m Knee Rail Fence Detail
- Drg No.SD-231 - 2.6m Acoustic Fence Detail
- Drg No.SD-46 Rev A - 1.8m High Screen Wall
- - Drg No.SD-66 2.4m High Screen Wall

The boundary treatments shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

20. Prior to the commencement of above ground 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.

21. Prior to the commencement of development, including any demolition or tree works, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan for the retained hedgerows 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), Heras protective fencing and details of any

specialist demolition or construction methods if appropriate.

The measures contained within the approved Arboricultural Impact Assessment, Method Statement and 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 hedgerows" means a hedgerow which is to be retained in accordance with the approved plans and particulars.

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.

22. The landscaping works shall be carried out in accordance with the following approved details prior to first occupation of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

- Drg No.2280_08 Landscape Proposals
- Drg No.2280_09 Landscape Proposals
- Drg No.2280_10 Landscape Proposals
- Drg No.2280_11 Landscape Proposals
- Drg No.2280_12 Landscape Proposals
- Drg No.2280_13 Landscape Proposals
- External Surfaces Layout Drawing R104/4 Rev B

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 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. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

23. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details shown on Drawing No.101 Rev S (Main Drainage Layout Development Area).

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

24. Prior to the construction of any dwelling hereby approved, details of the refuse storage provision (including location, design and materials of construction) shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage area(s) shall be provided in accordance with the approved details prior to first occupation of any dwelling and shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

25. Prior to first occupation of plots 1-6, 17-18, 49-60 and 68-70 hereby approved, the noise mitigation, as stated in Section 5.1 and 5.2 of the Noise Impact Assessment Reference: 50-058-R1-6 (Dated January 2021), shall be implemented. The approved noise mitigation measures shall thereafter 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).

26. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application [Envirotech, 6014, V3, 16 January 2020] including all the mitigation measures set out in that report.

Reason: To ensure compliance 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.

27. (i) No dwelling hereby approved shall be occupied unless and until the 'public open space' as shown on the approved layout plan has been enclosed on the northern, southern and western boundaries in order to be separated from the wider agricultural land, and this area of public open space left with an open eastern boundary so that it is encompassed within the residential development;

(ii) No more than 35 dwellings hereby approved shall be occupied unless and until, all of the green infrastructure and associated operational development / works have been completed in full and made available for use.

Reason: To ensure that the necessary green infrastructure required to support this development is provided in a timely manner in accordance with Policy HP9 of the Adopted Wyre Local Plan 2011-2031.

28. The use of the land hereby permitted shown as 'public open space' on the approved layout plan shall be for green infrastructure and drainage with all area(s) of open space designed to be publicly accessible shall thereafter be retained and maintained for use by the public.

Reason: In order to ensure that the use remains appropriate to this countryside location and remains available for public access in order to perform a functional green infrastructure role in accordance with Policies SP4, SP8 and HP9 of the Wyre Local Plan 2011-2031.development.

29. Details of the appearance (size, materials and external colour finish) of the Electricity Substation and Pumping Station as shown on the approved Planning Layout Coloured Drawing No.R104/1 Rev C, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out and 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 of the development.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings on Plots 11, 12, 13, 59 & 60 shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without planning permission.

Reason: To ensure that the Local Planning Authority have control over any future development of the dwelling(s) in the interests of preserving the character and amenity of the area and the residential amenity of occupants / neighbours in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

PA.56 Application B - Land South Of A586 And North West Of Copp Lane, Great Eccleston (19/00860/ULMAJ)

This application was before members for determination due to the strategic significance of the development and the proposed delivery of infrastructure requirements and it formed part of a mixed-use site allocation for housing and employment.

A site visit took place, in groups of six, 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 an update to the Great Eccleston Masterplan, a revised indicative Education Contribution Assessment from Lancashire County Council, a clarification in Section 9 of the report and amendments to conditions 3 (NB update sheet incorrectly referred to condition 2), 5, 6 and 10.

Members of the Committee made observations about the proposed north-south spine road, the replacement of existing trees, the capacity of the medical centre and the speed limit of Copp Lane, in particular a request for the enforcement of a 30 mph limit.

Following deliberations, 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, under the provisions of the Town and Country Planning Act 1990, subject to the following conditions a S106 Legal Agreement to secure 30% on-site affordable housing provision, delivery of the link road between the A586 and Copp Lane, and financial contributions towards health care, community hall, education, public right of way improvements and travel plan support. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement. It was also agreed that the Head of Planning Services would write to the local highway authority to ask them to consider reducing the speed limit along that stretch of Copp Lane from the school to the village to 30mph, and to write to Highways England to request that they consider works to improve the two junctions between the A585 and Thistleton Road and between the A585 and the B5269 to Thistleton.

Conditions:

1. In the case of any reserved matter, namely access, 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 20.08.2019 including the following plans/documents:

- Drawing No. MA/GE/LP/01 - Site Location Plan
- Drawing No. MA/GE/PP/01 Rev A - Parameters Plan

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 Drawing No. MA/GE/PP/01 Rev A - Parameters Plan shall be up to 350;

(b) No less than 1.0ha of land shall be provided on the site in the general location shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan for the development of employment uses within classes Class B1 (now Class E (g)), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(c) No less than 2.43ha of land shall be reserved for the provisions of a Community Hub in the general location shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan comprising an A1 retail (convenience) store (now Classes E (a), (b) and (c)) and class D1 uses of a Village Hall (up to 0.4ha of land), a Medical Centre (0.49ha of land), and a Primary School (1.36ha of land), 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 floor area to be provided for the retail (convenience) store specified within (c) above shall not exceed 400m² (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 the development delivers appropriate 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 Great Eccleston Master Plan.

4. As part of any reserved matters application where layout is applied for, green infrastructure shall be provided on site in accordance with the requirements of Policy HP9 of the Wyre Local Plan in accordance with the general locations and type shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan and any Masterplan approved by the Local Planning Authority for the site. The total amount of green infrastructure to be provided on the site shall be no less than 3.18 hectares.

Reason: In order to ensure adequate provision of green infrastructure is secured by this planning permission and to ensure sufficient green infrastructure is provided to ensure adequate ecological mitigation in accordance with the provisions of the NPPF and Policies SP8, HP9, CDMP4 and SA3/3 of the Wyre Local Plan.

5. No development shall commence until a phasing programme for the whole of the application site to include the approved residential, green infrastructure, employment land and community hub, has been submitted to and approved in writing by the Local Planning Authority. The 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 the provisions of the approved Great Eccleston Masterplan (Parts 1 and 2), policies SP7, CDMP3, EP1 and SA3/3 of the Wyre Local Plan (2011-31).

6. Prior to, or simultaneously with the submission of any reserved matters application(s) relating to layout, a scheme and programme for the construction, and subsequent offer to the local highway authority for adoption, of the internal spine road between the A586 and Copp Lane, together with the access roads to the 1ha of employment land and to the 2.43ha Community Hub as identified of the approved - Drawing No. MA/GE/PP/01 Rev A - Parameters Plan and the approved Great Eccleston Masterplan Part 1, shall be submitted to and be subject to the approval, in writing, of the local planning authority. These internal roads shall be constructed in accordance with the approved scheme(s) and programme(s) to an adoptable standard.

Reason: In order to ensure that there is adequate and early connectivity to the existing highway network and to ensure that the designated areas of employment land and Community Hub are accessible and available to be developed at an appropriate stage of the overall site development in the interests of highway safety and sustainability and in accordance with the provisions of the approved Great Eccleston Masterplan (Parts 1 and 2) and Policies EP1 and SA3/3 of the Wyre Borough Local Plan 2011-2031.

7. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be

submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routeing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period 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 Policy CDMP1 of the Wyre Local Plan (2011-31).

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 following off-site works of highway improvement 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):

- Upgrade the two bus stops to the west of the junction onto the A586 to Quality Bus Stops with a new bus shelter

Reason: In order to ensure the timely delivery of the necessary off-site highway works which can be identified at outline stage in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31). Additional off-site works of highway improvement will likely be identified at reserved matters stage when the detailed matter of access is applied for.

10. Where any reserved matters application is submitted relating to layout on the part of the site which is located to the south of public right of way network (2-13-FP11) and east of the main spine road, 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 from the spine across extending to the eastern site boundary as shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan (and to link to any similar road on the other side of the boundary if permitted or existing at the time the details are submitted). Prior to, or simultaneously with the submission of any such reserved matters application, a scheme and programme for the construction of this road and subsequent offer to the local highway authority for adoption shall be submitted to and be subject to the approval, in writing, of the local planning authority. The said primary access road shall thereafter be constructed to an adoptable standard for its entire length up to the site boundary. This primary access road shall be maintained and remain open and unobstructed at all times.

Reason: To ensure that the development provides appropriate and timely connections and sustainable linkages to neighbouring development and the wider highway network to enable the full development of site allocation SA3/3 and in accordance with the approved Great Eccleston Masterplan (Parts 1 and 2), Policy CDMP3 of the Wyre Local Plan (2011-31) and the National

Planning Policy Framework.

11. Prior to the submission of the first reserved matters application(s) relating to layout, or simultaneously with that first reserved matters application, a drainage scheme, 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.

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. 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 in that specific area 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.

12. Prior to the commencement of development 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.

The development 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.

13. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are shown to be at a restricted rate; and
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses.

The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere; and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

14. A watching brief shall be undertaken during the course of the development works and shall focus in particular on the area of the sign and void. 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), and as the submitted site investigation report recommends that further work is undertaken particularly in the area of the sign.

15. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis. 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. The programme of works should comprise an initial phase of archaeological trial excavation, followed by the production of an appropriate report. Should significant archaeological remains be encountered then a further phase of mitigation works should be designed and implemented in accordance with a further written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. All such works

should be undertaken by an appropriately qualified professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologist (www.archaeologists.net).

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance in accordance with Policy CDMP5 of the Adopted Wyre Local Plan (2011-31).

16. As part of any reserved matters application 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.

17. 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.

18. Prior to the commencement of development, a management and maintenance plan for the green infrastructure and all communal areas within the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall cover features such as ponds, detention basins, hedgerows and grassland. The plan shall also detail how long-term management of the green infrastructure will be resourced. The management and maintenance plan shall be implemented in accordance with the agreed details.

Reason: In order to ensure that communal areas of open space and planting are managed in such a way as to safeguard their public access and usability and/or ecological benefits in the interests of health and wellbeing and biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policies SP8, CDMP3, CDMP4 and HP9 of the Wyre Local Plan 2011-2031. 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.

19. 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.

20. Prior to the first occupation of each approved residential phase of development, details of home-owner information packs to include responsible behaviour in the vicinity of the housing development, on Public Rights of Way and at the coast shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the home-owner information packs shall highlight the conservation value of Morecambe Bay (a European protected nature conservation site) and its sensitivity to recreational disturbance, the potential impacts that can arise from residential development, and the responsible behaviours that would be required from residents to avoid undue ecological impact. The details shall also include a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to the Morecambe Bay and Duddon Estuary Special Protection Area (SPA), in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

21. Prior to commencement of the development a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall include all details of the legal and funding mechanisms by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The LEMP shall be implemented in accordance with the approved details.

Reason: To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy CDMP4 of the Adopted Wyre Local Plan and section 15 of the National Planning Policy Framework.

22. No development shall commence on site, including any vegetation clearance, earth moving or other enabling works, until such time as a Reasonable Avoidance Measures Strategy for amphibians (common toad) has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall include the following measures:

- Location of suitable protective fencing
- Details of management of habitats and supervised (Ecological Clerk of Works) hand-searching of features to be removed.

The development shall be undertaken in accordance with the agreed details.

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

23. No development shall commence on site, including any vegetation clearance, tree works, earth moving or other enabling works, until such time as details of temporary fencing protection of retained features with suitable construction stand-off has been submitted to and agreed in writing by the Local Planning Authority. This shall include details of a Tree Protection Plan for the retained tree(s), methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The development shall be undertaken in accordance with the agreed details.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

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, and section 15 of the National Planning Policy Framework . The details are required to be approved prior to commencement

of development to ensure timely tree protection measures are in place.

24. Prior to the submission of the first reserved matters application(s) relating to layout and landscaping, or simultaneously with that first reserved matters application a scheme including the following matters shall be submitted for ecological purposes:

- Lighting strategy to provide wildlife dark corridors on key habitat features.
- Highways scheme which is amphibian friendly at key crossing points, such as the spine road as it crosses public open space area(s) and secondary route to north of public open space. To include dropped kerbs and off-set gulley pots, use of gulley pots that allow amphibian escape.
- Internal boundary treatments designed to provide ecological permeability and allow for passage of small mammals (e.g. hedgehog) and amphibians.
- countryside furniture, path way marking and interpretative panels within the Site and links to the Public Rights of Way network adjacent to the site.
- Landscape scheme to include a planting pallet of locally native species appropriate to the local context. This shall include gapping up of retained hedgerows and details of new hedgerows together with mitigation for any lengths of existing hedgerows to be lost, planting or trees, and grassland creation.
- A biodiversity enhancement scheme to include recreated habitats and installation of biodiversity features (e.g. bat bricks, bird boxes and amphibian hibernacula etc.).

Reason: To protect and prevent unnecessary disturbance of protected species, and to ensure provision of biodiversity enhancement, in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework, and in accordance with Policy CDMP4 of the Adopted Wyre Local Plan 2011-31.

25. Prior to the commencement of each approved development phase a re-survey of the site and adjoining land / ditches (within a 30metre buffer of the site) shall be undertaken for the presence of badgers and water voles 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 which may be required, in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011) and the NPPF.

26. Prior to the commencement of each approved development phase a re-survey of the trees (to be removed and pruned) for potential bat roost features, including aerial inspection and/or activity surveys, to be carried out by a suitably qualified ecologist, 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: To prevent possible harm to ecology if the development were commenced without the necessary mitigation measures which may be required, in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011) and the NPPF.

27. The measures contained within the approved Tree Survey and Arboricultural Impact Assessment, (Tree Survey (BS5837: 2012) and

Arboricultural Impact Assessment by Cameron S Crook & ASSOCIATES Dated June 2019 Version: 1.1, received 28th August 2019) 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.

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.

28. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings, commercial and community uses with parking provision, for 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 shall be occupied or premises shall be first used until the electric vehicle recharging point has been provided for the dwelling or use to which it relates. 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).

29. 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, and to ensure the appearance of the development is acceptable in accordance with Policy CDMP3 of the Wyre Local Plan 2011-2031.

30. 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 Community Hub) 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).

31. (A) The residential development hereby permitted shall be designed so that noise levels at each dwelling does not exceed the following levels as assessed in accordance with British Standard 8233 (2014) and WHO guidelines (or any subsequent replacement national standards / guidance):

- LAeq 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)*
- LAFmax 60 dB 8 hours - façade level night time (23.00-07.00)
- LAFmax 60 dB 4 hours - façade level evening (19.00-23.00)*

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

(B) Where noise mitigation measures are required to ensure compliance with the noise levels specified above e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted in the first reserved matters application(s) relating to layout or appearance, 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: To ensure there is no adverse effect on the health and quality of life of future occupiers of the proposed dwellings 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).

32. As part of any reserved matters application relating to layout or appearance for each approved development phase, details of refuse storage provision (including location, design and materials of construction), waste collection point, and means of collection (e.g., Council or private), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

33. 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.

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.

PA.57

Application D - Craiglands Hillylaid Road, Thornton Cleveleys, Lancashire, FY5 4EB (20/00092/OUTMAJ)

This application was before Members of the Planning Committee for determination at the request of Councillor Minto.

A site visit took place, in groups of six, 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 two additional representations, updated plans and updated conditions.

Councillor Ken Minto, Wyre Councillor for Stanah, spoke in objection of the application.

The applicant's agent, Joseph Boniface, spoke in support of the application.

Members raised some concerns, particularly over the inadequacy of vehicle parking and the impact of the size of the proposal on the character of the area.

It was proposed by Councillor Orme, seconded by Councillor D Walmsley and a decision was made that the application be **refused** (contrary to the Officer recommendations), under the provisions of Town and County Planning Act 1990, on the following grounds:

1. The proposal would fail to provide adequate on-site parking, which would result in vehicles parking on and obstructing the highway, causing problems with road safety and the safe movement of all highway users on Hillylaid Road which is a bus route. Therefore, the proposal would be contrary to policies SP2 and CDMP6 of the Wyre Local Plan (2011-31) and the NPPF.
2. The proposal, by reason of the scale and massing of the building, would be out of keeping with the streetscene character of the area. Therefore, the proposal would be contrary to policies SP2 and CDMP3 of the Wyre Local Plan (2011-31) and the NPPF.

**PA.58 Application C - Land To The South Of Blackpool Road Carleton
(19/00809/FULMAJ)**

The application was before the Planning Committee for determination as the site fell within an allocated site in the Wyre Local Plan and it is of strategic importance.

A site visit took place, in groups of six, 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 included an update on Infrastructure Provision, an update on the reason for refusal, the applicant's submission of a Unilateral Undertaking and Officer's response to a letter submitted by the applicant's agent.

Christopher Young QC, the applicant's representative, spoke in support of the application.

The Head of Planning Services informed the Committee that the penultimate sentence in the updated reason for the refusal should read "The significant harm caused by the development in failing to provide affordable housing in accordance with Policy HP3 of the Wyre Local Plan (2011-31) would outweigh any benefits to the development."

Following discussions, it was proposed by Councillor Moon, seconded by Councillor Orme, and a decision was taken that the application be **refused** under the provisions of Town and County Planning Act 1990, in accordance with the recommendation, for the following reason:

1. The proposal would involve the provision of 42 bungalow units for people aged 55 and over, thereby impacting on existing social infrastructure. Policy SP7 of the Adopted Local Plan requires proposals to mitigate any adverse impacts of a development on existing infrastructure, by making a financial contribution where this is deemed necessary. Where appropriate, developments may be required to incorporate new infrastructure on site. In this instance the development is required to make 30% affordable housing provision (or off-site contributions in lieu of on-site provision). The Council disagrees with the applicant's position and considers that some affordable housing could be provided whilst still making the development viable. The significant harm caused by the development in failing to provide affordable housing in accordance with Policy HP3 of the Wyre Local Plan (2011-31) would outweigh any benefits to the development. Therefore the proposal would form an unsustainable development contrary to policies SP2, SP6, SP7, SP8 and HP3 of the Wyre Local Plan (2011-31), the approved Blackpool Road Masterplan and the NPPF.

The meeting started at 2.00 pm and finished at 4.45 pm.

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