



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 20 April 2021
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Democratic Services Officer
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Planning Committee meeting on Wednesday, 28 April 2021 at 2.00 pm in the Civic Centre and Via WebEx.

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

1. Apologies for absence

2. Declarations of interest

Members will disclose any pecuniary and any other significant interests they may have in relation to the matters under consideration.

3. Confirmation of minutes

To confirm as a correct record the minutes of the Planning Committee meeting held on 07 April 2021 (already circulated by email).

4. Appeals

(Pages 3 - 10)

The Schedule of Appeals lodged and decided between 15 March 2021 – 15 April 2021, is attached.

5. Planning applications

Background Papers:

In preparing the reports on this agenda the following documents have been used:

1. The Wyre Borough Local Plan (2011-2031)
2. Draft Revised Joint Lancashire Minerals and Waste Local Plan
3. Joint Lancashire Minerals and Waste Local Plan
4. Statements of Government Policy/guidance (NPPF, NPPG, Ministerial Statements etc.)
5. Supplementary Planning Guidance and evidence base documents specifically referred to in the reports
6. The application file (as per the number at the head of each report)

7. The forms, plans, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports
8. Any additional information specifically referred to in each report.

These background documents are available on line, or for inspection by a written request to Planning Services, Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU.

Reports of the Head of Planning Services on planning applications to be determined at this meeting:

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|-----|--|-------------------|
| (a) | Application A - Land South Of Prospect Farm West Of A6 Garstang (20/00212/FULMAJ)
Erection of 70 dwelling houses and associated infrastructure with new access off A6 Preston Lancaster New Road. | (Pages 11 - 40) |
| (b) | Application B - Land South Of A586 And North West Of Copp Lane, Great Eccleston (19/00860/OULMAJ)
Outline application for the erection of up to 350 dwellings, 1 hectare of employment land, a medical centre, a school, village hall and convenience store (all matters reserved). | (Pages 41 - 80) |
| (c) | Application C - Land To The South Of Blackpool Road Carleton (19/00809/FULMAJ)
The erection of 42 bungalows for people aged 55 and over (Use Class C3) with associated car parking, public open space and vehicular access from Blackpool Road. | (Pages 81 - 102) |
| (d) | Application D - Craiglands Hillylaid Road, Thornton Cleveleys, Lancashire, FY5 4EB (20/00092/OUTMAJ)
Outline application for the demolition of existing dwelling and erection of 33 apartments for over 55's, including ancillary accommodation and parking with details of access, appearance, layout and scale included. | (Pages 103 - 126) |
| (e) | Application E - 20 Ormont Avenue, Thornton Cleveleys, Lancashire, FY5 2BT (21/00105/FUL)
Two storey side extension, single storey rear extension and new roof to existing rear extension. | (Pages 127 - 134) |

APPEALS LODGED AND DECIDED

Appeals Lodged between – 15th March – 15th April 2021

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
20/00196/FENCE	89 Green Drive Thornton Cleveleys Lancashire FY5 1JE	Erection of a wooden boundary fence on top of existing boundary wall	N/A - Enforcement	Written Representations	16 th March 2021
20/01278/LAWE	89 Green Drive Thornton Cleveleys Lancashire FY5 1JE	Certificate of lawful existing development for the retention of a 1.9m high fence	Delegated	Written Representations	16 th March 2021
20/01179/COUQ	Pinewood/Glen Lea Nurseries Garstang Road Pilling Preston Lancashire PR3 6AQ	Prior approval for proposed change of use of agricultural building to a dwellinghouse under Class Q of the GDPO	Delegated	Written Representations	26 TH March 2021

Page 3

Appeals Decided between –15th March - 15th April 2021

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
20/00413/OUT	Land Off Old Bridge Lane Hambleton	Outline application for the erection of 3 self-build and custom plots with access applied for off Old Bridge Lane (all other matters reserved)	Delegated	Dismissed	22 nd March 2021
17/00078/ENF	Carters Farm (The Farmhouse And The Sycamores) Old Toms Lane Stalmine Poulton-Le-Fylde Lancashire FY6 0JS	Appeal against the enforcement notice for an unauthorised barn conversion	N/A – Enforcement	Appeal withdrawn	17 th March 2021

Agenda Item 4

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Appeal Decision

Site Visit made on 8 March 2021

by **Alison Partington BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd March 2021

Appeal Ref: APP/U2370/W/20/3264033

Land Off Old Bridge Lane, Hambleton, FY6 9BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Collinson against the decision of Wyre Borough Council.
 - The application Ref 20/00413/OUT, dated 19 May 2020, was refused by notice dated 4 September 2020.
 - The development proposed is 3 self and custom build residential plots.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with only access to be determined at this stage. I have determined the appeal on this basis, treating the site layout plan as illustrative other than for the location of the access.

Main Issues

3. The main issues in the appeal are:
 - Whether the site represents a suitable site for housing having regard to its location in the open countryside; and
 - Whether or not the proposal would provide adequate living conditions for future occupiers having particular regard to noise.

Reasons

Whether the site represents a suitable site for housing

4. Policy SP1 of the *Wyre Local Plan (2011 – 2031) (adopted February 2019)* (WLP) sets out the settlement hierarchy for the borough. This indicates that new development should take place within the settlement boundaries, as defined on the Policies Map, with the majority of new development taking place in the settlements higher up the hierarchy. Outside of settlements with defined boundaries new built development is strictly limited, with the forms of development that may be acceptable being set out in Policy SP4 of the WLP.
5. It is not disputed that the site lies outside the settlement limits for Hambleton and so in planning policy terms is in the open countryside. Policy SP4 indicates that the only forms of housing considered acceptable in the open countryside are either affordable housing or that proposed for agricultural or rural workers. It is not part of the appellants argument that the proposal would be for either of these forms of development.

6. However, Policy SP4 says that development that would harm the open and rural character of the countryside may be justified if it is necessary to achieve substantial public benefits that outweigh the harm.
7. The appellants have stated that the proposal would provide three self or custom build plots. They indicate that there are currently 7 people on the Council's Self-Build register and that to date the Council has granted no specific permission to meet this need. As such, it is argued the proposal would make a substantial contribution to meeting this need.
8. The Council in contrast suggest that as the numbers on the register are low this would not represent a substantial public benefit as required by Policy SP4. In any case they consider that this level of demand can be met through current permissions and policy compliant windfall sites. This is disputed by the appellants.
9. Nevertheless, even if I were to agree with the appellant with regard to the need for self-build plots, a mechanism is required to ensure the proposal complies with the provisions of the Self-Build and Custom Housebuilding Act 2015. The appellant has suggested a condition for this purpose. However, in my experience, ensuring a proposal meets the definition of self-build and custom housebuilding, is normally dealt with by way of a Section 106 agreement or a Unilateral Undertaking. A condition would not only have to limit the first occupancy of the dwelling but would have to restrict the act of an individual in the methods used to build the house. I cannot see how such a control would be sufficiently land use based to accord with the Framework's tests for conditions.
10. In the absence of a mechanism to secure the housing was self-build I give this matter little weight and consider that the proposal would not result in substantial public benefits in accordance with Policy SP4.
11. Therefore, I consider that the appeal site would not be a suitable site for new housing having regard to its location in the open countryside and it would conflict with Policy SP1 and SP4 of the WLP outlined above.

Living Conditions

12. To the rear of the site lies the A588 which is a main distributor road that carries significant levels of traffic. In the light of this a noise assessment was submitted with the application. However, this dates from 2014 when a previous application was made for housing on the site. In order to provide adequate living conditions this recommends an acoustic barrier at least 2m high along the rear boundary of the site as well as specific requirements for windows and alternative ventilation systems in the houses.
13. The Council have indicated that around 350 houses have been built in the peninsula corridor to the north of the site. On the basis of evidence to the recent Local Plan examination the Council have estimated this level of development could have potentially resulted in an additional 136 trips/vehicles going past the site now compared to when the noise assessment was carried out in 2014.
14. Nonetheless, the appellant's acoustic consultant indicates that the amount of traffic would have had to double for the measured level to increase by 3dB. This has not been disputed by the Council. The estimated increase in traffic

passing the site is much less than that. Moreover, due to the current situation caused by the pandemic, any acoustic assessment undertaken at the present time is unlikely to be representative of what might be considered to be "normal" traffic flows.

15. In the light of this, whilst I appreciate the Council's concerns with a noise assessment of this age, I agree with the appellants acoustic consultant that this report represents the best evidence regarding noise levels at the site that is possible at the present time. Thus, if the recommendations in the report are followed, I am satisfied that providing adequate living conditions for future occupiers would be possible. To this end I note the proposed site plan indicates a 1.8m high acoustic fence whereas the report recommends an acoustic barrier of at least 2m. However, if I were minded to allow the appeal, this could be dealt with by a condition.
16. Consequently, I consider that the proposal would provide adequate living conditions for future occupiers having particular regard to noise. Therefore, it would not conflict with Policy CDMP1 of the WLP that seeks to ensure that developments would not result in significant adverse effects on health, amenity or safety for existing or future occupants or users.

Other Matters

Housing land supply and whether the tilted balance is engaged

17. The appellant contends that the Council cannot demonstrate a 5 year supply of deliverable housing land with the appropriate buffer and consequently that the 'tilted balance' set out in paragraph 11 d) of the *National Planning Policy Framework* (the Framework) should apply.
18. In October 2020 an Inspector found that the Annual Position Statement submitted by the Council in July 2020 could not be supported. He found a supply of 3,121 homes. In accordance with paragraph 73 b) of the Framework this assessment is undertaken utilising a 10% buffer.
19. The appellant has argued that the delivery at a number of sites in the Council's supply will not be as great as that stated by the Council. However, little evidence has been provided in each case. Nonetheless, the Inspector considering the Annual Position Statement found that all the sites identified by the appellant, bar one, would have a different rate of delivery than that proposed by the Council.
20. The housing requirement using the 'Liverpool' method, (as agreed by the WLP's examining Inspector), and a 5% buffer, as required by paragraph 73 a) of the Framework and the Housing Delivery Test results, is 3013.97. This equates to 602.79 per annum.
21. The appellant argues that adjustment should be made to the housing land supply to take account of the effects of the Covid-19 pandemic. We are still in the throes of the pandemic and the full effects are yet to be seen and there is no support in national policy or guidance to make adjustments to the housing land supply calculations due to the effects of Covid-19.
22. The supply of 3,121 units found by the Inspector considering the Annual Position Statement gives a supply of 5.2 years against the housing requirement when using a 5% buffer.

23. In addition, I consider that Policies SP1, SP4, and CDMP1 of the WLP are the policies most important for determining the application. The WLP was only adopted 2 years ago and I consider these policies are still consistent with the Framework and so are not out of date.
24. Therefore, the tilted balance in paragraph 11 d) of the Framework is not engaged.

Ecology

25. The site lies close to the Wyre Estuary SSSI which is part of the Morecambe Bay Special Area of Conservation, Special Protection Area and Ramsar site. The Council's ecological consultant has undertaken a Screening Opinion and on the basis on information from the appellant and advice from Natural England, concluded that the proposal was unlikely to have a significant effect on any European site and that any further assessment was not necessary. I see no reason to come to a different conclusion in this regard.
26. There are a number of trees located to the north of the site boundary. These would not be affected by the development. The indicative plans show the hedges around the site boundary largely being retained and supplemented. This matter would be dealt with when the landscaping reserved matter was considered.
27. Given the above, and the evidence from the Phase 1 Habitat Survey submitted at application stage, subject to conditions, I am satisfied the proposal would not have an adverse impact on ecology.

Planning benefits

28. The construction of three self-build dwellings would benefit the local economy as would spend by future occupiers. However, given the scale of the proposal, these benefits would be limited. Although there is a restaurant and post box on Old Bridge Lane, the site is some distance from the services and facilities within Hambleton. Nevertheless, the site is conveniently located for bus stops on Shard Road, with a relatively frequent service 7 days a week. As such, future occupiers would not be solely reliant on the private car to meet all their day to day needs.
29. Even though the Council can demonstrate a 5 year housing land supply, the Framework aims to significantly boost the supply of housing. The proposal would provide three residential building plots. Although suggested these would be self or custom build plots, for the reasons outlined above, I give this little weight. Nonetheless, the site would make a small contribution to housing supply in the area.

Planning Balance and Conclusion

30. Having regard to its location in the open countryside I have found that the site would not be a suitable site for housing and the proposal would conflict with WLP Policies SP1 and SP4. Although I have found the proposal would be able to provide adequate living conditions for future occupiers, an absence of harm in this regard is a neutral factor. Consequently, overall the proposal would be contrary to the development plan as a whole.

31. Whilst I have taken account of the benefits, taken together I do not consider these represent a material consideration sufficient to outweigh the conflict with the development plan.
32. For the reasons set out above, I therefore conclude the appeal should be dismissed.

Alison Partington

INSPECTOR

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Committee Report

Date: 28.04.2021

Item Number 01

Application Number 20/00212/FULMAJ

Proposal Erection of 70 dwelling houses and associated infrastructure with new access off A6 Preston Lancaster New Road

Location Land South Of Prospect Farm West Of A6 Garstang

Applicant Rowland Homes

Correspondence Address c/o De Pol Associates Ltd
Miss Jen Beardsall Farington House Stanifield Business Park
Stanifield Lane Leyland Preston PR25 4UA

Recommendation Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mr Rob McKillop

1.0 INTRODUCTION AND ASSESSMENT (UPDATED FROM ORIGINAL REPORT FOR 7 APRIL 2021 COMMITTEE)

1.1 This application is before the Committee for a second time. It was initially presented to the Committee on the 7 April 2021. 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.

1.2 Following the committee meeting, the applicant's transport consultant approached Lancashire County Council (LCC) Highways to consider whether or not there is an alternative scheme that would address members concerns. In respect of the location of the crossing, LCC Highways have confirmed that the existing refuge needs to be repositioned to the north to allow for the new access and to provide a suitable right turn arrangement without impact to traffic flow. The principle of the site access location and repositioning the refuge to the north is also set out in the approved Masterplan. In terms of the precise location, LCC Highways have confirmed that the crossing could not be further south of its proposed position to ensure a suitably long and safe right turn lane is provided to the site. LCC Highways have also confirmed that the distance between the proposed new site access and Kepple Lane junction is acceptable in respect of design safety standards. In short there is no alternative suitable location for the crossing.

1.3 In respect of different crossing options, LCC Highways have confirmed that design standards would preclude establishing a zebra crossing in this location, due to the traffic speeds along the A6. Furthermore, it was advised that the requirement for a pelican or signalised crossing would not be met due to the likely number of users (low) and limited conflict with larger vehicles. Additionally, a pelican crossing would not be achievable in terms of meeting the necessary greater separation distance

between accesses. As such, LCC have advised an alternative crossing would not be appropriate in this location. LCC Highways have advised that the use of pedestrian refuges/traffic islands is not uncommon on 50mph roads and there is one on the A6 to the south of the site between Ronson Drive and Kepple Lane. One of the main stated benefits of such features, in addition to safer pedestrian crossing, is to allow safe right turning for vehicles to protect from oncoming vehicle collisions.

1.4 LCC Highways have advised that recent Government guidance has discouraged use of pedestrian guard rails which should only be a last resort and should be designed out of being required on new road layouts and development proposals. Apart from being unsightly and a maintenance liability, guard railing can impact on driver visibility and mask child pedestrians. As such LCC Highways do not support the use of guard rails.

1.5 In terms of improvements, the developer has proposed some addition "staggered junction" signage and "slow" road markings which LCC have confirmed are likely to highlight the junction and bring about a slight reduction in overall traffic speeds here. An updated off site highway works plan has been provided which LCC Highways have confirmed would be acceptable. Overall, LCC Highways have confirmed that the scheme is acceptable in terms of highways safety and is consistent with the approach that LCC is looking to develop under the A6 Barton to Garstang Sustainable Transport Strategy.

1.6 To conclude LCC Highways do not support an alternative location or type of crossing, nor the use of pedestrian guard rails along the site frontage. They do support the addition of "staggered junction" signage and "slow" road markings as shown on the updated highway works plan. Accordingly, for the reason set out above and in the main report below, the recommendation for approval at section 11 of the main report below remains unchanged. Conditions 2 (list of approved plans) and 7 (list of off-site highway works) have been updated to reflect the above.

ORIGINAL REPORT FOR 7 APRIL 2021 COMMITTEE

1.0 INTRODUCTION, SITE DESCRIPTION AND LOCATION

Site Notice Date: 16.04.2020

Press Notice Date: 25.03.2020

1.1 The application is before the Planning Committee for consideration as the proposed delivery of the housing site allocation and supporting Green Infrastructure (GI) is different to the typical approach usually taken, as in this case the Green Infrastructure provision would be largely provided outside the allocation on land designated as countryside. Due to the current national lockdown restrictions in place an organised site visit will not take place however site photographs will be displayed in the meeting to enable Members to understand the proposal beyond the plans submitted.

1.2 The application site is on the western side of the A6 (Lancaster to Preston Road) opposite the junction with Kepple Lane. The site is open agricultural land measuring 3.59 hectares in area. Bradshaws Farm Shop lies to the northern boundary. The application site forms part of a larger field extending to the west and there is no present boundary feature between the application site and the remainder of the field. Open agricultural fields also lie to the south of the site. A hedgerow

marks the eastern boundary of the site along the footpath to the A6 and there are some residential dwellings along the eastern side of the A6.

1.3 The site is allocated for residential development (70 dwellings) under Policy SA1/15 of the Wyre Local Plan (2011-31). Policy SA1/15 states that the site should be brought forward in line with a masterplan covering the whole site area. The masterplan must be agreed by the local planning authority prior to the granting of planning permission. Additionally, other Key Development Consideration (KDCs) are included in the policy to direct development of this site. The majority of the site falls within the settlement boundary of Garstang along with neighbouring land to the north and east. The western part of the site (where the green infrastructure is proposed) together with land to the west and south is within the designated countryside.

2.0 THE PROPOSAL

2.1 This application seeks full planning permission for the erection of 70 dwellings. A new access on to the A6 would be positioned centrally along the eastern boundary with dwellings generally arranged in four blocks as well as along the northern boundary. Public open space and an attenuation swale are proposed to the western side of the site. 30% of the dwellings will be affordable housing with 9 units proposed for affordable rent and 12 units proposed for intermediate housing.

2.2 The 70 dwellings comprise the following housing mix:

- 9 x 2 bedroom houses
- 40 x 3 bedroom houses
- 19 x 4 bedroom houses
- 2 x 5 bedroom houses

2.3 The following documents have been submitted in support of the application:

- Masterplan
- Tree Survey
- Transport Statement
- Phase 1 Geo-Environmental Report
- Market Demand Report
- Ecological Appraisal
- Planning Statement
- Topographical Surveys
- Noise Assessment

3.0 RELEVANT PLANNING HISTORY

None.

4.0 PLANNING POLICY

4.1 ADOPTED WYRE BOROUGH LOCAL PLAN

4.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

4.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP4 - Countryside
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Wellbeing
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility & Transport
- HP1 - Housing Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments
- SA1/15 - Land South of Prospect Farm (site allocation)

4.2 OTHER MATERIAL CONSIDERATIONS

4.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

4.2.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment

4.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full

confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

4.3 OTHER MATERIAL CONSIDERATIONS

WYRE SUPPLEMENTARY PLANNING GUIDANCE

- 4.3.1 The following is of relevance to the determination of this application:-
- Supplementary Planning Guidance 2 - Development and Trees
 - Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts
 - Supplementary Planning Guidance Note 9: Designing Out Crime
 - Guidance for Applicants - Green Infrastructure in New Residential Developments (Policy HP9) (October 2020)

MASTERPLAN

4.3.2 Land South of Prospect Farm, West of the A6, Garstang - The document has been approved by Planning Policy Working Group on 4th March 2021 with a formal decision by Management Board expected 1st April. The approved document will be a significant material planning consideration to this application.

OTHER GUIDANCE / LEGISLATION

4.3.3 THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS (AMENDMENT) (EU Exit) 2019

4.3.4 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

4.3.5 Building for Life 12 (BfL12): Third edition - January 2015

4.3.6 National Planning Practice Guidance (NPPG)

5.0 CONSULTATION RESPONSES

5.1 GARSTANG TOWN COUNCIL has raised the following objections (summarised):

- Detrimental impact on highway safety, traffic and pedestrians crossing the A6;
- Development impacting on flooding downstream and independent investigation should be undertaken;
- Lack of public transport access, including buses;
- The application has not been considered alongside other applications and the cumulative impacts are a concern;
- Previous concerns have been raised in respect of character, impact on education and medical services and retention of trees.

5.2 KIRKLAND PARISH COUNCIL has raised the following objections (summarised):

- Wyre Council has met its housing quota and development is unnecessary;
- The development would cause flooding impacts on Churchtown which has previously suffered flooding problems;
- The FRA refers to the impact on the site itself rather than impacts elsewhere which need to be taken into account;

- The FRA gives advisory rather than positive solutions and doesn't not mention other already using Ainspool for drainage;
- The A6 is a main arterial route and the additional junction would create more traffic increase the risk of danger to highway users;
- The location is isolated and unsafe for walking, cycling or mobility crossing of the A6 and does not encourage sustainable travel;
- The lack of an adequately positioned crossing/refuge will result in danger to pedestrians;
- Improvements, not just to the site frontage, but other kerbs/footways would be necessary;
- Lancashire County Council is already aware of issues at nearby junctions (Moss Lane/Longmoor Lane) and further junctions will only make the A6 stretch more unsafe;
- Any s106 money collected should got towards improvement of the Avenue junction with the A6.

5.3 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - no objections subject to conditions.

5.4 LANCASHIRE COUNTY COUNCIL ARCHAEOLOGY - no objections.

5.5 LANCASHIRE COUNTY COUNCIL EDUCATION AUTHORITY - a financial contribution of £46,123.50 is sought towards secondary school places which are required to mitigate against the impacts of the application on local school places.

5.6 LANCASHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY - no response received.

5.7 LANCASHIRE COUNTY COUNCIL HIGHWAYS - no objections on the basis that the development would not have a significant impact on highway safety. This is subject to mitigation being provided by the developer in the form of conditions and improvement works to the existing highway.

5.8 LANCASHIRE FIRE & RESCUE - reference to current building regulation requirements.

5.9 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG) has confirmed that it is seeking mitigation in the form of a £23,772.00 contribution to be put towards refurbishment and/or reconfiguration at Garstang medical centre.

5.10 UNITED UTILITIES has no objections subject to conditions.

5.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE) has no objections.

5.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY CONSIDERATIONS)) has no objections subject to conditions.

5.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION) - no objections subject to conditions.

5.14 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREE AND WOODLAND OFFICER) - the northern hedgerow could be retained within the scheme and details of tree protection and replacement of dead, dying or diseased stock have not been provided. All other elements, including landscape proposals, are suitable.

5.15 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PUBLIC OPEN SPACES/GREEN INFRASTRUCTURE) has no objections.

5.16 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (WASTE MANAGEMENT) has no objections subject to appropriate bin presentation points or communal bin stores being provided for certain plots.

6.0 REPRESENTATIONS

6.1 Churchtown Flood Action Group and St Michaels Flood Action Group raised the following points of objection (summarised):

- The FRA overlooks the risk of off-site flooding which is required by the NPPF;
- Increased risk of downstream flooding should be a significant material consideration given the extensive history of flooding in St Michaels and Churchtown;
- The use of SUDS will not be effective as greenfield run-off calculation assume lower rates that are relevant to this site;
- High water levels in the Wyre cause Ainspool to cease to operate as an effective drainage channel because it has a non-return valve;
- The FRA does not consider cumulative impact of other development (app 20/00340/RELMAJ at Nateby Crossing) which will exacerbate problems downstream;
- The application should not be determined before thorough and independent investigation by expert hydrologists on what means should be implemented to ensure that downstream residents and properties are not further adversely affected by reason of the proposed development.

6.2 Five objecting representations have been received from members of the public with comments summarised as follows:

- Development will increase rainwater run-off causing problems for local residents at risk of flooding;
- The cumulative impact of development in Garstang will result in more flooding;
- Loss of green belt and farming land should be avoided and land should be left for agriculture or wildlife habitat;
- Further infrastructure is required to support population increase - schools and doctors are oversubscribed;
- The site is in an area where there are existing accidents at road junctions and the A6 is difficult to cross this location, not pedestrian friendly and therefore is poorly linked to Garstang;
- There is no mention of the primary school on Kepple Lane which is already busy at school time with traffic and no mention of other development on Kepple Lane;
- There are no direct links to public transport as buses do not pass the development and there is no railway station in Garstang;

- The submitted Transport Report incorrectly states there have only been a couple of minor accidents near the application site, however in actuality this figure should be higher accounting for unrecorded accidents and near misses;
- There is no need for further housing in Garstang given the large number of recent developments;
- The A6 is already busy and more development will result in further congestion, including construction traffic; which leads to unnecessary noise and pollution;
- A new post box should be supplied to prevent people driving to post letters;
- Why were 75 units previously proposed and the figure now 70?;
- Provision for a children's play area should be provided;
- The site drains into Ainspool River which flood Churchtown and cannot take more water at times of high rainfall and pumps were deployed recently to prevent resident's being flooded - development will contribute further to these problems.

6.3 One neutral representation has been received from a member of the public with comments summarised as follows:

- Consideration should be given to reducing the speed limit to 30mph near to the site given the increased vehicle movements onto a 50mph road and associated problems for drivers and pedestrians.

7.0 CONTACT WITH APPLICANT/AGENT

7.1 Communication has taken place with the applicant's agent during the application via email, phone calls and meetings to overcome concerns relating to layout, highways safety, public open space and other matters. Further to these discussions, additional and revised plans/information has been submitted. This information has subsequently been reviewed by the Local Planning Authority and statutory consultees in order to address concerns.

8.0 ISSUES

8.1 The main issues to be considered in the determination of this application are:

- Principle of Development
- Infrastructure Requirements
- Visual impacts, Design and Housing Mix
- Impact on Residential Amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Ecological Matters
- Trees and Landscaping

Principle of development

8.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan (WLP31).

8.3 The majority of the application site is allocated for residential development (70 dwellings) under Policy SA1/15 of WLP31 and falls within the settlement boundary of Garstang as defined in the WLP31 Policies Map. Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within

settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. Policy SA1/15 sets out a number of Key Development Considerations (KDC's), or policy requirements, for the whole allocation. KDC1 sets out that the land should be brought forward in line with a masterplan covering the whole allocation prior to granting planning permission on any part of it. A masterplan setting out development principles for the site was recently consulted on as part of this planning application, agreed by Planning Policy Working Group and expected to be formally approved by the Council in time for the April Planning Committee. On this basis KDC1 has been satisfied. Other KDC requirements are considered later in this report.

8.4 The western part of the application site also includes (where the green infrastructure and attenuation swale is proposed) designated countryside land in the WLP31. Policy SP4 of the WLP31 is therefore relevant. This sets out that within countryside areas planning permission will only be granted for new development which meets the requirements of the core development management policies and which meets one of the exception criteria listed. Criterion b) outlines that outdoor sport and leisure facilities where a countryside location is needed and justified is considered to be an appropriate type of new development. The provision of open space, the majority of which would be available for informal recreation use, is considered to be in general accordance with this criterion, and the justification and need for it to be in this location is to enable delivery of the SA1/15 housing capacity figure (further details below).

8.5 The site is Grade 3 agricultural land which is classed as good to moderate quality and therefore the proposal would not lead to the loss of high value agricultural land. In any event the loss of agricultural land for the housing allocation portion of the site was considered and accepted as part of the Emerging Local Plan.

Infrastructure Requirements

8.6 Concerns were raised by local residents in respect of the potential impact on local schools, services and infrastructure. Policy SP7 of the WLP31 seeks to ensure the impacts of the development on local infrastructure are suitably mitigated against. In this case mitigation is required in the form of affordable housing, green infrastructure, healthcare, education and highways, which are set out in more detail below.

8.7 Policy HP3 of the WLP31 sets out that developments of 10 or more dwellings on greenfield sites in Garstang should include a provision of 30% on site affordable housing. The site comprises undeveloped greenfield land, therefore a 30% affordable housing contribution is sought. The application details show that 21 affordable dwellings are proposed on the site (comprising 12 intermediate and 9 affordable rent). These are considered appropriately designed and suitably located within the site to achieve a sustainable development. The Council's Affordable Housing Officer has confirmed that this provision would be acceptable in accordance with the requirements of Policy HP3. This provision would be secured via a suitably worded Section 106 Agreement.

8.8 KDC2 of Policy SA1/15 states that the development should be supported by a landscape and green infrastructure framework incorporating structured tree planting, on-site open space, formal and informal play and pedestrian and cycle connectivity within and, where possible, outside the site. Policy HP9 requires development which results in a net gain of 11 units to make appropriate provision of green infrastructure on site.

8.9 The layout plan shows open space in a linear arrangement along the western boundary, with a smaller provision along the eastern boundary to the A6. Based on the proposed housing mix, the required amount of green infrastructure (GI) for the entire site would be 0.685ha. A GI layout plan has been submitted which shows 0.79ha of GI is provided on site. This does not include the proposed attenuation swale, however some narrow grassed strips are included in that suggested total. It is considered reasonable to discount the narrow areas adjacent to the front boundary from the calculation given their limited functionality for public use, however the remaining on-site GI provision would be approximately 0.7ha overall which achieves the required amount.

8.10 As previously acknowledged, the open space and attenuation swale along the western boundary would be outside the extent of the housing allocation in designated countryside. There is no physical boundary between the edge of the allocation and this additional land required for the open space, so no obvious encroachment further into the countryside. This layout would enable 70 units to come forward on the allocation which would enable delivery of the full housing allocation capacity figure.

8.11 The typologies comprise natural and semi-natural grassland and informal amenity areas which are considered to be appropriate in this scenario. In respect of play area provision, the site is within a short walking distance of the existing park on Kepple Lane which benefits from up to date play area facilities. It is considered that these existing facilities are in good condition and not presently in need of upgrading. As such, this facility would be available for residents of the proposed development. Whilst it is accepted that the site is on the opposite side of the A6, new traffic crossings and off-site highway works are proposed to improve pedestrian safety along the A6 in the vicinity of the site. Furthermore a proposed footpath link allows a pedestrian connection at the northern part of the site to the A6. It is also of note that this informal typology would enable new tree planting on the western part of the site, which would positively contribute to the natural flood management efforts in the wider River Wyre catchment. As such, it is considered that the provision of an on-site play area is not required in this instance. Overall, the application would accord with Policy HP9 and would not conflict with the aims of KDC2 as set out in Policy SA1/15.

8.12 NHS Fylde & Wyre Clinical Commissioning Group (CCG) has been consulted on the application and advise that the development would result in an estimated 207 additional residents. To mitigate against the population increase and demand for additional infrastructure and services, the CCG are seeking mitigation in the form of a £23,772.00 contribution towards refurbishment and/or reconfiguration at Garstang medical centre. This contribution would be secured via a suitably worded Section 106 Agreement.

8.13 Lancashire County Council (LCC) Education have been consulted on the application. In their latest response, LCC has confirmed that no financial contribution will be sought towards primary school places based on the projected demand. However LCC are seeking a contribution of £46,123.50 towards secondary school places to mitigate against the impact of development on projected secondary school places. Officers have queried the response and the assumptions on committed developments in the local area, with particular reference to the Forton application (18/00469/OULMAJ) which has a resolution to grant outline planning permission for up to 195 dwellings and is therefore to be treated as a committed development, but where the actual bedroom mix (and therefore pupil yield) is unknown at this stage. In line with the LEA methodology, where the bedroom mix is unknown a "worst case scenario" is taken and so the LEA assumes 195 x 4 bed units at Forton in the

assessment of this application. The Forton development is therefore said to take up 31 of the 36 spare secondary school places, leaving 5 spare places remaining. The pupil need from this application is 7 places, resulting in the LEA asking for a contribution towards 2 pupil places.

8.13.1 The applicant has challenged this contribution request stating “it is inconceivable that the Forton application will generate the number of spaces being suggested by the LEA as they are basing this on 100% of these 195 dwellings comprising 4 bed properties, which would be entirely against Council Local Plan policy and clearly will not be acceptable to Wyre...As such we fail to see how LEA can reasonably justify that the resolution to approve the outline Forton now places a need for our client to fund two school places”.

8.13.2 The LEA were asked to respond to this, and have confirmed “As there is an established methodology regarding additional approvals we would not be revising the education assessment in terms of the Forton application initial dwelling mix calculation...”

8.13.3 The LEA remain of the view that a contribution towards two secondary school places is required. The applicant does not agree, which effectively means they would not agree to sign the s106 legal agreement. As such the Council needs to decide if it can uphold the LEA request for seeking contributions. In making this decision it is relevant to consider whether these obligations would satisfy the three tests of being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

8.13.4 Officers are of the view that notwithstanding the LEA methodology, it is unrealistic to assume that all of the 195 units at Forton would come forward as 4 bed units when the Wyre Local Plan policy requirement is for a significantly smaller proportion (18% beds, but potentially increasing to 30% under the right circumstances). Therefore it is entirely reasonable to conclude that the two developments at Forton and in this application would not exceed the surplus of 36 places. In which case officers do not concur with the LEA that an education contribution is necessary to make the development acceptable, and do not consider that this is something which could be successfully defended at appeal.

8.14 In respect of the impact on the A6 and wider road network, Lancashire County Council (LCC) Highways have suggested a contribution of £105,000 for public transport services and infrastructure. Additionally, a contribution of £210,000 is also requested towards the A6 Barton to Garstang Sustainable Transport Strategy to mitigate against the direct impact of this proposed development on the strategy and highway safety along the A6. This is considered in further detail in the highways section below, but the £210,000 contribution towards the A6 Transport Strategy would be secured via a suitably worded Section 106 Agreement.

Design / Visual Impact / Housing Mix

8.15 Policy CDMP3 and Section 12 of the NPPF seek to ensure high quality design including layouts. Consideration has also been given to Building for Life 12 (BfL12) which local authorities should use as an assessment framework to help ensure the design and layout aspirations contained within the NPPF are achieved. Whilst a BfL12 assessment has not been submitted in support of the application, the relevant aspects have been considered to ensure the scheme takes account of them. Consideration has been given to KDC3 of SA1/15 which requires the development to

provide an organic extension to the town, paying particular attention to boundary treatments. Consideration has also been given to the masterplan set to be formally approved, which considers various aspects including layout, landscaping and connectivity which are important aspects of well-designed development.

8.16 Following officer concerns being raised in respect of the original scheme, the applicant has submitted amended plans to reduce the number of units (from 75 to 70) and make improvements to the layout and character of the scheme, including changes to road layout and house types. In terms of the revised layout in front of Committee, a main access road runs east to west across the site leading from the A6, with an intersecting road crossing this from north to south. Four main blocks of dwellings are proposed with a row of dwellings also along the northern boundary. The blocks would create 'perimeter blocks' with back gardens opposite each other and dwellings fronting towards the roads. Dwellings have off street parking spaces either to the front of side, and some plots have detached garages. A landscaped area is proposed along the eastern boundary with the A6 with a larger area of open space to the west of the site. In terms of improvements during the application, an attempt has been made to straighten building lines of properties to ensure more attractive and open views along streets. Better consideration has also been given to house types on corner plots to ensure suitable elevation details are provided to each aspect. Continuous runs of parking spaces have been reduced and additional landscaping has been proposed. Some integral garages are still proposed to the front of properties along the western boundary which is considered undesirable however attempts have been made to address concerns about resultant poor natural surveillance onto the open space with amendments to elevation treatments. Retention of hedgerows to the eastern (save the site access) and southern boundary, together with new hedgerow along the western boundary, is also considered to be beneficial in terms of maintaining the existing character of the area and helping to provide a softer development edge with the adjacent countryside. The parking provision meets the requirements set out in the Local Plan and there would generally be adequate definition between public and private spaces, and plots benefit from amenity and storage spaces.

8.17 The proposed dwellings would be two-storey together with six bungalows proposed (Ramsey house type) along the northern boundary. House types would include hipped and gable roofs. Proposed materials are red brick (three types) and a mixture of grey and red roof tiles (all grey along the site frontage). In terms of scale and design it is accepted there is a mix of properties along this part of the A6 and there is no overriding character. Therefore, whilst the proposed development would, generally speaking, not reflect the appearance of existing semi-detached properties with hipped roofs that are prevalent, it is accepted that there are other designs and detached properties in the wider area. As such, the appearance of the proposed development would not be at odds with existing dwellings in the vicinity. Notwithstanding the palette of materials submitted, a condition would be added to any permission granted to require the submission of these details, as the three red brick types proposed are very similar in appearance and it is considered that better variety would help break up the blocks.

8.18 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA) which in this case is the May 2018 Addendum 3 Supplementary Note setting out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units. Out of the 70 units proposed, 13% would be 2 beds, 57% 3 bed and 30% 4+ 5 bed. The mix proposed is not in accordance with the SHMA as it comprises

a higher proportion of larger units compared to the smaller 1 and 2 bed units. The applicant has submitted a market demand report and additional statement which suggests a local demand for larger properties in Garstang. However officers consider this should be given limited weight given its scope and content. A further increase of smaller properties would likely increase the density of development which would be unlikely to be visually acceptable in this edge of settlement location. It is acknowledged that in addition to the bedroom mix, the development is providing a wide choice of house types (detached, semi-detached, terraced and bungalows) and floorspace sizes to appeal to different households and the application is therefore considered to contribute towards meeting the need for smaller properties in the area as well. On balance, the proposed housing mix is considered to be justified. Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. It is noted that six bungalows are proposed which could contribute to this requirement. A condition would be added to any permission granted to ensure the application meets the adaptability target of 20% of all units.

8.19 Overall, subject to conditions the housing provision element would result in an acceptable impact on the character of the area. The application is deemed to accord with WLP31 policies CDMP3 and KDC3 of SA1/5 and would align with the development principles set out within the masterplan set to be formally approved.

8.20 In respect of the visual impact of the green infrastructure (GI) and attenuation swale provision, policy SP4 requires development in the countryside to not adversely impact on its open and rural character. It is acknowledged that this part of the proposal would remove part of the existing agricultural field and instead provide an area of GI containing existing grassland, SUDS attenuation basin with seed mix, wildflower planting around the edge OF this basin, some new tree and shrub planting and a new boundary hedgerow along the western edge of the site separating it from the remainder of the agricultural field. The only built structure in the GI would be a pumping station tight up to the existing development on the northern boundary. Therefore it is considered that the site would have the appearance of semi-natural open space and retain an open character typically associated in countryside areas. For these reasons it is considered that this element of the proposal would not result in harm to the character and appearance of the wider countryside.

Impact on residential amenity

8.21 Five objections and one neutral comment has been received from members of the public. The site lies to the south of an agricultural business and commercial enterprise although there are some residential properties on the opposite side of the A6. Given the layout and intervening distance, there would not be any significant harmful impact in terms of overbearing, overshadowing or overlooking of nearby neighbours. Following amendments to the scheme, the layout would meet the separation distances, including front to front, rear to rear and rear to side, as set out within the Council's Design Guide SPG4. All plots would benefit from an adequately sized rear garden and it is also noted that some plots benefit from additional amenity space to the front and side of properties in the proposed layout. Although some plots would have a detached garage adjacent to a neighbouring rear garden, this is considered unlikely to result in any significant noise impacts between adjoining plots.

8.22 The Council's Environmental Health Team has confirmed that the revised Noise Survey satisfactorily demonstrates that specified noise levels will be achieved and the conclusions of the acoustic assessment are accepted. On this basis, and subject to suitably worded conditions, the development would not result in any unacceptable impacts in respect of noise to future occupiers or existing sensitive

receptors nearby. A condition would also be added to any permission granted for a Construction Environmental Management Plan to reduce the impacts of noise and disruption during construction.

Highway Safety and Impact on the Highway Network

8.23 Objections have been received from local residents and Garstang Town Council and Kirkland Parish Council in respect of highway safety. LCC Highways have reviewed the application details and have confirmed that sight lines for the new access on to the A6 are acceptable for the size and scale of development. The sight lines are achievable over the adopted highway thus ensuring their retention. The access geometry would also meet current design standards. LCC Highways have confirmed that the relocated traffic island to the north of the site is now accepted as the best location to serve the site without affecting existing properties.

8.24 In respect of the impact on the A6 and wider road network, LCC Highways acknowledge the site could impact on the accident rate in the vicinity unless safe and direct sustainable transport links are provided. It is noted that there are no public transport services along the A6 fronting the site, and LCC Highways have suggested a Section 106 contribution of £105,000 be provided for public transport services and infrastructure. Additionally, a Section 106 contribution of £210,000 is also requested towards the A6 Barton to Garstang Sustainable Transport Strategy to mitigate against the direct impact of this proposed development on the strategy and highway safety along the A6. KDC7 of SA1/15 requires the site to make a contribution towards primary sustainable transport which includes the improvement of specified junctions in the area and contributions towards the A6 Barton to Garstang Sustainable Transport Strategy. LCC Highways have previously confirmed primary sustainable transport does not include improvements to bus services. Therefore when this site was allocated, LCC Highways did not identify monies towards bus service improvements as a policy requirement to deliver the housing allocation. Neither have they been able to identify a change in circumstances since the Local Plan was adopted to justify asking for this as part of the application. On this basis Members are advised that the £105,000 request by LCC for bus service improvements would not meet the test as being reasonably necessary to make the development acceptable and officers do not support this request. The £210,000 being requested towards the A6 Barton to Garstang Transport Strategy is supported by policy and therefore these monies, which the developer is agreeable to, are to be secured via section 106 agreement.

8.25 In terms of the internal layout, LCC Highways have confirmed that the internal layout and car parking confirms to current guidelines (Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; the Joint Lancashire Structure Plan and WLP31, and the highway layout would also be acceptable for adoption under section 38 of the highways act.

8.26 LCC Highways have requested mitigation in the form of conditions and off-site highway works. In respect of off-site highway improvements, LCC have indicated that a 2m wide footpath is required along the full site frontage, in combination with the relocation of the pedestrian refuge to facilitate crossing across the A6 and a new right-turn lane to serve the new site access and Kepple Lane. Furthermore, an assessment of any required changes to street lighting and new pedestrian crossing points on the A6 to link the site to Kepple Lane are also requested. This is in addition to works within the site relating to tactile paving and street lighting. These off-site highway improvements will need to be constructed under a section 278 agreement. A condition would be required requiring these works to be completed prior to

occupation of any dwelling, and other conditions would be added to ensure the development would have an acceptable impact in line with the comments from LCC Highways.

8.27 Overall, the application is not considered to result in an unacceptable impact on highways safety, would improve pedestrian/cycle access to Garstang Town Centre and would contribute towards the necessary highways and sustainable travel improvements along the A6. It would therefore accord with WLP31 Policies CDMP6 and SA1/15 (KDC6, KDC7) and the NPPF.

Flood Risk and Drainage -

8.28 Concerns in respect of flooding and impact on Ainspool have been received from members of the public and Kirkland Parish Council, Garstang Town Council and St Michaels and Churchtown Flood Action Groups. The site falls within Flood Zone 1 which is the lowest risk of flooding and is allocated for residential development under Policy SA1/15 of the Local Plan. As such, flood risk sequential test and exceptions test are not required.

8.29 The site naturally drains to Ainspool watercourse via overland run-off. KDC4 of SA1/15 requires residual surface water of this development to drain into the River Wyre via Ainspool. The Drainage Engineer's initial response highlights that the discharge from Ainspool is tidally restricted and there have been a number of recent flooding incidents both downstream and upstream of the proposed site due to the watercourse surcharging. The Applicant was asked to make allowance for this in the drainage plans to ensure that the site does not flood during periods of heavy rainfall when the outfall may not be free flowing. Revised information / drainage layout plans were submitted and the Drainage Engineer raises no objection. The development is designed to mimic existing surface water run off rates from the site and continue to discharge to Ainspool. On this basis, the application has been designed so it would not exacerbate any current flooding issues. A condition would be added to any permission granted to ensure the development is carried out in accordance with the submitted flood risk assessment and drainage layout plans, which are deemed to be acceptable. United Utilities has not raised any objections to the development, subject to conditions in relation to foul and surface water drainage arrangements and maintenance details being secured by condition. On this basis, the application is considered to have an acceptable impact in terms of flooding and drainage in accordance with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of WLP31.

8.30 An Environment Agency (EA) asset in the form of a borehole for monitoring groundwater level or quality exists towards the north-eastern boundary of the site. The EA have been contacted, who confirm that this appears to have been decommissioned and is now a small patch of grass and is due to be listed on their surplus land register and disposed of. Based on the plans submitted with the planning application, EA consider that this avoids this asset / their land ownership. KDC8 of SA1/15 is therefore satisfied.

Ecology

8.31 GMEU provided an initial response requiring further surveys to determine whether the site is functionally linked to the Morecambe Bay & Duddon Estuary SPA and nearby sites of Special Scientific Interest (SSSI). The applicant has submitted further information to confirm that the site lies outside land mapped as functionally linked to the SSSI and is not likely to support or impact on species associated with

the SSSI. GMEU have subsequently provided a further response which confirms there are no objections to the proposed development. In terms of localised impacts the site does not have any nature conservation designations. Ecological impacts have been assessed in terms of the greenfield nature of the site and the presence of boundary trees and hedgerows. GMEU are satisfied with the conclusions of this assessment. On this basis and, subject to suitably worded conditions, the application is deemed to have an acceptable impact on ecology and satisfies WLP31 policy CDMP4 and KDC5 of SA1/15.

Trees/Landscaping

8.32 Policy CDMP4 Local Plan sets out that development will be expected to incorporate existing trees and hedgerows into the design and layout of the scheme where possible unless their loss is essential to allow the development to go ahead and is supported by evidence in a tree or hedgerow survey. KDC3 of SA1/15 also considers the importance of boundary treatments towards ensuring the development provides a rural transition with the wider countryside.

8.33 In respect of trees, there are three existing trees along the site frontage to be removed, with the southernmost one identified as having structural defect and the other two positioned at the site access or in the sightline. These would be replaced with new tree planting along this frontage. The Council's Tree Officer raises no concern with this, although has commented that a large section of the northern boundary hedgerow is proposed to be removed and replaced with boundary fencing, and that its loss should be reconsidered given its landscape and habitat value. However it is understood this removal is required to facilitate some of the dwelling footprints, and to provide a boundary fence with noise attenuation properties to mitigate noise from the adjacent commercial premises and with lower maintenance from a management point of view for the affordable dwellings. Visually this boundary backs onto existing development and so it is the least sensitive boundary. Importantly, new landscaping is proposed to mitigate this loss, with some additional hedges to be planted in the north western corner of the site and along the western boundary, and a landscaping buffer and corridor to be provided along the site frontage and along the main central access road running east to west through the site. Along the southern boundary, the existing hedgerow is to be retained and made good, and the majority of the eastern boundary hedge would be retained save for the site access and pedestrian footpath link to the north. Overall, the landscaping proposals would be acceptable. Subject to suitably worded conditions, it is deemed that the loss of trees and hedgerows is justified and appropriately mitigated for. On this basis the application would accord with WLP31 policies CDMP4 and SA1/15 KDC2/KDC3.

Other Issues

8.34 Wyre Council's Waste & Recycling Team has no objections subject to appropriate bin presentation points or communal bin stores being provided for certain plots. A condition would be added to any permission granted to ensure suitable details are agreed prior to occupation of any dwelling.

8.35 The Council's Environmental Health Team require further assessment of the risk of potential on site contamination and consideration of gas protection measures. Subject to suitably worded conditions it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

8.36 There are no public rights of way within the site or immediate vicinity that would be affected.

8.37 Policy SP2 (Criterion 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. This development would provide biodiversity and green infrastructure enhancement, sustainable drainage solutions and a condition would secure the provision of Electric vehicle charging points.

8.38 Lancashire County Council Archaeology has confirmed that the archaeological potential of the site is considered to be low-nil and as such no investigation is sought.

9.0 CONCLUSION

9.1 The application site is allocated for residential development in the Local Plan and also includes a section of designated countryside. The development proposed is considered to be in accordance with the approved Masterplan for the allocation. The proposed layout involves the residential component within the site allocation boundary and the green infrastructure and SUDS feature on land to the west within the defined countryside. They would be viewed and delivered as part of one development. This approach is justified in this instance to enable the delivery of 70 units i.e. the housing capacity figure in the allocation. The associated visual impacts of providing this green infrastructure have been assessed as acceptable. All other material impacts have been assessed and found to be acceptable and overall, subject to conditions and a legal agreement, the proposed development is considered to be acceptable.

10.0 HUMAN RIGHTS ACT IMPLICATIONS

10.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

10.2 ARTICLE 1 of the First Protocol Protection of Property has been considered in coming to this recommendation.

11.0 RECOMMENDATION:

Grant full planning permission subject to 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.

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;
- Site Access Signage Strategy Drawing No.J32-4013-PS-004;

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] 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.

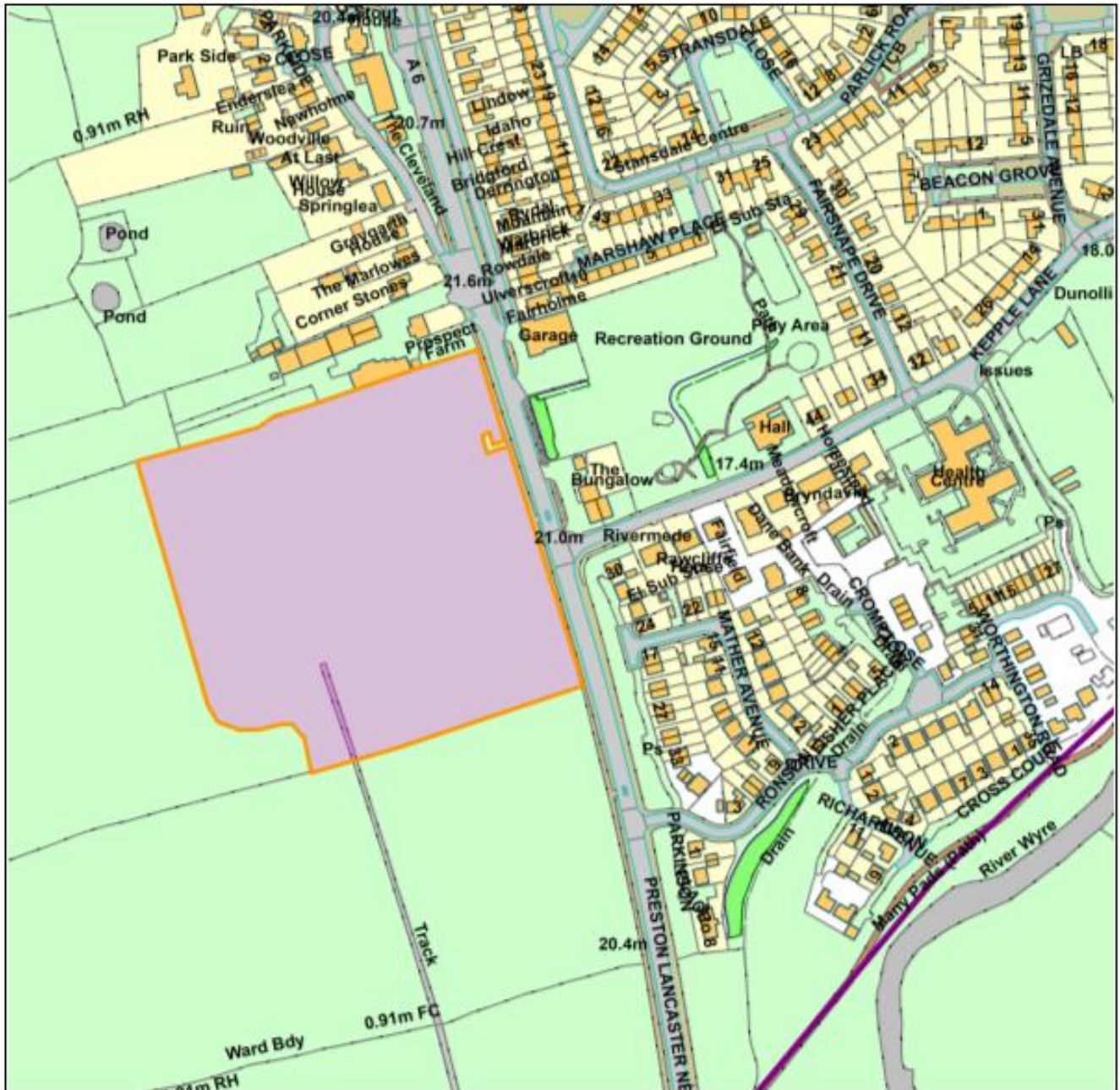
30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings on Plots 11, 12, 13, 59 & 60 shall not be altered or extended, nor shall any building,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

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Planning Committee

20/00212/FULMAJ - Land south of Prospect Farm Garstang



Scale: 1:3273

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	22 March 2021
SLA Number	100018720

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Committee Report**Date: 28.04.2021****Item Number 02****Application Number 19/00860/OULMAJ****Proposal Outline application for the erection of up to 350 dwellings, 1 hectare of employment land, a medical centre, a school, village hall and convenience store (all matters reserved)****Location Land South Of A586 And North West Of Copp Lane Great Eccleston****Applicant Metacre Ltd****Correspondence Address c/o De Pol Associates
Mr Nathan Tonge Farington House Stanifield Business Park
Stanifield Lane Farington, Leyland PR25 4UA****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Lucy Embery****1.0 INTRODUCTION**

Site Notice Date: 20/09/2019

Press Notice Date: 09/10/2019

1.1 The application site forms part of a mixed use site allocation for housing and employment. Due to the strategic significance of the development and the proposed delivery of infrastructure requirements, the application is being presented to the Planning Committee for consideration. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site comprises a number of agricultural fields to the south of the A586, and the north of Copp Lane, Great Eccleston, which form a large part of Wyre Local Plan mixed use site allocation SA3/3 - Land West of Great Eccleston. The main part of the site is immediately off the south side of the A586, however the site also continues southwards towards Copp Lane. The site area equates to 16 hectares. It is nearly half of the overall site allocation which totals 33.70 hectares.

2.2 There is a modest sized caravan site immediately to the east of the main part of the site, and an existing dwelling to the north west of the site. A public right of way runs east to west through the centre of the site. To the south west of the site are a short row of detached residential properties off Copp Lane. On the opposite side of

Copp Lane are approved residential developments, also within the site allocation, which are currently under construction.

3.0 THE PROPOSAL

3.1 The application seeks outline planning permission for the erection of up to 350 dwellings, 1 hectare of employment land, a medical centre, a school, village hall and convenience store. All matters are reserved, however, in accordance with the provisions of the Town and Country Planning (Development Management Procedure) Order 2015, the application does identify the areas where access points to the development proposed will be situated.

3.2 Illustrative plans have been provided. The 1 hectare of employment land is indicated to be located in the north west corner of the site adjacent to the A586. The medical centre, school, village hall, and convenience store (termed the community hub) are indicated to be on the north eastern extent of the site, and north of the existing public right of way that links to the village centre.

3.3 A 'spine' road is indicated running north-south through the site linking the A586 Garstang Road north of the site, and Copp Lane south of the site.

3.4 A green corridor is indicated running east to west through the centre of the site following the line of the existing public right of way.

4.0 RELEVANT PLANNING HISTORY

4.1 There is no site history on the application site. However the following planning history relates to developments within the wider site allocation:-
Land east of application site:

- 18/00540/FULMAJ - Proposed residential development of 16 dwellings, public open space, landscaping and associated infrastructure with vehicular access taken from West End. Committee resolution to approve application subject to conditions and S106 Legal Agreement. S106 Agreement currently pending.
- Land south of application site and Copp Lane:
- 18/01079/RELMAJ - Reserved matters application (relating to scale, layout, access, appearance and landscaping) for the erection of 93 dwellings, new vehicular access off Copp Lane with associated public open space (following outline application 16/00650/OUTMAJ). Application permitted.
- 16/00650/OUTMAJ - Outline application for the erection of up to 93 dwellings and up to 850sq m of D1 use (non-residential institution) with associated car parking, open space and landscaping (all matters reserved). Application refused. Appeal allowed.
- 16/00973/REMAJ - Reserved matters application for the access, layout, scale, appearance and landscaping for 90 dwellings, provision of a public car park, and associated open space and landscaping following on from planning permission for 15/00576/OUTMAJ. Application permitted.
- 15/00576/OUTMAJ - Outline application for a residential development of up to 90 dwellings, provision of public car park and associated open space and landscaping. Application permitted.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP6 - Viability
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Well-Being
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk and Surface Water Treatment
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP5 - Historic Environment
- CDMP6 - Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Development
- EP1 - Employment Land Supply
- EP4 - Town, District, Local and Neighbourhood Centres
- EP5 - Main Town Centre Uses
- SA3 - Mixed Use Development
- SA3/3 - Land West of Great Eccleston, Great Eccleston

5.1.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2: Achieving sustainable development
- Section 3: Plan - Making, paragraph 20
- Section 4: Decision-making, paragraphs 47-50, and 54-55
- Section 6: Building a Strong, Competitive Economy
- Section 8: Promote healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE NOTES (SPG's)

- Supplementary Planning Guidance Note 2: Trees and Development
- Supplementary Planning Guidance Note 4: Spacing Guidance for New Housing Layouts
- Supplementary Planning Guidance Note 9: Designing Out Crime

5.4 GREAT ECCLESTON EXTENSION MASTERPLAN

5.4.1 PART 1 - The Great Eccleston Extension Masterplan was approved by the Council on 4th December 2019 and represents a significant material planning consideration to this application.

5.4.2 PART 2 - The Part 2 document was recently consulted on, and considered by the Planning Policy Working Group on 13 April 2021, where Members commended the document for formal approval by the Head of Planning Services in consultation with the Planning and Economic Development Portfolio Holder.

FURTHER RELEVANT PLANNING POLICIES/LEGISLATION/GUIDANCE

5.5 National Planning Policy Guidance (NPPG)

5.6 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

5.7 The Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019

5.8 The Wildlife and Countryside Act 1981 (as amended)

5.9 Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 CONSULTATION RESPONSES

6.1 GREAT ECCLESTON PARISH COUNCIL: No observations to make at this stage.

6.2 LANCASHIRE COUNTY COUNCIL LOCAL HIGHWAY AUTHORITY (LCC HIGHWAYS):

6.2.1 First response:

The housing density suggested in this application together with the other approved developments on the allocation and the remaining land could result in 689 dwellings coming forward on the allocation, which exceeds the housing capacity figure. The scheme does not account for the potential increase in development and so will have severe impact on highway safety and fails to adequately promote safe and sustainable travel by modes other than car.

Whilst the available sight lines from the new site access onto A586 are acceptable and achievable, the new junction onto the A586 needs a pedestrian refuge at both sides of the new access on the A586 to further reduce speeds to improve vehicular safety at the junction. The proposed geometry of the site access onto Copp Lane is to prescribed design standards for vehicles. But to provide safe facilities for pedestrians, children and the mobility impaired the applicant should provide a 2m wide footpath for the full frontage of the site with Copp Lane.

Public Right of Way 2-13-FP11 should be upgraded to provide a lit shared surface cycle/footpath link through the site to High Street, to access the existing facilities within Great Eccleston and also allow existing residents to access the new facilities within the site allocation SA3/3.

The agreed Masterplan relating to the principles of development indicates an emergency link onto the A586, Highways recommend this access is a shared 3.5m cycle / pedestrian link. The route would improve the sustainability of the site by allowing better sustainable access to the bus stops on the A586.

6.2.2 Final response:

Following receipt of Curtins Technical Notes and Curtins drawings 'Copp Lane Access Arrangements' and 'Swept Path Analysis 11.2m Refuse Vehicle Copp Lane Access' LCC Highways do not have any objections to the proposed development and are of the opinion the development will not have a significant impact on highway capacity and a safe access can be provided from the A586 Garstang Road, and Copp Lane.

Highways have reassessed the results from the Transport Assessment and consider there is sufficient capacity at key junctions for the potential development of site allocation SA3/3 for 689 dwellings.

It is accepted that a safe access can be provide onto the A586 with the provisionally recommended off site works. In terms of sustainable links the existing shared surface cycle lane fronting the site with Garstang Road is acceptable and a scheme to connect the site with this route can be provided as part of any future planning application.

The required emergency access will need to be considered as part of a reserved matters planning application. The recommended pedestrian refuge on the A586 and the existing bus stop locations may limit the choice of locations for the link. A scheme to improve Public Right of Way 2-13-FP11 from the site to High Street (including street lighting) is required, with a section 106 contribution in the region of

£38,709 being requested. A section 106 contribution of £24,000 is also being requested towards Travel Plan support where a standard Travel Plan cannot be provided for the whole site allocation SA3/3.

The applicant should provide a scheme to upgrade the two bus stops to the west of the junction onto the A586 to Quality Bus Stops with a new bus shelter. Highways are not seeking any section 106 contributions to make any improvement to the existing bus service passing the site. The new access link road through the site is suitable to use as a bus route and there is a potential for the existing bus service to be diverted along the new access road and to serve the community hub, with details to be considered as part of any reserved matters applications.

A number of conditions are suggested as follows:

- Layout to ensure vehicles can leave the site in a forward gear with turning space laid out for construction vehicles before development commences
- Submission of a Construction Management Plan
- No commencement until the required visibility splays to Copp Lane are provided
- No commencement until scheme of site access and off-site highway works submitted and agreed (street lighting, tactile paving, and S278 works)
- No commencement until site access and site lines provided
- No occupation of site until off-site highway works have been provided
- No commencement until details of improvements to Public Rights of Way 2-13-FP11 have been submitted

6.3 HIGHWAYS ENGLAND:

6.3.1 First response:

Require further information including provision of raw survey data within the TA for review; clarification on year 1 scenario; TRICS database revisited for the B1 employment element of the site; assessment of B5269 / A585 Thistleton junction; detailed accident analysis for the A585 / Windy Harbour junction, M55 Junction 3, and B5269 / A585 Thistleton junction; capacity assessment of M55 Junction 3.

6.3.2 Second response:

No objection following the submission of additional information (Curtins Technical Letter - October 2019 and letter dated 15th November 2019). Overall, on comparison of observed queue length data with the modelled queue lengths at M55 Junction 3, B5269 / A585 Thistleton, and A585 / A586 Garstang Road / Windy Harbour, Highways England are satisfied that there are no significant differences.

In regard to the B5269 / A585 Thistleton Junction, Curtins conclude that the junction will have sufficient capacity to accommodate the proposed development in the opening year that there would be a minimal increase in queue and delay. Overall, Highways England are able to accept this conclusion and consider that the impact of the proposed development in the opening year will be relatively minor.

In regard to the A585 / A586 Garstang Road / Windy Harbour Junction, the results of the modelling indicate that the junction will perform within capacity in the opening year, in both the existing road layout scenario, and the 'with bypass' scenario. In

addition, Curtins results show that the impact of the development at the junction is minimal.

6.4 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY):

6.4.1 At September 2019 350 No. 4 bedroom dwellings would be required to provide financial contributions of £1,011,184.02 towards 63 primary school places at St Mary's Catholic Primary School Great Eccleston, and Great Eccleston Church Of England Primary School, and £1,281,813.48 towards 53 secondary school places at Hodgson Academy. These are indicative figures applicable at that particular point in time.

6.5 HISTORIC ENGLAND: No comments to make.

6.6 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGICAL ADVISORY SERVICE):

The site lies on the western side of Great Eccleston, in an area classified as 'Ancient Enclosure' (i.e. enclosed before c. 1600) on the Lancashire Historic Landscape Characterisation. Some fields may be of medieval origin and show evidence of fossilised former strip fields. There are also significant numbers of ponds in the area, most of which probably originated as marl pits of the later 17th to early 19th centuries. One of these ponds can be found within the proposed site boundary. There is a potential for significant remains, particularly of later prehistoric or Romano-British date to be present here. Professional judgement would suggest that the probability of their existence is low, but it is impossible to be sure without a degree of field assessment.

A condition is recommended requiring the applicants to undertake a programme of post-permission archaeological assessment of the site, in the form of implementation of a programme of archaeological work in accordance with a written scheme of investigation, before any development takes place on the site.

6.7 NATURAL ENGLAND:

6.7.1 First response:

Further information required to determine the impacts upon designated sites, including The Wyre Estuary SSSI, Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Morecambe Bay Ramsar, in the form of a Habitat Regulations Assessment (HRA) which gives consideration to Functionally Linked Land, recreational disturbance and construction related impacts.

6.7.2 Second response:

Following submission of the required information Natural England has no objections provided that the following mitigation measures are secured in any planning permission:

- The reserved matters application shall provide the agreed amount of Public Open Space as shown in the indicative layout (3.18ha).
- The reserved matters application shall provide the detail of countryside furniture, path way marking and interpretative panels within the Site and links to the Public Rights of Way network adjacent to the site.
- Submission of a Home Owners Pack to include responsible behaviour in the vicinity of the housing development, on Public Rights of Way and at the coast.

- The production and implementation of a CEMP and Construction Phase Surface Water Management Plan specifically incorporating measures to demonstrate how surface water and changes to water courses will prevent pollution and sediments from entering the River Wyre/adjacent watercourses.
- Details of a surface water attenuation scheme to include the elements shown via indicative plans (attenuation basins, cellular storage and over-sized pipes to achieve greenfield run-off rates and prevent pollution and sediments entering the River Wyre.

6.8 GREATER MANCHESTER ECOLOGY UNIT (GMEU):

6.8.1 First response:

Strongly recommend that additional information is sought from the Applicant and a parameters approach adopted to guide a future Reserved Matters layout design and landscape proposals.

The key areas where more work is needed is include: -

- Hedgerows assessment of the double hedges adjacent to the PRoW against the Hedgerow Regulations using a recognised methodology.
- Clear identification of each hedgerow, its length and species composition. Where necessary assessment against the Hedgerow Regulations.
- Provision of the survey detail which sits behind the bat foraging conclusions.
- An agreed approach to how PRF (plot radius factor) in trees will be dealt with via any Reserved Matters application.
- Agreed mechanism and mitigation design for common toad.
- Address the matters raised by Natural England in respect of functionally linked land and recreational disturbance of features of interest in European designated sites.
- The LPA to consider the provision of a Habitats Regulation Assessment either as a standalone or as a shadow HRA.
- Agree details of a biodiversity parameters approach to no net loss and biodiversity net gain to guide the Reserved Matters application formulation of a landscape strategy, its layout and the quantum of POS/green infrastructure. This may need to be adjusted depending on the results of the other additional information that is necessary.

6.8.2 Second response:

GMEU have not reverted on their original comments in terms of the indicative loss of hedgerows and the importance of the hedgerow along the PRoW that bisects the site. However, would advise that it is not an issue which is likely to stand in isolation, now that GMEU have produced a HRA for the scheme and purchased the available bird information to the satisfaction of Natural England.

The Parameters Plan is not entirely satisfactory and retained features should be reinforced. Under Reserved Matters design, the proposal should include a landscape scheme that includes gapping up of retained and new hedgerows, this is supported by the final point in the previous response that the biodiversity enhancement scheme needs to include recreated habitats. It is GMEU's view that the final scheme should provide for replacement of hedgerows lost. At Reserved Matters stage there will need to be calculation of current hedgerow lengths against those that are retained/new within the scheme design.

For the avoidance of future doubt in order to ensure no net loss/biodiversity enhancement and provide the LPA necessary confidence that it can be achieved, the LPA may wish to secure this habitat type (hedgerow) specifically within the wording of a condition. With the LPA being able to secure compensation for hedgerow loss then there are no matters outstanding in relation to biodiversity.

6.9 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.9.1 This proposal will generate approximately 819 new patient registrations based on average household size of 2.4 ONS 2017. The proposed development falls within the catchment area of Great Eccleston Medical Centre. This need, with other new developments in the area, can only be met through the development of a new practice premises in order to ensure sustainable general practice. A financial contribution of £202,849.00 is required towards the provision of this new infrastructure.

6.10 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE): No objection.

6.11 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION):

6.11.1 First response:

Recommended that the Council's standard desk study condition, as well as a Watching Brief condition should be attached should the planning application be granted.

6.11.2 Second response:

Following submission of further information the potential gas risk appears relatively low. The desk study and site investigation requirements are satisfied. A watching brief condition is recommended.

6.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY CONSIDERATIONS)

6.12.1 The site is bounded by Garstang Road on its eastern most boundary with noise implications from traffic. There are several residential dwellings in close proximity to the Northernmost and Eastern boundaries, again with noise implications. Satisfied with the applicants noise assessment with the exception of predicted noise levels of 56 -60 dB for the external areas of certain dwellings, notably on the north east boundary facing onto Garstang Road. This is an excessive amount of noise for an external amenity area for these houses. As the layout is only an illustrative outline the applicant may need to look at the layout and design of these dwellings. Conditions recommended as follows:

- Construction Environmental Management Plan
- Controlled levels for cumulative noise from all plant and machinery serving commercial units, including deliveries to these premises
- Restriction on deliveries and collections of goods to / from the commercial premises
- Written scheme of works to demonstrate dispersion of cooking fumes
- Controlled levels for external lighting

6.13 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY):

6.13.1 First response:

Concern about the potential impact on Leckonby Street, and issues including vehicle speeds on approach to junctions, a potential canyon effect on Leckonby Street and the weather data used in the modelling.

6.13.2 Second response:

Following submission of further information the concerns raised have been addressed. Require dwellings and commercial units to be provided with electric vehicle charging points.

6.14 WYRE BC CORPORATE DIRECTOR ENVIRONMENT (PUBLIC OPEN SPACES/GREEN INFRASTRUCTURE)

6.14.1 The indicative layout appears satisfactory and the amount of green infrastructure (3.18 hectares) appears in accordance with the guidelines for 350 properties. The masterplan consultation established a preference for natural and semi natural green space and amenity space on the site which is presented in the documents provided.

6.15 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY. (TREES)

6.15.1 The tree report fully covers expectations for an outline application of this scale and the details therein are concurred with. Has previously visited the site in 2017 and made Tree Preservation Order 10 of 2017 relating to most trees that are covered within the tree report. The illustrative layout provides ample Green Infrastructure (GI) and indicates incorporation of all existing trees (subject to the low numbers identified within the tree report requiring removal for arboricultural reasons). The GI / wider layout indicated provides good opportunity for retention and enhancement of existing natural features. Potential future opportunities could be many new native trees, shrubs, ornamentals, meadow, amenity grass areas.

7.0 REPRESENTATIONS

7.1 Twenty-one letters of objection have been received. The issues raised by objectors can be summarised as follows:

Highway matters:

- The roads are inadequate to cope with the extra traffic.
- Traffic congestion and safety problems
- Copp Lane is a country lane. The footpaths are already inadequate and very narrow.
- Additional traffic onto Copp Lane would be dangerous and potentially cause accidents especially for children going to the primary school.
- Copp Lane will become the new rat-run used by the new residents.
- The villages of Elswick and Thistleton will be blighted as this additional traffic heads towards junction 3 of the M55.

- The proposed link road will have little, if no effect on the existing traffic congestion in the village.
- Bus services are not frequent or reliable. These subsidised services may be further reduced or removed, leaving limited or no access to public transport in the future.
- It is not safe to have a school near to the A586.

Housing need:

- There is no need for the housing.
- Nearby developments struggling to sell.
- The village is already being over populated and changed by the amount of new housing being built which far outweighs the local demand.
- The housing won't help those that cannot afford to buy.
- Start-up homes and homes for the elderly are needed not luxury 4 beds.

Employment and facilities:

- Limited infrastructure and shops in the area and things for young people to do. Schools are bursting at the seams.
- Employment can be satisfied by other industries elsewhere
- The future employment needs of the borough can be met from brown field sites and sites adjacent to larger conurbations with good transport links
- There are still plenty of spaces at the existing school.
- The village already supports two village halls including the Women's Institute hall in the village centre that could be bought and extended.
- Building a health centre out of the village makes it difficult for the elderly in the village.
- A garage/convenience store is of no help to the main population of Great Ecclestone.
- The medical centre should be built first.
- No mention of financial funding for the new medical centre and school, only that building space has been allocated.
- Sustainable development:
- This is not a sustainable development.
- Loss of much needed agricultural land.
- The scale and location, and the village's limited existing local services, means the proposal would not constitute sustainable development or support the community's health, social and cultural well-being.

Size and scale of development/ Impact on character of Great Ecclestone:

The scale of the development is excessive and disproportionate to the size of Great Ecclestone increasing the population by 50%

A development of this size will destroy a pleasant small village.

Against the wishes of the majority of village residents.

Will create undesirable ribbon development along Copp Lane which would harm the visual amenity of the area and landscape character.

Inadequate green buffers around existing property.

The community cannot take even more houses, cars, people, noise or pollution.

Impact on amenity:

- The proposal will overlook and overshadow existing properties resulting in significant loss of privacy, sunlight and daylight and a real sense of enclosure.
- The proposal will increase noise and pollution to existing properties.
- Allowing the application will be a breach of Human Rights forcing residents to change how they use their properties.

Drainage:

- The run-off from the developed areas will cause flood risk to the surrounding areas, particularly at Thistleton Brook, which is tidal and takes the increase in surface water drainage
- Further consideration needs to be given to the surface water drainage and the potential impact on the downstream water courses.
- There will be increased foul water outfall.
- There is an existing septic tank in the site serving an existing dwelling. It is unclear what will happen to this.
- Three properties off the A586 drain under the road into the site. There is concern there would be drainage problems regarding waste water.
- There are existing sewage problems in the area. Serving 350 houses extra will add to the problem.

Heritage:

- The proposal will cause substantial harm to the setting of the Dovecote which is a Scheduled Monument and Grade II listed building.
- As the application is in outline the Council is unable to see whether substantial harm is being caused to a Scheduled Monument.
- The development will not conserve or enhance the heritage asset or its setting.

Ecology:

- Loss of natural habitat of wild animals (including owls, pheasants, grouse, hare, woodpecker, eider ducks, herons and other wading birds, deer, hedgehogs, jays and native birds such as sparrows, tits, swallows, housemartins).
- The hedgerow along the A586 should be retained and tree planting and hedgerows proposed.

Matters raised which are not material planning considerations and so cannot be taken into account in considering this application.

- Loss of view from existing properties
- Depreciation of value of existing properties
- Property purchasers around the site were told land around them would not be built on

7.2 A letter has been received from St. Michael's Flood Action Group (FLAG). The matters raised can be summarised as follows:

- Extremely concerned about disposal of foul sewage from this development. This has not been highlighted in any of the consultee responses, nor in the Developers' FRA. For some 40 years Great Ecclestone sewage has been taken to Churchtown (Garstang Waste Water Treatment Plant) carried by means of a combined sewer. In recent years there have been at least 11 occasions of leaks and burst of the pipe. The most serious and repetitive problem is where raw sewage bubbles up through manholes and floods Rawcliffe Road. Other effects of the sewer

incapacity result in backing up of sewage in domestic properties locally. UU have no firm proposals to cure the problem. The addition of some 550 houses in Great Eccleston) will greatly exacerbate the problem even if surface water from the new properties is excluded from the system. This is a present and future public health hazard and until resolved, no permission should be granted.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various, including discussions regarding the progression of the masterplan, delivery of infrastructure, and further information requested / provided in respect of consultation responses from LCC Highways, Highways England, Environmental Health Air Quality, and Natural England. Request for hedgerow plan. Relaying of contribution requirements.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Infrastructure Provision and Employment
- Flood Risk and Drainage
- Housing Mix
- Visual and Landscape Impacts
- Impact upon Highways
- Impact Upon the Historic Environment
- Impact on Residential Amenity
- Trees and Ecology

Principle of development

9.2 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The primary development plan document for Wyre is the Wyre Local Plan (WLP31). There are a number of housing, employment and mixed-use allocations identified in WLP31 which will provide the majority of the Local Plan housing and employment requirements. Delivery of these sites is also critical to ensure a 5 year housing land supply is maintained. The site is allocated for housing and employment development as part of mixed use site allocation SA3/3 Land West of Great Eccleston. Objectors have raised concerns about the principle of developing the site for housing and employment however this has been established and accepted through the Local Plan process.

9.3 The site allocation sets a site capacity of 568 dwellings, and 1 hectare of employment land. Planning permission has already been granted for two sites within the allocation on land to the south of Copp Lane for 183 dwellings. A site to the east also within the allocation has a resolution to grant permission for 16 dwellings. This proposal seeks outline permission for up to 350 dwellings, which if approved would take the number of approved dwellings within the allocation to 549 dwellings. Based on this density, remaining land within the allocation to the south-east of the site could potentially deliver a further 140 dwellings, which could result in 689 dwellings coming forward in total on the allocation. Whilst this exceeds the site capacity figure for this allocation, the housing requirements in the WLP31 are expressed as a minimum figure, and therefore the site capacity for allocations are also treated as minimum figures which can be exceeded subject to all other policy requirements being met. Therefore a housing scheme of up to 350 dwellings on this part of the allocation

would not be contrary to the WLP31 in principle. Nor would it prejudice the remaining development of the site allocation from coming forward.

9.4 The proposal also seeks outline consent for 1 hectare of employment land, meeting the full employment land capacity for the site allocation.

9.5 Site allocation SA3/3 contains 11 'Key Development Considerations' (KDCs) which are policy requirements. KDC1 states 'this site is to be brought forward in line with a masterplan to be produced covering the whole of the site. The masterplan must be agreed by the Local Planning Authority prior to the granting of planning permission for any part of the site'. As the two housing sites to the south of Copp Lane were approved prior to the WLP31 they were not subject to a masterplan, however being within the allocation these are fixed elements for any masterplan being developed to take into account. In this instance the masterplan for SA3/3 has been designed in two parts. Part 1 which was approved in December 2019 provides the physical and policy context, describes a vision and objectives for development of the allocation and establishes the framework which identifies the broad location of the different land uses and indicates how the movement network will function. Therefore the location of the community hub, spine road, employment area, and main area of Green Infrastructure, buffers and areas of lower density housing, and internal walking/cycling routes, have been agreed through Part 1 of the masterplan. Part 2 which has now been approved provides the delivery framework in particular delivery of the spine road, medical centre, village hall, shop site and school site, and considers issues of phasing and funding. Officers are satisfied this outline application is not in conflict with Part 1 and Part 2 as drafted. Therefore the proposal satisfies KDC1 of SA3/3.

9.6 KDC8 of SA3/3 requires the development of the allocation to include land for a new primary school, health centre, community hall, and a small convenience store of not more than 400 sqm floor area. These are termed as the 'community hub' and their location has been considered and determined through the masterplan process. This application includes the reservation of land for each of these community hub elements and their location in the north eastern part of the site is in line with the approved Phase 1 masterplan. Therefore it is considered the proposal satisfies KDC8. Other specific KDCs and masterplan matters are subsequently discussed in relevant sections of this report.

9.7 Policy SP1 of WLP31 seeks to deliver and direct new development in line with the settlement hierarchy. The site falls within the newly defined settlement boundary of Great Ecclestone. Great Ecclestone is listed as a Rural Service Centre within the settlement hierarchy of this Policy where 18.5% of housing growth and 23.3% of employment growth is expected during the plan period. Therefore in terms of location the proposed development would also satisfy the development strategy of Policy SP1.

9.8 Policy SP2 of WLP31 sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the NPPF. Relevant matters in this case would be to ensure housing provision meets the needs of all sections of the community, provision of strategic and local infrastructure and services, ensure accessible places and minimize the need to travel by car, reduce and manage flood risk, protect and enhance biodiversity, landscape and cultural heritage and green infrastructure assets, and achieve safe and high quality designed local environments which promote health and well-being. Many

objectors have raised concerns about the sustainability of the proposed development.

9.9 Matters of sustainability were considered when allocating the site. The Local Plan process considered Great Ecclestone to be a sustainable location to support this scale of development, and the site in conjunction with adjoining land to be sustainably located and well related to the existing settlement of Great Ecclestone subject to new infrastructure provision requirements including measures to improve pedestrian and cycle links and encourage sustainable travel. Therefore the principle of development satisfies policy SP2 of WLP31.

9.10 Paragraph 170 of the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The north part of the application site is Grade 2 agricultural land which is of very good quality, whilst the south of the site is Grade 3 agricultural land which is only of moderate quality. This loss of good quality agricultural land is a matter that has already been considered and accepted as part of the Local Plan making process. The proposal would not lead to the loss of any highest value agricultural land, or a significant amount of Grade 2 land, and therefore the proposal would not conflict with Paragraph 170 of the NPPF.

Infrastructure provision and employment:

9.11 Policy SP7 of WLP31 requires contributions towards infrastructure and in some cases new infrastructure on site. This includes affordable housing, green infrastructure, education, highway improvements and health care provision where appropriate. KDCs for SA3/3 also identify specific infrastructure requirements that are integral to the delivery of sustainable development within the allocation, further detail of which is set out in the approved Part 1 Masterplan and draft Part 2 document.

9.12 KDC2 of SA3/3 requires the provision of a vehicular through route from Copp Lane to the A586. The matter of access has not been applied for in this application however the submitted plans show a proposed road linking through the site between Copp Lane and the A586 as required. This route is also shown within the approved Part 1 Masterplan. The application would secure the provision of this road link, and its timely delivery as an early phase of development would need to be secured through a Section 106 legal agreement.

9.13 KDC8 of SA3/3 requires development of the allocation to include a new primary school, health centre, community hall, and a small convenience store of not more than 400 sqm floor area. This community hub will require an estimated 2.43ha of land (Part 1 of the masterplan incorrectly refers to 2.18ha). Of this 2.43ha, 0.49ha of land is required for the Health centre, 1.36ha for the primary school, up to 0.4ha for the community hall, leaving sufficient remaining land for the convenience store plus associated servicing/parking area. The location of the hub in the approved masterplan is the land within the north eastern part of the site as it would be nearest to the existing centre of Great Ecclestone and can be safely accessed from the village centre. This same location is proposed in the application on the indicative layout.

9.14 The Local Education Authority's (LEA) response confirms the financial contribution to mitigate the number of pupil places generated by this development could equate to approximately £1million towards primary school places at St Mary's Catholic Primary School Great Ecclestone, and Great Ecclestone Church Of England Primary School, and approx. £1.2million towards secondary school places at Hodgson Academy. However, these are purely indicative figures applicable at that

particular point in time and a detailed calculation would be undertaken at reserved matters stage once bedroom numbers are known. A revised response has been requested by the LEA which is expected to also refer to a new school as an alternative to expanding existing schools should this be needed. This can be reported on the update sheet. For the avoidance of doubt contributions will be sought towards construction of the new school within the site or expansion of existing schools as an alternative and not towards purchase of the land. This application would reserve land for the school site to be delivered by the LEA should this be required.

9.15 The NHS Fylde and Wyre CCG have been consulted and have stated that the proposed development falls within the catchment area of Great Eccleston Medical Centre and will generate approximately 819 new patient registrations based on average household size of 2.4 ONS 2017. They advise that this need, with other new developments in the area, can only be met through the development of a new practice premises in order to ensure sustainable general practice. A financial contribution of £202,849.00 is requested towards the provision of this new infrastructure. The new practice will be a replacement facility to the existing facility at Great Eccleston Medical Centre. This contribution will not fully fund the new scheme, but is considered by the CCG to be a proportionate request from this development. This application would reserve land for the medical centre to be delivered by the CCG. The financial contribution would need to be secured by means for a S106 legal agreement should Members resolve to approve the application.

9.16 In terms of the community hall, the developer is required to make a contribution towards the cost of delivering this. Similar to the LEA methodology, the precise amount would be dependent on the number of units and housing mix to come forward at reserved matters stage, unless an alternative mechanism to achieve CIL compliant proportionality was accepted. The precise amount would also depend on the amount of land required to deliver the village hall (up to 0.4ha as set out in the masterplan). The developer would be required to contribute towards the village hall construction costs, expected to be in the region of £1.4million and to the land purchase cost. Alternatively the payment may involve the transfer of land in lieu of a contribution, on the assumption the contribution amount is greater than the value of the land required. As a theoretical example, if the land was said to be worth £200,000 then this could be deducted from the contribution payable. Any monies (and potentially land) would be held by the council and made available to appropriate bodies (such as the Parish Council) wanting to deliver the community hall. The financial contribution would need to be secured by means of a S106 legal agreement should Members resolve to approve the application. This application would also reserve land for the community hall to be delivered. Full details of its appearance, scale etc. would be provided at reserved matters stage or via a separate full planning application.

9.17 In terms of the convenience store, the application would also reserve land for this to be provided at a future date, and require a serviced plot to be provided. Conditions could secure the scale of the convenience store to have a gross internal floor space of no more than 400sqm in line with SA3/3. Full details of its appearance, scale etc. would be provided at reserved matters stage or via a separate full planning application.

9.18 In terms of affordable housing, Policy HP3 of WLP31 requires new residential development of 10 dwellings or more on greenfield sites in Great Eccleston to provide 30% affordable housing on site. Assuming a reserved matters application came forward for all 350 dwellings, 30% would equate to 105 affordable units on site. The applicant has agreed to provide the required 30% affordable

housing on the site. Full details including phasing, layout, tenure, type, local connection criteria etc. would be secured by a Section 106 agreement.

9.19 Policy SA3/3 identifies an employment capacity of 1 hectare. The approved Masterplan Part 1 identifies an area of 1 hectare of employment land in the north west of the site adjacent to the A586. This location, which has previously been accepted through the masterplan process, is also shown on the indicative layout plan submitted with this application. The application would reserve land for this to be provided at a future date, and require a serviced plot to be provided. Full details of the appearance, scale etc. of the employment units would be provided at reserved matters stage or via one or more separate full planning applications.

9.20 KDC3 of SA3/3 states that the development should be supported by a landscape and green infrastructure (GI) framework incorporating structured tree planting, on-site open space to include formal and informal play, and pedestrian and cycle connectivity within and where possible outside the site (in particular the village centre). Policy HP9 of WLP31 requires an appropriate quantity of GI to be provided on developments of 11 dwellings or more. It also states that the most appropriate types of GI provision need to be determined, and the policy seeks to create meaningful GI as open space makes an important contributing to the health and wellbeing of communities. Therefore the aims of Policies SP8 and CDMP4 are also relevant.

9.21 The illustrative layout plan indicates GI within the site amounting to 3.18 hectares. This is illustrated to be located primarily within the centre of the site along the extent of the existing public right of way with three ponds either side of the right of way, and also immediately to the west of, and around, the proposed community hub. A strip of GI is also indicated further north of the community hub running north to south adjacent to hedgerows and between two indicated sections of housing on the northern part of the site. Hedgerows are also indicated as the boundary treatments along the north, north-west, and south eastern boundaries of the site.

9.22 The Parks and Open Spaces Officer has noted that the indicative layout and amount appears satisfactory. Furthermore the masterplan consultation established a preference for natural and semi natural green space and amenity space on the site, and these typologies are presented in the documents provided. Notwithstanding the amount of GI shown on the indicative plan, the precise amount is dependent upon the number of people the development would serve. This is not usually determined until reserved matters stage when housing mix details are known. However in this case Natural England require the indicated amount of GI (3.18 hectares) to be provided to mitigate against the impacts of the development. It is considered from the illustrative plans provided that this would not prejudice the required number of houses or community hub from coming forward. Therefore this amount can be secured with a condition, expressed as a minimum amount in the event the resultant housing mix required in excess of this. Specific details of how the GI is to be provided and laid out to satisfy policies SP8, KDC3 of SA3/3 and HP9 is a matter for any reserved matters application relating to layout and landscaping.

Flood risk and drainage:

9.23 The Masterplan Part 1 identifies the need for Sustainable Drainage Systems (SuDS) features and a foul water pumping station within the allocation as a whole. Part 2 states it is expected these will be delivered across different land parcels in accordance with the principles and plans set out in the masterplan (parts 1 and 2). The development of SuDS features and the foul pumping station must be planned

and delivered in such a way as to negate the risk of local flooding from the site and ensure the appropriate delivery of water services. A condition could ensure the details of such features are submitted concurrently with, or part of, any reserved matters submission relating to layout.

9.24 The whole of the site is located within Flood Zone 1 and therefore has the lowest probability of fluvial flooding. As the site exceeds 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted. The FRA states this development would provide a foul water pumping station. There is no requirement for the applicant to demonstrate accordance with the sequential or exceptions tests with regard to flood risk.

9.25 KDC5 of SA3/3 requires that residual surface water should drain into the River Wyre (near Cartford Bridge) via Thistleton Brook and existing watercourses. Improvements to existing watercourses will be required.

9.26 Objectors have raised concerns about foul and surface water drainage. The council's Drainage Engineer has been consulted on this proposal and has raised no objections. United Utilities have also been consulted and have suggested a pre-commencement condition requiring details of sustainable surface water drainage to be submitted for approval. United Utilities have also requested a condition securing the provision of one foul water pumping station and details of foul drainage including the point of connection to the public sewer, the storage requirements and rate of discharge, and details of any temporary arrangements during the construction of the development. Foul and surface water would have to be drained on separate systems. This condition would also require that no dwellings be occupied until these measures have been provided. This condition is considered necessary, to ensure foul drainage is adequately dealt with. Subject to the aforementioned conditions it is considered that the site could be adequately drained in accordance with Policy CDMP2 and KDC5 of SA3/3.

Housing mix and adaptable housing:

9.27 Policy HP2 of WLP31 requires that developments provide an appropriate mix in terms of size, type and tenure of housing to meet identified need and demand to accord with the most recent SHMA. The Policy also requires that developments exceeding 20 no. dwellings should make provision for at least 20% of dwellings on site to be designed to be adaptable to meet the needs of older people and people with limited mobility. Both of these elements could be secured by condition, with full details to be considered at reserved matters stage.

Visual and landscape impact

9.28 From views along the A586 north of the site, and from views along Copp Lane south of the site, the application site is read as an agricultural field behind hedging along the roadside and pavements, with a backdrop of wider open land to the west. Boundary hedges currently form the boundaries of the site. There are no existing wide open views of the site from the centre of Great Eccleston, to the east of the site. The site itself is comprised of undulating land.

9.29 The applicant has submitted a Landscape and Visual Appraisal (LVIA). This includes details of the visual effects of the development, including a landscape character assessment, and any important designations such as the existing Dovecote east of the site, the existing right of way network, and key viewpoints within and outside of the site. The LVIA concludes that the site is generally well contained in

landscape and visual terms by the built form of Great Eccleston and surrounding topography, and that visual effects are considered to be limited to short and medium distance receptors, and that overall, a well-considered development could be readily assimilated into the receiving landscape.

9.30 The proposed development would undoubtedly be widely visible from the A586 running along the north of the site, Copp Lane along the south of the site, and from existing residential properties surrounding the site, and the existing public right of way that runs east to west through the centre of the site. The development would significantly change the current character of the site. However, as an allocated site the visual effects of a development of this scale have already been considered and accepted in principle as part of the Local Plan process. It would be read as an extension immediately west of Great Eccleston, and along the A586 it would also be read opposite the length of existing residential properties on the north side of the A586 at Little Eccleston. In similarity to this, the proposal would be viewed along Copp Lane as immediately opposite housing development. As seen from either the A586 or Copp Lane it would not therefore be viewed as a sole projection of housing into the countryside. Any visual and landscape impacts resulting from introducing an urban development onto this undeveloped site are not therefore considered to be unduly harmful.

9.31 KDC4 of SA3/3 requires that the design of the development should provide an organic extension to the village. It should utilise important key vistas into the adjoining countryside and provide a rural transition zone between the development and the wider countryside. Particular attention should be given to boundary treatments. Part 1 of the Masterplan went on to identify key design principles / parameters such as scale, density, landscape buffers and open space in order to achieve this KDC. The illustrative plan submitted demonstrates that the totality of development proposed is physically achievable on this site and capable of achieving the key design principles / parameters outlined in the Masterplan. Whilst details of access, landscaping, scale, layout and appearance are reserved matters, these will nevertheless be important considerations to enable the development to sit comfortably in the surrounding landscape. These will be duly considered against the Masterplan requirements at reserved matters stage.

Impact upon highways

9.32 Objectors have raised concerns about the impact of the proposed development upon the highway network, including capacity and suitability of the network, increase in traffic and congestion, highway safety particularly location of the indicated school near the A586, and increase in traffic on Copp Lane both for vehicles and pedestrians, impact upon nearby villages, and lack of public transport. The applicant has submitted a Transport Assessment (TA) and an Interim Travel Plan as part of this application. Highways England and Lancashire County Council (LCC) Highways have been consulted.

9.33 As mentioned above in this report (section on the principle of the development) the site capacity of 568 dwellings does not prevent additional dwellings being proposed which exceed this figure, subject to all other policy requirements being met. The proposal if approved would take the number of houses on the allocation to 533, however could potentially result in the provision of 689 dwellings coming forward if a similar density of development were to come forward on the adjacent site to the south-east. As such this potential increase in capacity has been considered by both LCC Highways and Highways England. Following submission of further information by the applicant Highways England are satisfied the extra number

of trips from development beyond the minimum housing figure stated would not result in an unacceptable impact on the wider strategic road network. They would still require a developer on the remaining parcel to provide a TA to demonstrate this at the time of any application submission. LCC Highways have reassessed the results from the TA and now consider that there would be sufficient highway capacity at the nearby junctions to the site to accommodate this upper level of development should it come forward. Therefore it is considered that the proposed development of the site would not result in unacceptable impact upon the capacity of the highway network. A financial contribution of £24,000 is required for this phase of the development where a standard Travel Plan cannot be provided for the whole site allocation SA3/3, and should Members resolved to approve the application this would need to be secured by a S106 agreement.

9.34 LCC Highways confirm the access road indicated through the site linking A586 Garstang Road to Copp Lane is in line with the requirement of KDC2 of SA3/3. This link road through the site could be used as a bus route to the community hub uses. They originally responded requiring pedestrian refuges for the junction with the A586, and there were concerns that the access to Copp Lane would not be safe for pedestrians. Following the submission of further information and plans showing refuges and footpaths, LCC Highways are now of the opinion that safe access can be provided from both the A586 and Copp Lane. To achieve safe access at Copp Lane LCC suggest a condition securing the visibility splays on the submitted indicative plans, however as access is not a matter applied for at stage this is not considered necessary. Conditions are however necessary to secure delivery of the spine road including connections to the employment land, community hub and eastern boundary (linking with adjoining land within the allocation), as these links are all identified in the approved part 1 masterplan.

9.35 In terms of sustainable transport LCC Highways state the applicant should provide a scheme to upgrade the two bus stops to the west of the junction onto the A586 to Quality Bus Stops with a new bus shelter. This requirement could be secured at this stage by condition.

9.36 LCC's Public Right of Way team via the LCC Highway response has stated that upgrades to the public right of way network (2-13-FP11) will be required through the site, including resurfacing to 3m width and replacing the existing stile at the western boundary with a pedestrian gate, and resurfacing and new street lighting provision between the development and High Street. A contribution of £38,709 is requested for these works. This contribution could be secured through a S106 agreement. LCC Highways also suggest a condition requiring agreement of a scheme for the upgrades to the public right of way. However as the applicant is making a payment to LCC to undertake the works this condition is not considered necessary.

Impact upon historic environment

9.37 There are existing historic assets adjacent to the application site. As KDC9 of SA/3 sets out, there is an existing Dove Cote within a field to the north of Copp Lane (and east of this application site) which is Grade II listed and also a Scheduled Monument. KDC9 requires there to be an appropriate buffer to protect its setting. There is also a Grade II listed Pinfold to the north east of the site and on the south side of High Street. KDC11 of SA3/3 required the masterplan process to take into account this Grade II listed Pinfold, and also the Grade II listed church of St. Anne south of the site at Copp Lane, as well as the existing public right of way through the site.

9.38 The applicant has submitted a Heritage Statement as part of the application which confirms the approach taken via the masterplan process. The masterplan Part 1 took into account the location of these heritage assets. The Conservation Officer advises that given the separation distances, the development is considered to make no contribution to the appearance, setting or significance of these nearby designated heritage assets and is therefore considered to sustain their significance. The site is located more than 200metres from the Dove Cote and there is considerable existing development in the space between. Furthermore the application proposes the retention of planting and a green corridor along the existing public right of way through the site (north of the Dovecote) and the retention of this planting and provision of a green corridor is considered an appropriate buffer. Given this the proposed development would not cause any harm thereto it is considered to be acceptable and in conformity with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and policy CDMP5 of the WLP31 as well as KDC9 and KDC11 of SA3/3.

9.39 The applicant has submitted an Archaeological Desk-based study. LCC Archaeology have responded that some fields may be of medieval origin and there is a potential (albeit low) for significant remains. As such LCC Archaeology suggest a condition be attached requiring the applicants to undertake a programme of archaeological assessment prior to commencement of development in accordance with a written scheme of investigation. Subject to this condition it is considered the proposal would not have an unacceptable impact on the historic environment and would fulfil the requirements of Policy CDMP5 of WLP31.

Impact on residential amenity

9.40 The proposal has been submitted in outline with all matters reserved. Therefore issues relating to impacts on privacy, overlooking, loss of light and overshadowing cannot be properly assessed at this stage, but would be considered by way of a reserved matters application. However, in considering the illustrative plans there is no reason to believe at this stage that the development would not be able to comply with the interface distances set out in the Council's adopted 'Spacing Guidance for New Housing Layouts' SPG and so impact on residential amenity is not a cause for concern.

9.41 The relationship between the proposed dwellings along the southern boundary with existing dwellings adjacent can be given particular attention at the reserved matters stage should permission be granted. The indicative access demonstrates that a safe access could be achieved away from existing dwellings off the A568, and to the east of the existing row of dwellings adjacent the site on Copp Lane, and therefore it is considered it would be possible to site the access at reserved matters stage so as not to result in unacceptable adverse impact on these existing properties by noise and disturbance from vehicles entering and leaving the development.

9.42 Environmental Health have advised that whilst they have no objections in terms of impact upon amenity a condition should be attached requiring a Construction Environmental Management Plan (CEMP) to be submitted to protect existing residents during any construction period. A number of conditions have also been suggested specifically relating to the commercial uses proposed, including setting maximum levels for cumulative noise from all plant and machinery serving commercial units, including deliveries to these premises, restricting deliveries and collections to these units, controlling external lighting, and requiring details of

dispersion of any cooking fumes. It is considered that all of the suggested conditions are necessary should Members resolve to approve the application. With such conditions it is considered that the proposed development would not cause unacceptable harm to existing residents by way of noise, odour, or light pollution.

9.43 The applicant has submitted a Noise Assessment. This has been assessed by Environmental Health. The submitted assessment concludes that internal noise levels of the proposed houses with recommended mitigation are expected to be within the internal noise limits as recommended by British Standard and WHO Guidelines. Environmental Health have commented that noise levels of 56-60dB predicted for the external areas of certain dwellings, notably on the north east boundary facing onto Garstang Road, would be excessive. However at this stage the layout is only indicative and the orientation of dwellings together with appropriate noise attenuation can be considered in any reserved matters application.

Trees and ecology

9.44 The application site does not have any ecological designations. KDC6 however states that potential ecological impacts should be considered due to the greenfield nature of the site, and important features such as hedgerows, trees and ponds. Whilst the application is submitted in outline it is clear the proposal would require the removal of sections of hedgerows on the north and south boundaries to provide for the new link road between the A568 and Copp Lane, and to provide access to the site. KDC6 also states that a Habitat Regulations Assessment (HRA) may also be required.

9.45 The applicant has submitted a Biodiversity Survey, and an Extended Phase 1 Habitat Survey as part of the application. Natural England originally responded that a HRA was required. A HRA has been carried out by the Greater Manchester Ecology Unit (GMEU) as the Council's ecological consultee, and this was provided to Natural England for further assessment. Natural England has responded with no objections provided that mitigation measures are secured in any planning permission, including that any reserved matters application shall provide details of a surface water attenuation (basins and cellular storage), the amount of public open space as shown in the indicative layout (3.18ha), the detail of countryside furniture, path way marking and interpretative panels within the Site and links to the Public Rights of Way network adjacent to the site, and home owners packs highlighting the sensitivity of Morecambe Bay. Natural England also require mitigation in the form of a Construction Environmental Management Plan (CEMP) and Construction Phase Surface Water Management Plan. It is considered that with the suggested mitigation measures the proposal would not result in significant effects on nearby designated sites. These measures can be required by condition. The provision of home owner packs is also a requirement of KDC7 of SA3/3.

9.46 GMEU's original response required further information in relation to hedgerow assessment, survey details behind the bat foraging conclusions, an agreed mechanism for the common toad, and agreed approach to how the plot radius factor will be for trees will be dealt with any reserved matters application. The applicant's Ecologist provided a Technical Note in response which GMEU are satisfied with. They confirm that indicative loss of hedgerows and the importance of the hedgerow along the PRoW that bisects the site is not an issue which is likely to stand in isolation, and advise that the LPA may wish to secure this habitat type (hedgerow) within a condition, and with the LPA being able to secure compensation for hedgerow loss then there are now no matters outstanding in relation to biodiversity. A condition is therefore considered necessary to ensure that at reserved matters stage

compensation for any amount of existing hedgerow lost is provided. The applicant has been asked to provide a hedgerow plan so the length and location of existing hedgerows is known at this stage so that it is clear at reserved matters stage what hedgerow mitigation is required.

9.47 The applicant has submitted a Tree Survey covering the site. The survey shows that trees along the centre of the site (i.e. along the line of the public right of way) are classed as Category A (high quality and value) trees. There is also one category A Tree (T10) to the northern part of the site near the employment area, and a category A tree on the north west boundary with the existing caravan site. There are three category B (moderate quality) trees scattered in the northern extent of the site, and on the boundary to the existing caravan site north west of the site. Category B trees are also to the southern extent of the site running between the existing row of dwellings at the southern end of the site, as well as a cluster of category B trees (G3 and T4) just south of the existing PRoW through the site. The only Category C tree is on the western boundary of the site. Four trees in the northern part of the site are Category U (T2, T3, T6 and T9) which are classed as dead and to be removed. Therefore the proposal would result in the loss of four Category U trees.

9.48 The council's Tree Officer concurs with the Tree Survey. The Tree Officer has previously visited to the site and made Tree Preservation Order 10 of 2017 relating to most trees that are covered within the tree report. He states Tree T6 (beech) in the applicant submitted report is T3 in the Tree Preservation Order (TPO 10 of 2017). He also considers the illustrative layout provides ample GI and incorporates all existing trees, subject to the low numbers identified within the tree report requiring removal for arboricultural reasons. The Tree Officer is therefore accepting the removal of one TPO Tree (T6 on the submitted plans) as this tree is dead. Overall it is considered that the proposal would not result in the removal of any important TPO trees that are still of high quality and should be retained. The Tree Officer has also commented that the GI and wider layout indicated provides good opportunity for retention and enhancement of existing natural features, and potential future opportunities for many new native trees, shrubs, ornamentals, meadow and amenity grass areas, to be secured at reserved matters stage.

Other issues

9.49 Contamination:- The NPPF states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/ landowner. The NPPG also states that local authorities should use conditions to secure the adequate remediation of contaminated land. Adequate information should be submitted by the applicant to show that the site is suitable for its new use. The applicant has submitted a Geo-environmental Assessment report desk study and amended desk study, and the Environmental Health Officer has responded that the potential gas risk appears relatively low from the desk study information, and therefore the amended desk study is considered acceptable. Given the lack of potential sources identified on the site, the site investigation is also considered satisfactory. No remediation is therefore necessary. The Environmental Health Officer has advised that a condition should be attached requiring a watching brief.

9.50 Climate change:- Policy SP2 part 6 requires proposals to demonstrate how they respond to the challenge of climate change through appropriate design and by making best use of resources and assets including the incorporation of water and energy efficient measures and the reuse and recycling in construction. Details of any proposed landscaping, such as tree planting, would be a reserved matter. Policy

CDMP6 requires development proposals involving car parking provision to be supported by electric vehicle recharging points (EVCP) unless demonstrated to be impractical e.g. in communal parking areas. This infrastructure could be secured by condition. Furthermore the development would involve the retention and provision of new tree and hedgerow planting which can help to mitigate against climate change. This would help satisfy the climate change requirements of policy SP2.

9.51 Air quality:- The applicant submitted an Air Quality Assessment including revised document responding to the Environmental Health Officer's original comments. The Environmental Health Officer has reviewed this information and advises that there are no objections to the proposal subject to conditions requiring the provision of electric vehicle points for both the residential and the commercial uses. Subject to these conditions it is considered that the proposal would be acceptable in terms of impact upon air quality.

9.52 Waste management:- The National Planning Policy for Waste (NPPW) seeks to ensure that new development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities, for example by ensuring there is discrete provision for bins to facilitate a high quality, comprehensive and frequent collection service. The application is currently at outline stage where details of layout are currently unknown. However it is suggested a condition should be attached to ensure that any reserved matters application for the relevant phases of development include details of waste management proposals. Subject to this condition it is considered the proposal would accord with the NPPW.

10.0 CONCLUSION

10.1 The proposal would bring forward an appropriate mix of uses on an allocated site in the Wyre Local Plan and is considered to be in accordance with the development plan and NPPF, as well as being in accordance with the approved Great Eccleston Extension Masterplan. There are no adverse impacts identified that would outweigh the benefits to development and so the application is recommended for approval subject to conditions and a S106 Legal Agreement

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant outline planning permission subject to conditions and 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.

Recommendation: Permit

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, a Medical Centre, and a Primary School, 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 and community hub, 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 SA3/3 of the Wyre Local Plan (2011-31)

6. 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 - Drawing No. MA/GE/PP/01 Rev A - Parameters Plan and the approved Great Eccleston Masterplan Part 1, 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 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 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 Community Hub is accessible and available concurrently with the remainder of the development in accordance with the provisions of 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 routing 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 an application is made for approval of details of 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. Prior to occupation of the 100th dwelling the said primary access road shall be constructed to an adoptable standard for its entire length up to the site boundary and shall be offered to the local highway authority for adoption. This primary access road shall thereafter be maintained and remain open and unobstructed at all times.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework and the approved Great Eccleston Masterplan.

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 Archaeologists (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 form 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 gully pots, use of gully 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: -

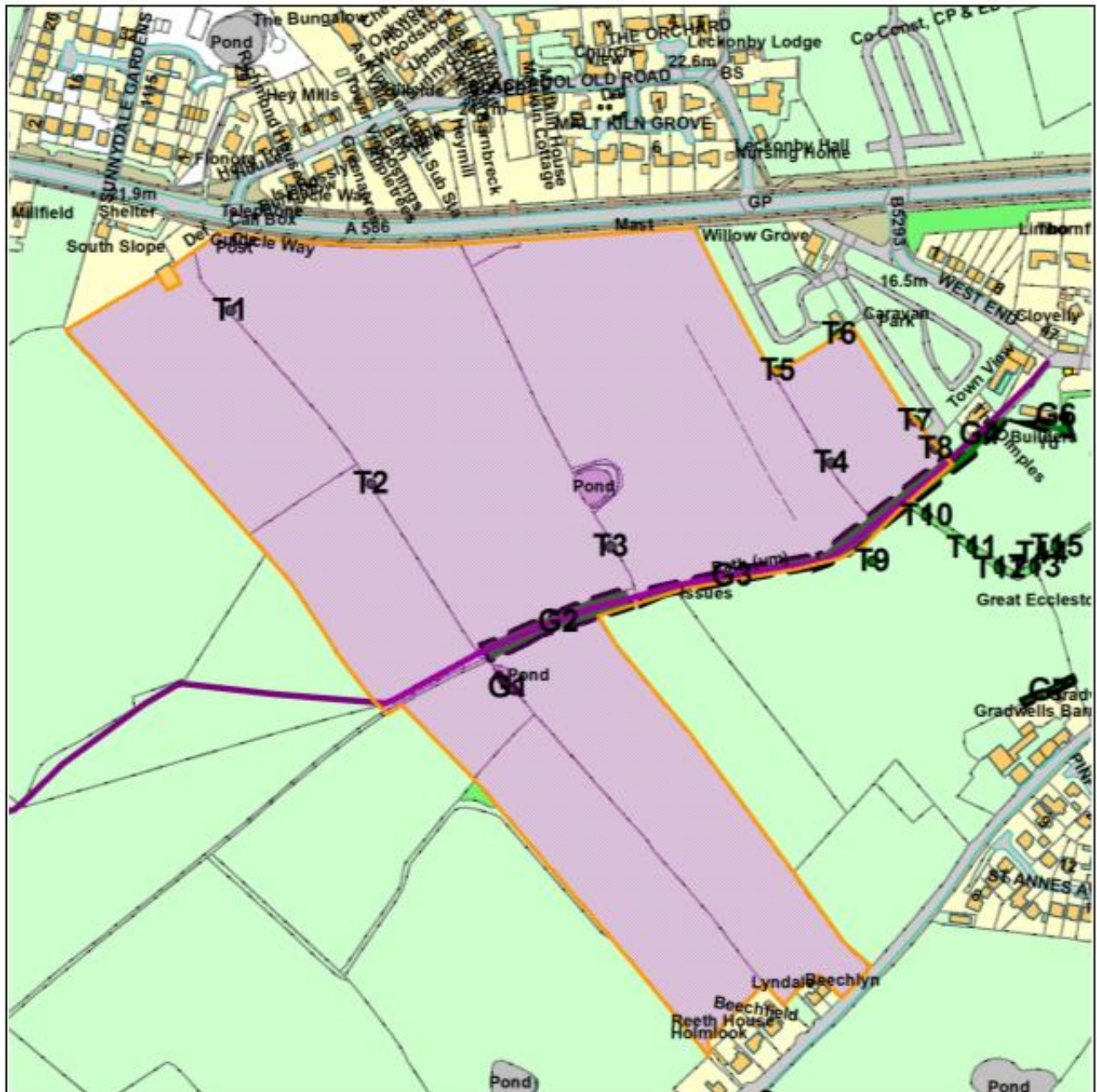
1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide 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.

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Planning Committee



19/00860/OULMAJ - Land South of the A586 and North west of Copp Lane Gr



Scale: 1:3928

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	15 April 2021
SLA Number	100018720

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Committee Report

Date: 28.04.2021

Item Number 03

Application Number 19/00809/FULMAJ

Proposal The erection of 42 bungalows for people aged 55 and over (Use Class C3) with associated car parking, public open space and vehicular access from Blackpool Road

Location Land To The South Of Blackpool Road Carleton

Applicant Mr C Hetherington

Correspondence Address c/o Smith & Love Planning Consultants
FAO Miss Abigail Kos 32 Winckley Square Preston PR1 3JJ

Recommendation Refuse

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mr Karl Glover

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration as the application site falls within an allocated site in the Wyre Local Plan and is of strategic importance. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application comprises of 2.3 Hectares (5.7 Acres) of undeveloped agricultural land located on the southern side of Blackpool Road opposite the junction with Alisan Road in Carleton. The site forms part of the wider allocation for residential development within the Wyre Local Plan (Site SA1/6). Geographically the site lies approximately 0.7 miles to the north of Poulton Town centre and 200 metres south west of Carleton village centre. The surrounding area is mixed in character with residential properties of varying scale and architectural design located to the north and east. To the south is an expanse of Grade 3 (good to moderate quality) agricultural land which is defined by intercepting boundary hedgerows and rolling landscape.

2.2 The site itself is irregular in shape and wraps around to the south of / behind the residential properties located on Moorfield and Coniston Avenue. The site is bound by mature mixed species hedgerows, mature trees and vegetation with an existing gated field access onto Blackpool Road which crosses the adopted highway verge. In terms of topography the site has a level range between 7.5m and 10.8m Above Ordnance Datum (AOD) and dips towards the centre. The site is located within Flood Zone 1 and there is a mature Beech tree located on the north western corner of the site which is subject to a Tree Preservation Order (ref 02/2019). There

is also a group of trees located within the north eastern corner of the site which are subject to a woodland Tree Preservation Order (002/2019/TPO W1).

3.0 THE PROPOSAL

3.1 The application seeks full detailed planning permission for the erection of 42 open market bungalows for people aged 55 and over with associated green infrastructure, landscaping and vehicular access taken from the southern side of Blackpool Road opposite the junction with Alisan Road. The proposed bungalows comprise of 6 x 1 bed units, 26 x 2 bed units and 10 x 3 bed units of varying design and materials as demonstrated on the submitted elevation and materials plan. Four house types are proposed, the primary materials comprise of a mixture of render and red brick under a pitched concrete tile roof with either a tile hanging feature on the front gable or decorative Tudor style timber boarding. The units vary in scale with a range of 5.5m and 6m in height to the ridge and approximately 2.5m to the eaves. The majority of the bungalows are shown to have either integral garages or detached garage and a minimum of 2 car parking spaces per unit.

3.2 The proposed access utilises the existing field opening on the southern side of Blackpool Road including the existing hardstanding across the adopted grassed highway verge. The submitted access plan shows the access road to measure 5.5m wide with 2m pedestrian footpaths either side with a visibility splay of 2.4m x 60m towards the south west and 2.4m x 54.2m to the north eastern direction. The access road progresses into the site creating a main spine road with pedestrian footways either side. Private drives are shown to feed off with contrasting surfaced areas and service strips either side, creating 5 small cul-de-sacs.

3.3 Halfway along the southern boundary of the site within a landscaped area adjacent to the internal link road a foul water pumping station is proposed. Foul water is proposed to be connected to the existing public foul network with surface water proposed to be stored on site and discharged at a controlled greenfield run off rate into the Horse bridge Watercourse via the surface water drainage scheme proposed on the adjacent development site to the south.

3.4 The application is accompanied by a range of supporting documents as follows:

- Air Quality Assessment
- Archaeological Desk-Based Assessment
- Ecological Appraisal
- Landscape and Visual Assessment
- Noise Assessment Report
- Flood Risk Assessment
- Tree Survey
- Arboricultural Impact Assessment
- Phase 1 Geo-Environmental Desk Study
- Phase II Interpretative Ground Assessment
- Transport Assessment, Transport Assessment Addendum
- Material Schedule
- Financial Viability Assessment and supporting documentation

4.0 RELEVANT PLANNING HISTORY

4.1 The site has the following relevant planning history:

4.2 83/01014 - Proposed residential development for 50 dwellings including roads, sewers and landscaping - Refused

4.3 Whilst not directly related to this site, the following planning history is relevant for adjacent sites:

4.4 19/00551/FULMAJ - Hybrid planning application seeking detailed planning permission for the development of 202 dwellings including associated access, highway works, open space provision and landscaping and outline planning permission for the development of a two form entry primary school (all matters reserved) - Resolution to grant permission subject to completion of S106 agreement

4.5 17/00632/OUTMAJ - Outline application for a residential development comprising up to 48 dwellings with access applied for off Tithebarn Street and 100 space town centre carpark (all other matters reserved) - Pending consideration

4.6 19/00615/OULMAJ - Outline application for the erection of up to 330 dwellings and associated infrastructure (all matters reserved) - Refused

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- Policy SP1 Development Strategy
- Policy SP2 Sustainable Development
- Policy SP6 Viability
- Policy SP7 Infrastructure Provision and Developer Contributions
- Policy SP8 Health and Wellbeing
- Policy CDMP1 Environmental Protection
- Policy CDMP2 Flood Risk and Surface Water Management
- Policy CDMP3 Design
- Policy CDMP4 Environmental Assets
- Policy CDMP5 Historic Environment
- Policy CDMP6 Accessibility and Transport
- Policy HP1 Housing Land Supply
- Policy HP2 Housing Mix
- Policy HP3 Affordable Housing
- Policy HP9 Green Infrastructure
- SA1 - Residential Development
- SA1/6 - South of Blackpool Road

5.1.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council must be able to

demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

6.0 NATIONAL PLANNING POLICY FRAMEWORK 2019

6.1.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 19 February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

6.1.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2 - Achieving Sustainable Development
- Section 3 - Plan - Making
- Section 4 - Decision Making
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

OTHER MATERIAL CONSIDERATIONS

6.2 WYRE SUPPLEMENTARY PLANNING GUIDANCE

6.2.1 The following Supplementary Planning Guidance is considered to be of relevance to the determination of this application:-

- Supplementary Planning Guidance 2 - Development and Trees
- Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

6.2.2 The following guidance is also relevant:-

- Green Infrastructure in New Residential Developments (Policy HP9) Guidance for Applicants

6.3 LAND SOUTH OF BLACKPOOL ROAD MASTERPLAN

6.3.1 The Land south of Blackpool Road Masterplan was approved on 13th January 2021 and represents a significant material planning consideration to this application.

6.4 THE NATIONAL PLANNING PRACTICE GUIDE

6.5 THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS (AMENDMENT) (EU Exit) 2019

6.6 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

7.0 CONSULTATION RESPONSES

7.1 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY)

7.1.1 Initial response raises no objection to the proposal. The proposed access as shown on plan is considered to be acceptable which shows a pedestrian refuge on Blackpool Road, southwest of Alisan Road. This refuge provides an important link to local bus stops and is deemed necessary. To ensure the development is sustainable the following highway improvements and financial contributions are required:

Off Site Highway Works:-

- Site Access to Blackpool Road prior to development
- Bus stop upgrades on Blackpool Road
- Blackpool Road/Poulton road traffic signal upgrade to MOVA with Puffin crossing facilities
- Tithebarn Street/Queensway traffic signal upgrade to MOVA with the introduction of puffin crossing facilities
- Queensway existing Pelican upgrade to Puffin facilities

Financial Contributions:-

- £67,200 towards the Poulton Highways Mitigation Strategy
- £6,000 towards Travel Planning

7.1.2 Final response raises an objection without the requested contribution towards the Poulton Mitigation Strategy, as this would make the development less sustainable leading to an increase in traffic levels, congestion and ultimately highway safety.

7.2 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY)

7.2.1 As the proposal is for over 55s then there is no requirement for Education contributions

7.3 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

7.3.1 No observations received at the time of compiling this report

7.4 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

7.4.1 Initial response requested a condition requiring an archaeological site investigation and a scheme of impact mitigation being attached if the application is approved. Further response confirms that following further information, no onsite investigation is required.

7.5 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

7.5.1 No objections having assessed the submitted ecology reports and revised landscaping plan. Satisfied that all biodiversity matters have been addressed. The Council can report the conclusions of the Habitat Regulations Assessment (HRA) screening assessment. Conditions should be secured for drainage and recreational features. Great Crested Newts have been mitigated for by the use of RAMS site preparation and clearance, the retention of the on-site pond and the preparation and implementation of a LEMP for the site all of which can be conditioned accordingly. A number of other conditions are also recommended to be attached.

7.6 HIGHWAYS ENGLAND

7.6.1 No objections

7.7 LANCASHIRE FIRE AND RESCUE SERVICE

7.7.1 Highlighted the requirements for the proposed access and scheme to satisfy Document B Part B5 of Building Regulations and sets out the guidance on turning facilities for Fire Service Vehicles

7.8 UNITED UTILITIES

7.8.1 The Drainage Strategy submitted is acceptable in principle as the surface water is to ultimately discharge into the watercourse to the south of the site. Surface water will not be permitted to drain directly or indirectly to a public sewer. A condition requiring full details of the management and maintenance of sustainable drainage systems should be attached.

7.9 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

7.9.1 To mitigate against the development a financial contribution of £11,599 is required which will go towards the refurbishment and/or reconfiguration of Queensway Medical centre. In the absence of this financial contribution being provided a formal objection is made as the infrastructure cannot absorb the impact of the services, particularly given the age profile of the bungalows with higher dependency patients expected compared to other forms of development.

7.10 NATURAL ENGLAND

7.10.1 A Habitat Regulations Assessment (HRA) screening is required for the determination of likely significant effects on the coastal designated sites. Should the LPA be satisfied that there will be no likely effects then there is no requirement to re consult Natural England.

7.11 BLACKPOOL BOROUGH COUNCIL

7.11.1 No objections

7.12 POULTON HISTORICAL AND CIVIC SOCIETY

7.12.1 Highlighted concerns relating to the following matters:

- The effect of increased traffic and impacts upon Blackpool road

- Ecological impacts
- The effects on local services and amenities
- A condition requiring archaeological evaluation and mitigation should be attached

7.13 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

7.13.1 Initially requested further information and details of percolation test results however following the submission of the revised drainage scheme there are no objections subject to condition being attached.

7.14 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)

7.14.1 No objections subject to post phase 1 contaminated land and watching brief conditions being attached

7.15 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY CONSIDERATIONS)

7.15.1 Verbally response confirmed no objections and the information contained within the Noise Assessment and Air Quality Assessment is acceptable.

7.16 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

7.16.1 The submitted Arboricultural Impact Assessment and Tree survey is considered to be acceptable and the draft tree protection plan is suitable. Requested full details of landscaping to be provided however the proposed layout shown on the submitted site plan appears to be acceptable.

7.17 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PUBLIC OPEN SPACES/GREEN INFRASTRUCTURE)

7.17.1 Requested full details of the landscaping to be submitted which was confirmed to be acceptable. Advised that the Green Infrastructure provision is considered sufficient.

8.0 REPRESENTATIONS

8.1 At the time of compiling this report there has been 16 letters of objection received and 2 observations which neither object nor support the proposal. The primary reasons for opposition are:

- No approved masterplan in place
- Access points onto Blackpool Road is too close to another developers access point
- Adverse Impacts upon existing highway network
- Pollution - Noise and vehicular
- Congestion
- Loss of privacy
- Impacts upon the drainage systems
- Impacts upon wildlife - video and photographic evidence submitted showing young deer

- Loss of hedgerows
- Loss of open green space
- Landscaping should be considered as a whole for the allocation
- Historic impacts
- Archaeological impacts
- Impacts upon TPO
- Flood risks , increase on existing issues already experienced
- Lack of NHS services
- Lack of Law Enforcement Services
- Impacts from the construction
- Impacts upon Climate Change
- Nature Conservation
- Lack of Employment opportunities
- Development should be undertaken in line with masterplan
- Impacts upon local junctions including Carleton crossing and the castle Gardens junction
- Impacts upon local schools

9.0 CONTACTS WITH APPLICANT/AGENT

9.1 Numerous correspondence including meetings which have taken place with the applicant in relation to access revisions, additional information in relation to Green Infrastructure and Landscaping and further information in relation to the delivery of the drainage strategy which in turn required amendments to the submitted Flood Risk Assessment and revised drainage plans to be submitted. Discussions in relation to Affordable Housing provision and progression of the Master Plan. A financial viability statement and accompanying documents have been submitted by the applicant and an extension of time has been agreed until the 30/4/2021.

10.0 ISSUES

10.1 The key considerations in the assessment of this application are:

- Principle of Development
- Infrastructure Provision
- Housing Mix
- Visual Impact, Design and Layout
- Impact on residential amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Ecology, nature conservation and trees

Principle of Development

10.2 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The primary development plan for Wyre is the Wyre Local Plan (WLP31). A number of housing allocations identified in Policy SA1 will provide the majority of the Local Plan housing requirement. Delivery of these sites are also critical to ensure a 5 year housing land supply is maintained. The application site falls within the settlement boundary of Poulton-le-Fylde as defined in the WLP31. Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where

it complies with the other policies of this Local Plan'. The site is allocated for housing development as part of site allocation 'South of Blackpool Road' (SA1/6). The total allocation consists of 19.54Ha with a housing capacity of 300 dwellings. This site makes up 1 of 4 parcels in different land ownership within the allocation. Of the remaining 3 parcels, 1 is subject to an application for 48 dwellings and a town centre car park which is currently pending consideration and is located to the south of the application site. Another parcel comprises land immediately to the southern boundary, on which this Planning Committee recently resolved to grant full planning permission for 202 dwellings and outline permission for a primary school subject to a Section 106 legal agreement. The remaining parcel, a smaller area of land immediately to the north of Berry Lane has not been subject to any application. Any loss of agricultural land within the allocation site has already been considered and accepted as part of the Local Plan making process.

10.3 Site allocation SA1/6 contains 11 Key Development Considerations (KDCs) which are policy requirements that have to be satisfied. KDC1 states 'this site is to be brought forward in line with a masterplan to be produced covering the whole of the site. The masterplan must be agreed by the Local Planning Authority prior to the granting of planning permission for any part of the site'. The 'Land south of Blackpool Road' Masterplan was formally approved by the Council on 13th January 2021. Although the Masterplan itself does not create new policy, it does create a development framework, including vision, objectives and design principles that each planning application within the allocation should adhere to. The application proposal including locations of the housing, access and connection points and Green infrastructure aligns with the Masterplan Framework (Section 4 of the masterplan document). Specific KDCs and masterplan matters are subsequently discussed in each relevant section of this report.

10.4 Policy SP2 of WLP31 requires all new development to be sustainable. Relevant matters in this case would be to ensure housing provision meets the needs of all sections of the community; provision of strategic and local infrastructure and services; ensure accessible places and minimise the need to travel by car; reduce and manage flood risk; protect and enhance biodiversity, landscape and cultural heritage and green infrastructure assets; and achieve safe and high quality designed local environments which promote health and well-being. Whether the proposal achieves these sustainability considerations is discussed in turn in each relevant section of this report with reference to the specific KDC requirements of the Site Allocation and the Masterplan.

Infrastructure Provision

10.5 Bungalows for people aged 55 and over are not exempt from providing the necessary developer contributions and mitigation required to make the development acceptable in planning terms. In this case the necessary infrastructure to mitigate the impacts of the development is affordable housing, green infrastructure, highway improvements and health care, in line with the overarching requirements of Policy SP7 of the Local Plan and SA1/6. The masterplan also identifies a number of infrastructure requirements. LCC Education have confirmed no education contributions are required due to the age profile of the occupants, which could be secured by s106 agreement if required.

10.6 In terms of affordable housing, Policy HP3 of WLP31 requires new residential development of 10 dwellings or more on greenfield sites in Poulton to provide 30% affordable housing on site. Based on the proposed development of 42 dwellings this would equate to 13 on site units. As set out below the applicant has

advised that it would not be viable to provide any on site provision or off site financial contribution towards affordable housing. The failure to provide supporting social (affordable housing) infrastructure is a matter which carries significant weight against the proposal.

10.7 Policy HP9 of the WLP31 requires developments resulting in a net gain of 11 dwellings or more to make appropriate provision of green infrastructure (GI) on site. In this instance based on the housing mix proposed, a total of 0.3ha of GI is required to be provided. The submitted plans demonstrate that the proposal would provide 0.29ha of GI including an arrival green to the north/north east of the site which incorporates the existing pond and group of TPO Trees. The submitted landscape plan also identifies new planting and vegetation to be provided. Whilst it is acknowledged the amount of on-site GI falls marginally short of the policy requirement, this shortfall of 0.01ha is not considered material to justify a refusal reason. The location of the GI reflects the area shown in the masterplan and is considered to be in an accessible location, close to and overlooked by the proposed dwellings offering good levels of security and surveillance. The type of the GI (natural and semi-natural GI) is considered appropriate for the age profile of the occupants and the site characteristics. Based on the information provided the proposal would satisfy KDC2 of SA1/6 and Policy HP9 as well as the masterplan.

10.8 To accommodate the development a range of improvements are required to be delivered towards the local highway network. KDC9 of the site allocation sets out that development should contribute to the delivery of the Poulton Highway Mitigation Strategy. Lancashire County Highways have confirmed that this application would be required to provide £67,200 towards the Poulton Highways Mitigation Strategy and a further £6,000 towards Travel Planning in conjunction with a range of off-site highway improvement Section 278 works. Further details on these requirements are set out in the highways section of this report below (Paragraph 10.26-10.32). The applicant has advised that the proposal cannot provide these financial contributions as it would deem the development unviable. In the absence of providing the necessary highway contributions, Lancashire County Highways have confirmed they are effectively objecting to the application, as this would make the development less sustainable leading to an increase in traffic levels, congestion and ultimately highway safety. The failure to provide supporting transport infrastructure is a matter which carries significant weight against the proposal. Furthermore it would render the development unsafe from a highway safety perspective.

10.9 To mitigate the impact of this development on local health care facilities, a financial contribution of £11,599 towards the refurbishment and reconfiguration of Queensway medical centre in Poulton is required. The applicant has advised that the proposed development cannot provide this contribution as it would deem the development unviable. In the absence of securing these contributions, the CCG have confirmed they are effectively objecting to the application as the infrastructure cannot absorb the impact of the development. Particularly given that the occupants of the bungalows are considered by the CCG to be higher dependency patients compared to other forms of development. The failure to provide supporting community (health care) infrastructure is a matter which carries significant weight against the proposal.

10.10 Policy SP6 of the WLP31 sets out that the council's overarching objective is to ensure that development is viable. Where a developer seeks to negotiate a reduction in infrastructure requirements that would normally apply to a development, the council will require the developer to supply a financial appraisal demonstrating the costs to be incurred, the financial return and the profit expected. This is in accordance with the NPPF which requires viability to be a material consideration in

decision making. In this instance during the later stages of the application the applicant has submitted a Financial Viability Statement (FVS) along with various supporting documentation. The submitted FVS report has been reviewed by the council's independent advisor, financial and property surveyors Keppie Massie (KM). KM disagree with the applicant's benchmark land value and are of the view that the development is capable of providing 6 No. on site affordable units and the £67,200 Poulton Highway Mitigation Strategy and £6,000 Travel Plan and the £11,599 towards health contributions being requested.

10.11 In response to the KM findings, the applicant has provided further supporting information why he contends that the bungalows cannot deliver affordable housing and planning obligations in this case and also why the planning benefits of bungalows is considered by the applicant to outweigh the harm of not providing any contributions. Whilst it is acknowledged that there are some benefits in providing a development comprising entirely of bungalows for older persons these benefits have to be weighed against the disbenefits which arise as a result. Officers are of the view that the council can evidence that it currently does have a relatively high stock level of bungalows within the Borough, but also within the local Poulton/Carleton wards, and as such there is no overriding need for this type of dwelling which would outweigh the harm caused by not providing the necessary contributions. This is also supported by the Local Plan whereby there is no policy requirement for a proportion of properties on a development to be specifically bungalows. Whilst the subsequent section of this report considers visual impact, there is no requirement for these units to be bungalows to ensure an acceptable visual impact, as confirmed by the approved masterplan which does not include such detail. Therefore even if there was not any disagreement in terms of the viability assessment, officers are of a different view to the applicant and consider that the benefits of providing a bungalow development do not outweigh the harm caused by failing to secure the necessary contributions.

10.12 As a consequence of not being able to provide the necessary infrastructure the proposal results in an unsustainable form of development which weighs heavily against the development and would be contrary to the provisions of Policies SP2, SP7, SP8, HP3, CDMP6 and SA1/6 of the WLP31 and the general provisions of the masterplan.

Housing Mix

10.13 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). In this case this is the May 2018 Addendum 3 Supplementary Note which sets out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units (subject to a consideration of local need and demand). Out of the 42 bungalows proposed, there would be 14% 1 beds, 62% 2beds and 24% 3 beds. The mix proposed is not strictly in accordance with the SHMA Mix as it comprises a higher proportion of smaller units and zero 4 beds. However the provision of smaller properties is generally in line with the overall SHMA evidence and housing strategy. Furthermore it is acknowledged that the type of development would provide housing for Wyre's ageing population. Therefore the proposed mix in this instance is considered acceptable. Also in compliance with Policy HP2 the proposal will be providing adaptable ground floor living accommodation to assist in meeting the needs of the ageing population and people with restricted mobility. It should also be noted that the National Planning Practice Guidance in respect of housing for older persons

and people with disabilities does not mention bungalows and there is a recognition that such housing can be provided by dwellings of more than one storey.

Visual Impact, Design and Layout

10.14 KDC3 of SA1/6 sets out that the design of the development should provide an organic extension to the town. Particular attention should be given to the nature and quality of boundary treatments. Policy CDMP3 of the WLP31 also requires new development to be of a high standard of design. Within the policy a number of criteria are set out. Criterion (A) states that all development must be designed to respect or enhance the character of the area. Criterion (B) requires development to create a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment having regards to the pattern and design of internal roads and footpaths in respect of permeability and connectivity, car parking, open spaces, landscaping and views into and out of the development.

10.15 The application site is currently characterised as semi- improved pasture within the urban edge around existing farmland between Carleton and Poulton. The majority of views can be seen from the public footpath between Woodhouse Farm and Tithebarn Street and also from Blackpool Road along with private views from properties which overlook the site from the north. Inevitably there will be a transformation where residential development is introduced to undeveloped agricultural land however this has already been accepted when the site was allocated through the Local Plan process. It is therefore important to ensure the relevant policy requirements are met and that the development follows the design principles established by the masterplan, which officers consider it does do.

10.16 The layout proposed is considered to provide an organic extension to the town as it will wrap around and link in with the properties located on Moorfield Avenue to the north and will sit adjacent to, and share a similar building line with, the dwellings located on Blackpool Road. The arrival green which wraps around the north/north eastern boundary provides a green buffer and the retention of the frontage hedgerow will also ensure the development appears more natural and organic. Also the retention of the existing trees (including the TPO trees in the north eastern corner) will assist in providing soft edges along boundaries. This all follows the parameters of the master plan. An overlay plan has also been submitted to show how the development would integrate and link in with the adjacent development to the south (application 19/00551/FULMAJ).

10.17 There are minimal distinguishable features on the application site except for the ditches located along the southern boundary and between the two fields. The site falls from west to east and from north to south. The highest part of the site is in the north western corner at approximately 10.8m AOD. The lowest point is in the central most northern part of the site where a minor depression lies at approximately 7.5m AOD. By reason of the nature and the design of the bungalows they do have a reduced visual impact due to their overall height and scale. The proposed finished floor levels range from 9.3m and 10.9m AOD and the highest ridge height of the bungalows is 5.75m with all of the eaves of the dwellings being set at 2.25m in height. Site levels are shown to be generally raised and stepped across the site by approximately 1m. However where the site is adjacent to the properties to the northern boundary (south of Moorfield Avenue) the site levels generally remain the same as existing and unchanged. Cumulatively the overall increase in ground levels and the ridge heights of the dwellings will not result in any significant visual impacts

upon the character of the area. Whilst some increase in levels are proposed within the site this will not result in any significant visual harm.

10.18 The application has been accompanied by a supporting Landscape and Visual Impact Assessment (LVIA) which has assessed the proposed development and any harm it may have upon the landscape when viewed from various public vantage points. The report concludes that the development would inevitably bring about changes in the local urban/landscape pattern by introducing built development into an area of farmland. However this change in urban/landscape pattern in Carleton would not be inconsistent with the wider urban pattern. There would be no effect on local public footpaths and the site would be accessible through the new footpath/highway layout. The loss of approximately 2.3 ha of improved pasture as a landscape resource is considered to create a low magnitude of change at a local level, in combination with a low sensitivity, the likely effects are considered to be minor. Having reviewed the plans and from numerous site visits officers agree with these findings of the report.

10.19 The overall design and appearance of the house types proposed is considered to be acceptable. The dwellings will be constructed using various materials including render and brick with each house type having two main elevation styles. These will be either tile hanging to the front elevation or vertical boarding to the front. A street scene section plan has been submitted which demonstrates these variations. Overall the materials proposed are considered to be acceptable along with the boundary treatments plan which proposes a mix of 1.8m high close boarded fencing and 1.8m high wall on prominent corner plots (i.e. plots 8, 10, 40, 33 and 38).

10.20 In terms of layout and interface distances the development has been designed to generally comply with the guidance set out within Supplementary Planning Guidance 4 (SPG4) and whilst there is some shortfall in the depth of rear gardens on a number of plots they are proportionate to the scale of the dwellings and would not result in any overlooking issues or affect the general openness and visual breaks throughout the site. Sufficient parking provision is provided with a mixture of parking to the side or to the front of the properties. Based on the layout it is not anticipated that frontage parking would dominate the street scene. Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. The applicant has submitted a climate change / sustainability statement to demonstrate how the development will satisfy this criteria. A summary of the statement includes the following:

- Building orientation to enable them to optimise energy efficiency, solar gain and maximise daylight levels
- Sustainable transport
- Features to reduce flood risk
- Biodiversity enhancements
- Maximum and practical use of sustainable / reuse and recycled locally sourced building materials
- Water saving devices

10.21 The applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan. Overall the layout and design of the development

including materials are considered to be acceptable and would sit well within the context of the surrounding area. In turn the proposal is seen to satisfy Policy CDMP3 of the WLP31 and design guidance set out within SPG4 along with KDCs 1, 2 and 3 of SA1/6 as well as the 8 key points within the block structure (page 10) of the masterplan.

Impact on residential amenity

10.22 Policy CDMP3 of the WLP31 sets out that new development must not have an adverse impact on the amenity of occupants and users of nearby properties and must provide a good standard of amenity for the occupants of the development itself. Given the location of the site with open fields to the south there are only a number of existing dwellings which may be affected. An assessment of these dwellings is set out below.

10.23 Nos 23 and 42 Moorfield Avenue are immediately adjacent to the northern boundary of the application site and will side on with proposed plots 25 and 26 with a side facing separation distance of approximately 5m and 7m. This distance exceeds the stipulated 2m separation distance set out within SPG4. Both of these neighbouring dwellings have ground and first floor side facing elevations on the southern elevations of the properties. The side facing elevations of plots 25 and 26 have ground floor side facing windows serving kitchens however given the proposed boundary treatment to the north it is not anticipated that there would be any significant overlooking issues.

10.24 No 14 Coniston Avenue will back on to plots 24 and 25. There will be a rear to rear separation distance of 27m which would exceed the stipulated 21m set out in SPG4. In this instance it is not considered that there would be any adverse impacts upon the residential amenity of 14 Coniston Avenue. No 46 Blackpool Road is a 2 storey dormer bungalow with side facing windows on the western elevation. As there is a proposed area of Green Infrastructure immediately to the boundary it is not anticipated that there would be any adverse impacts upon the amenity of the occupants of this dwelling given the significant separation distance from the nearest dwelling.

10.25 Whilst the parcel of land to the south of the site remains in agricultural use a hybrid planning application for 202 dwellings has recently had a resolution to grant permission (19/00551/FULMAJ). The layout and relationship of the proposed bungalows has been assessed against the siting of the proposed dwellings of the adjoining site and it is considered that there will be no adverse impacts upon the amenity of the future occupants on either site should the applications both be approved. Overall having assessed the full impacts of the proposed development on the surrounding residential properties it is considered that the development would not result in any adverse impacts on neighbouring amenity and would comply with the provisions of Policy CDMP3 of the WLP31 and the spacing guidance set out within SPG4.

Impact on Highway Safety, Access and Highway network

10.26 In assessing the highway impacts arising from the development the application is assessed against the provisions of Policy CDMP6 of the WLP31 and KDCs 1, 2 and 9 of SA1/6 and the NPPF. Given the scale of the development a Transport Assessment (TA) has been submitted in support of the application. LCC Highways having assessed the TA have confirmed that it is acceptable and that no further traffic assessment is required. Both Highways England and LCC Highways

are satisfied that the impacts arising from this development on the highway network can be accommodated with mitigation through the provision of offsite highway works secured by a combination of planning conditions and section 106 agreement. In the absence of such mitigation the proposed development would result in severe highway safety impacts and LCC Highways would not be able to support the application.

10.27 An assessment of the site access on to Blackpool Road has been undertaken by LCC Highways who have confirmed that the visibility splays demonstrated on the submitted site plan and access plans would be acceptable. The access arrangements have been designed to also accommodate the new access to the west proposed (and accepted) for application 19/00551/FULMAJ and includes the provision of a pedestrian refuge sited south west of Alisan Road. This refuge provides an important link to local bus stops and is considered necessary for this development regardless of whether or not the adjacent development comes forward.

10.28 The internal layout of the site is considered to be acceptable by the Highways Officer. The cul-de-sac shown adjacent to the pumping station along the southern boundary would extend as a footway/cycleway to the south linking to the adjacent development. LCC highways have confirmed that they would oppose to a vehicle link in this location but do consider the pedestrian and cycle link essential. This link is shown to connect to the boundary of the site, which could be secured by condition. At least two off road parking spaces would be provided for each dwelling. This would comply with the Council's parking standards set out in Appendix B of the WLP31. The parking generally provides one space to the side/rear or to the front of the dwellings. Policy CDMP6 (point 2) requires Electronic Vehicle Charging points to be provided for each dwelling. This could be conditioned.

10.29 Policy SP2 of the Local Plan seeks to ensure new proposals promotes sustainable development. This is further reflected within the NPPF. Policy SP2(4) sets out that in order to deliver sustainable communities the Local Plan includes policies which facilitate the provision of strategic and local infrastructure and services and, ensure accessible places and minimise the need to travel by car. Policy SP7(3) also requires that where new infrastructure is required to meet the needs arising directly from a development or to mitigate any adverse impacts of a development on existing infrastructure the development will make a financial contribution through planning obligations made under section 106 agreements. Policy SP7 goes on in section 4 to list areas potentially subject to contributions which includes highway and transport infrastructure including sustainable transport measures.

10.30 KDC9 of SA1/6 requires development to contribute to the delivery of the Poulton Mitigation Strategy including any future updates as set out within Appendix C of the Local Plan. To fully deliver the measures set out within the Poulton Mitigation Strategy it is estimated that a total of £800,000 will need to be secured from developments in the SA1/6 allocation. Financial contributions have already been secured from a number of developments within Poulton leaving a shortfall of £490,000 which equates to £1,600 per dwelling. As such the contribution towards the Poulton Mitigation Strategy from this development equates to £67,200. LCC Highways have also requested a £6,000 contribution towards Travel Plan support.

10.31 In addition to the financial contributions, listed below is the required off site highway works to ensure the development is acceptable in highway terms:

- Site Access to Blackpool Road by condition and delivered via Section 278 works

- Bus stop upgrades on Blackpool Road
- Blackpool Road/Poulton Road traffic signal upgrade to MOVA with Puffin crossing Facilities to be conditioned and
- Tithebarn Street/Queensway traffic signal upgrade to MOVA with the introduction of Puffin crossing to be conditioned
- Queensway existing Pelican upgrade to Puffin also to be conditioned

10.32 As set out in the 'Infrastructure Provision' section of this report the applicant has submitted supporting documentation to demonstrate that the development is unable to provide any of these highway contributions. However the Council's independent advisor, financial and property surveyors Keppie Massie have advised that the development is capable of providing the £67,200 financial contributions towards Poulton Mitigation Strategy and £6,000 of travel planning. Regardless of the viability position, Lancashire County Highways have advised that they cannot support the application without the requested contribution towards the Poulton Mitigation Strategy (PMS) and travel planning being provided. The Highways Officer has advised that when the Local Plan underwent its examination in public, LCC Highways made it clear that development in Poulton would have an unacceptable impact on the highway network. To address this and enable development to come forward LCC produced the PMS. This was considered by the Local Plan Inspector and found to be sound and appropriate to support development in Poulton. Without the contributions towards the PMS the allocation and the application site would be less sustainable and would lead to increased traffic levels, congestion and ultimately detrimental to highway safety. In the absence of the necessary contributions set out above the application is contrary to Policies SP2, SP7, CDMP6 and KDC9 of SA1/6 and cannot be supported on highways grounds.

Flood Risk and Drainage

10.33 The whole of the application site falls within Flood Zone 1 (FZ1) which is defined as having a low probability of flooding. There is an existing pond sited within the vegetation and group of TPO Trees in the north eastern corner of the site where the area of green infrastructure is proposed and a field ditch runs along the southern boundary of the site. KDCs 5, 6 and 7 of SA1/6 are relevant. KDC 5 sets out that no housing will be permitted within Flood Zones 2 or 3. Compliance here is achieved as the application site falls within an area of the allocation which is solely within Flood Zone 1. KDC 6 and 7 sets out that residual surface water should drain in to Horse Bridge watercourse and consent from the Environment Agency is required and that an 8m buffer from the top of the bank of the water course should be provided. This is also satisfied as the submitted drainage strategy and plans demonstrate surface water is to be connected to the watercourse along the southern boundary which then drains via the land to the south in to the watercourse.

10.34 In terms of Flood risk the application has been accompanied by a site specific Flood Risk Assessment (FRA). During the course of the application this has been amended along with the drainage strategy to ensure that the surface water connects to the watercourse along the southern boundary and to ensure compliance with KDC7 and the infrastructure framework set out in the masterplan. The Environment Agency have been consulted on the application however they have advised that the application doesn't meet any of the criteria on their external consultation checklist and as such they are not required to respond. The Councils Drainage Engineer has raised no objections to the application subject to the development being undertaken in accordance with the submitted Drainage Strategy. The Drainage Strategy in summary demonstrates that the surface water from the site

is to be stored on site by way of onsite attenuation tanks and discharged at green field run off rate 15.6ltr per second to the adjacent surface water network and ultimately discharge in to the Horse Bridge watercourse. Foul water is to be pumped via a new on site pumping station located adjacent to the pedestrian/cycle link to the south in to the existing sewer located within Blackpool Road. As the dwellings are located within Flood Zone 1 there is no requirement for the applicant to satisfy the sequential or exceptions tests.

10.35 Whilst local concerns in relation to flooding are acknowledged, based on the development satisfying policy CDMP2 of the WLP31 the relevant KDCs of SA1/6 and the parameters set out within the masterplan, and the comments from the relevant professional consultees, it is not considered that there would be an unacceptable flood risk from the proposal. As such and subject to conditions, no unacceptable drainage issues are anticipated.

Ecology, Nature Conservation and Trees

10.36 The application is accompanied by an Ecological Assessment including great crested newt surveys and breeding bird surveys which have been assessed by Greater Manchester Ecological Unit (GMEU) and Natural England. The application itself is not a specific designation however Natural England and GMEU have advised that a screening opinion as to whether or not a Habitats Regulations Assessment (HRA) is required should be undertaken given the sites location is within 1.8km of the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and 3.2km of Liverpool Bay SPA, Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and RAMSAR. GMEU have undertaken a Stage 1 HRA Screening opinion on behalf of the Local Planning Authority which concluded that the proposal does not meet the criteria for residential development as it below the 50 unit threshold. However GMEU have, for the sake of completeness, gone onto consider the impacts and concluded that there is no likely impact on any feature that could be considered as part of the SPA or functionally linked land, which would hold the biodiversity interest of foraging/roosting land for overwintering wildfowl and waders. Based on the HRA undertaken for the sites adjacent there is unlikely to be any adverse impacts or likely significant effect from recreational disturbance on pink-footed geese. GMEU have advised that conditions relating to home owners packs and upgrading of notices and countryside furniture in relation to the nearby PROW should be attached if the application is approved. Natural England have been re consulted on the response from GMEU and are satisfied with the conclusions reached.

10.37 GMEU are satisfied that there is sufficient data to indicate that the onsite pond does not regularly support great crested newt but it is known they occur within the wider landscape. As the revised landscaping plans demonstrate the retention of the on-site pond within the TPO woodland GMEU are comfortable that site clearance could be undertaken subject to conditions relating to Reasonable Avoidance Measures (RAMS) along with other proposed precautionary measures which could be secured via condition. Other conditions deemed necessary relate to drainage measure and the protection of nesting birds. Again the observations received from public consultation are acknowledged, however subject to appropriate mitigation measures it is not considered that the proposed development would have a significant impact upon ecology or nature conservation of the site or the immediate locality.

10.38 The application has been accompanied by a detailed landscaping scheme which indicates the retention of all on site TPO Trees and the frontage hedgerow

save for a small section required for removal to accommodate the new access road. Whilst some hedgerows and trees are indicated for removal around some of the boundaries new tree planting is proposed. The Council's Tree Officer has advised that the contents of the submitted Arboricultural Impact Assessment are agreed and that subject to the enhancement of existing hedgerows and conditions relating to tree protection measures there is no objection to the proposals. Overall the proposed development complies with the parameters of the masterplan and satisfies KDC2 and 4 of the site allocation SA1/6 and also accords with paragraphs 174 - 177 of the NPPF and Policy CDMP4 of the WLP31.

Other Matters

Contamination

10.39 Matters relating to site contamination have been addressed in the application with the Council's Environmental Health Officer requesting that should permission be granted a post phase 1 contaminated land condition along with a watching brief condition should be attached.

Archaeology/Heritage

10.40 Poulton Historical and Civic society along with Lancashire County Council's Archaeologist initially raised concerns in relation to archaeological impacts that may arise. LCC initially advised that the site is near to the find spot of the famous Palaeolithic 'Poulton Elk' in 1970 and to the 1998 discovery of a human skull of Bronze Age date in a peat basin created by beaver damming. More recent discoveries include a Romano-British 'native' settlement to the east at Little Poulton, where what may be the first example in Lancashire of Roman-period iron working outside of a military site has been recorded. LCC recommended that a detailed programme of archaeological work and written scheme of investigation should be conditioned should permission be granted. However during the course of the application trial trenching had been undertaken which concluded no significant archaeological remains were present on site. As such LCC Archaeology have advised that they agree with the conclusion and that no conditions relating to this matter are required.

10.41 The council's Conservation Officer has advised that the proposed development lies some considerable distance from (approximately 300m to the west of) Poulton-le Fylde Conservation Area boundary and as such the development is not considered to have any material impacts upon the appearance or setting or the Conservation Area and is considered to sustain the significance of this designated heritage asset, thus complying with the NPPF and Policy CDMP5 of the WLP31.

Noise and Air pollution

10.42 The application has been accompanied by Air Quality and Noise Assessments. The council's Environmental Health Officer has verbally advised that the noise assessment and its conclusions are agreed and subject to the mitigation measures proposed being secured by condition it is not anticipated that the development will be adversely impacted from noise arising from nearby receptors. Construction noise would need to be considered within the Construction Environmental Management Plan which would need to be provided prior to development commencing. The Environmental Health officer has advised that the development is unlikely to give rise to additional impacts upon air quality and that the

assessment methodologies are appropriate and reasonable assumptions have been made. Therefore the development satisfies policy CDMP1 of the Local Plan.

11.0 CONCLUSION

11.1 The application site is suitable for a housing development, as it falls within site allocation SA1/6 of the Wyre Local Plan and is identified for housing in the Blackpool Road Masterplan. Matters relating to visual impact, amenity, mix, design, ecology, drainage and flood risk, trees and hedges are considered acceptable subject to conditions. However the applicant has confirmed that the development is not viable to provide any on site affordable housing and any of the required financial contributions towards health care and highway infrastructure (namely the Poulton Mitigation Strategy) and Travel Plan support. The Council disagrees with the applicant's findings on viability that none of these contributions can be provided. Nonetheless even if there was agreement on viability, officers are of the view that the benefits in delivering a bungalow development do not outweigh the significant harm caused in failing to secure the necessary contributions in order to mitigate the impact of the development. As such this would result in an unsustainable form of development which would be contrary to the policy requirements of the Local Plan.

12.0 HUMAN RIGHTS ACT IMPLICATIONS

12.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

12.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

13.0 RECOMMENDATION

13.1 Refuse full planning permission.

Recommendation: Refuse

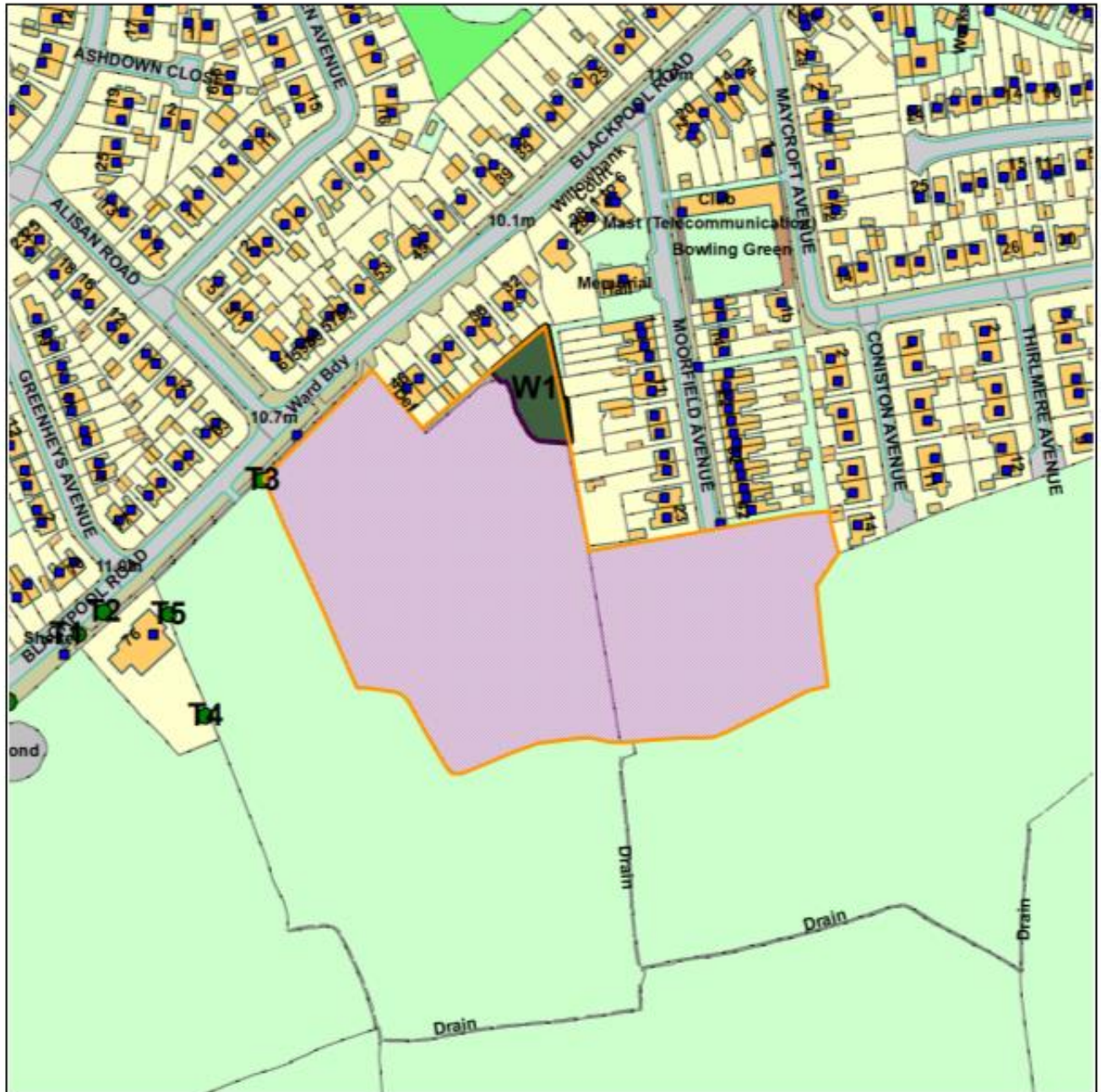
1. The proposal would involve the provision of 42 bungalow units for people aged 55 and over, thereby impacting on existing social, community and highway infrastructure. Policy SP7 of the Adopted Local Plan requires proposals to mitigate any adverse impacts of a development on existing infrastructure, 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) together with contributions towards the delivery of health care provision and the delivery of Poulton Highway Mitigation Strategy and Travel Plan support. The Council disagrees with the applicant's position and considers that some infrastructure could be provided whilst still making the development viable. Even if the Council was of the same opinion of the applicant that it was not viable, the significant harm caused by the development in failing to provide the necessary supporting infrastructure would outweigh any benefits to the development. Therefore the proposal would form an unsustainable development contrary to policies SP2, SP6, SP7, SP8, CDMP6, HP3 and SA1/6 of the Wyre Local Plan (2011-31), the approved Blackpool Road Masterplan and the NPPF.

2. The proposal would fail to secure the necessary financial contributions towards the delivery of the Poulton Highway Mitigation Strategy, a strategy deemed necessary to accommodate the level of development planned for Poulton-le-Fylde.

Failure to secure these contributions would make the application site less sustainable and would lead to increased traffic levels, congestion and ultimately, a detrimental impact on highway safety. This would be contrary to policies SP2, SP7, CDMP6 and SA1/6 of the Wyre Local Plan (2011-31), the approved Blackpool Road Masterplan and the NPPF.

Planning Committee

19/00809/FULMAJ - Land to the South of Blackpool Road, Carleton



Scale : 1:2320

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Organisation	Wyre Council
Department	Planning Department
Comments	Item
Date	15 April 2021
SLA Number	100018720

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Committee Report**Date: 28.04.2021****Item Number 04****Application Number** 20/00092/OUTMAJ**Proposal** Outline application for the demolition of existing dwelling and erection of 33 apartments for over 55's, including ancillary accommodation and parking with details of access, appearance, layout and scale included.**Location** Craiglands Hillylaid Road Thornton Cleveleys Lancashire FY5 4EB**Applicant** Mr James Carter Homes**Correspondence Address** c/o Boniface Architects
62 Counce Street Blackpool FY1 3LA**Recommendation** Permit**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob McKillop****1.0 INTRODUCTION**

1.1 This application is before Members of the Planning Committee at the request of Councillor Minto. A site visit is recommended to enable Members to understand the proposal beyond the photos and plans submitted.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is on the northern side of Hillylaid Road and is currently occupied by a single detached dwelling set within a large residential curtilage. The site measures 0.25 hectares in area and is surrounded by residential properties, although there is a footpath along the eastern boundary and a group of trees and small open grassed area adjacent to the northern boundary. There is a hedgerow along the front boundary to Hillylaid Road with an existing gated access. The site is within the settlement boundary to Thornton Cleveleys and lies within Flood Zone 3. A Tree Preservation Order (TPO) relates to a small number of trees in the south eastern corner of the site.

3.0 THE PROPOSAL

3.1 This is an outline application for demolition of the existing dwelling and erection of 33 apartments for over 55's. Details of access, scale, appearance and layout are included for consideration and a reserved matters application would be necessary to agree landscaping details. The proposed building would 3-storeys in height with a rectangular footprint and would have a series of front facing gables with large windows in the front elevation. The building would be set centrally within the

site with parking to the front of the building and a new access proposed centrally in the front boundary to Hillylaid Road.

3.2 The following documents have been submitted in support of the application:

- Design & Access Statement
- A Biodiversity Survey/Report
- A Bat Emergence Survey
- Great Crested Newt Survey
- Flood Risk Assessment
- Flood Risk Sequential Test
- Viability Appraisal

4.0 RELEVANT PLANNING HISTORY

4.1 No relevant planning history.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP6 - Viability
- SP7 - Infrastructure & Developer Contributions
- SP8 - Health and Well-being
- CDMP1 - Environmental Protection
- CDMP2 - Flood risk and Surface water
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility and Transport
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in

the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making efficient use of land
- Section 12 - Achieving well - designed places
- Section 15 - Conserving and enhancing the natural environment

5.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

5.3.2 Flood Risk Sequential Test Guidance: Advice Note for Applicants

5.4 LEGISLATION

5.4.1 The Conservation of Habitats and Species Regulations (amendment) (eu exit) 2019

5.4.2 The Wildlife and Countryside Act 1981 (as amended)

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY - No objections subject to accordance with submitted FRA (July 2020).

6.2 GREATER MANCHESTER ECOLOGY UNIT - No objections subject to conditions.

6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION) - No response received.

6.4 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY) - No response received.

- 6.5 LANCASHIRE FIRE & RESCUE - No observations, standing advice and reference to current building regulations.
- 6.6 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) - No objections subject to conditions.
- 6.7 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG) - No objections subject to financial contribution towards Thornton Medical Centre.
- 6.8 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE) - No objections subject to full details of drainage to be conditioned.
- 6.9 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION) - No objections subject to conditions.
- 6.10 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES) - No objections subject appropriate replacement landscaping.

7.0 REPRESENTATIONS

7.1 48 letters of objection have been received from members of the public (from two rounds of public consultation), summarised as follows:

- It is questioned whether there is a need for accommodation for over 55's - there are other flats in the area.
- There is not enough parking for 33 residents/visitors - visitors are likely to park on Hillylaid Road which is already busy and too narrow;
- There has been development in the area and the roads cannot take additional development - other measures (double yellow lines/restrictions) will be required;
- The pavement is too narrow and will lead to safety problems, particularly if buses are flagged down (no bus stops);
- The bungalows opposite and other properties will be overlooked by the 1st and 2nd floor apartments which is unacceptable;
- The building will be overbearing and overshadowing to neighbouring properties resulting in a poor outlook;
- Surrounding homes will depreciate in value;
- The 3 storey appearance will not be in keeping with existing homes, particularly the bungalows opposite the site;
- The area is subject to flooding and this site allows for drainage from surrounding land - development will increase flood risk, particularly if land levels are raised;
- The development results in the loss of greenspace and poorer air quality - Wyre's residents should have more greenspace provided;
- There will be an impact on wildlife (hedgehogs, bats, birds, squirrels) through habitat loss - Great Crested Newts should also be considered;
- Trees and hedges have already been removed and those remaining may be at risk of removal/damage - habitat value has been lost;
- It is likely the developer will try to deviate from the agreed details once permission is granted;

- Local residents have not been considered and the overdevelopment is just to make more money with no community benefits to infrastructure (affordable housing, schools, NHS etc);
- There is a deed of conveyance setting out where boundaries should be respected;
- There will be disruption to neighbours during construction;
- The site will be overdeveloped with limited amenity area, narrow garden and no room for landscaping;
- No lift is included on the plans although this is likely to be required for occupiers;
- More bins are likely to be required although there is insufficient provision on the plan - the arrangements will also present difficulty for collection;
- Flats may not be a good idea if social distancing is likely to continue.
- The developer is trying to avoid affordable housing contributions on viability grounds despite outbidding other buyers and being aware of the requirements beforehand - approval would set an unhealthy precedent;
- Other schemes could have come forward that would rejuvenate the area without building 33 flats;
- If approved, occupancy should be restricted to over 55's and the number of vehicles should be restricted to the proposed number of spaces provided - these matters should be properly managed;
- Given the disregard displayed, it is likely the developer will have little regard for any conditions imposed by the LPA;
- The question mark on viability suggests the overall scheme is poorly considered;
- There has been a reduction in bat activity since the mature trees were removed in July 2019 - the bat survey provided is after this and of no value. Approval of the application would encourage others to profit from illegally clearing sites despite the presence of bats etc - an example should be made;
- The site was boggy farmland thus hasn't been developed before and should remain as a floodplain and wildlife area - this is not the best use for the land;
- The developer could abandon the scheme and refurbish the existing house to avoid financial (viability) problems;
- Amendments do not address the previous concerns raised in respect of neighbours and visual impact and there was no change to the eastern side of the building (to Gravner's Field);
- The scheme will be financially viable to support contributions given anticipated future revenues;
- There has already been rubbish dumped on the site and problems with contractors parking illegally on Hillylaid Road;
- In combination with other recent development, the area cannot sustain the traffic increase.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 The applicant's agent was contacted during the application process to supply further information in order to address concerns in respect of ecology, flooding and amenity. Additional information and revised plans have subsequently been received. The applicant has also submitted a viability assessment and the review by Keppie Massie has been provided to them. Extension of time agreed until 29.4.2021.

9.0 ISSUES

9.1 The main planning issues are:

- Principle of development and Policy compliance
- Scale, Design and Impacts upon the Character of the area
- Impact on Amenity of neighbouring properties
- Highway safety and parking
- Impacts arising from flood risk and drainage
- Trees
- Ecology
- Housing mix
- Affordable Housing
- Green Infrastructure
- Health care
- Education
- Viability

Principle of development and Policy compliance

9.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan.

9.3 The application site is identified on the proposals map to the Adopted Wyre Local Plan 2011-31 as being within the settlement boundary of Thornton Clevellys where residential development is acceptable in principle and in accordance with Wyre's development strategy as set out in policy SP1 of the Local Plan.

9.4 Policy SP2 of the Local Plan sets out that development should contribute positively to the physical, social, environmental and economic character of the area. The physical impacts are discussed in the report below. It is considered that the development's location would allow for future occupiers to access local services via walking, cycling and public transport and would therefore score well in terms of social and environmental sustainability, and the construction of the building and future population would support the local economy.

9.5 On the basis of the above, the principle of the proposed residential development is considered to be acceptable, subject to other material considerations.

Scale, Design and Impacts upon the Character of the area

9.6 Details of scale, layout and appearance are matters applied for. There is an existing two storey dwelling on the site which would be demolished. Whilst the proposed building would occupy a larger footprint and would have three storeys, it is considered that this can be suitably accommodated within this large site. The proposed building would be approximately 38m away from the front elevations of bungalows on the opposite side of Hillylaid Road. Whilst neighbours have commented that the building would be large and out of keeping with surrounding dwellings, the separation distances are considered to avoid any visually harmful contrast in building heights and would be viewed in a separate context. The dwellings to the west which back on to the application site would be read in a different street scene. There is a footpath and some trees to the eastern boundary and there is significant vegetation along Hillylaid Road which would provide a visual break between the site and properties to the east. There are some three storey apartments to the north although there would be a group of trees in the intervening land. As such, it is considered that the proposed building, despite its relatively large

scale, would not appear as an incongruous feature in views within the surrounding area and would not significantly impact on the character of the area, which is varied in terms of properties, heights and styles.

9.7 In terms of the appearance of the building, it is noted that this has been slightly reduced in scale to ensure a greater separation distance to the rear of properties along Caernarfon Close. Following amendments, the height of the building at the western end is two storey before stepping up to three storeys. This has further improved the relationship with properties on Caernarfon Close and reduced any massing effects from this orientation. The building would have front facing gables with large windows and would incorporate render, timber cladding, aluminium panelling and aluminium doors/windows. This would result in a relatively contemporary appearance which is considered to be acceptable in this area. The contract also helps to break up the scale and massing of the building. Details of materials would be secured by condition to ensure that the external finish is of a suitably high quality.

9.8 Overall, the proposed scale, layout and appearance of the proposed development is considered acceptable and would not result in any unacceptable impacts upon the character of the area including adjacent footpath. The proposal would therefore accord with Policy CDMP3 of the Local Plan and the design requirements set out in the NPPF.

Impact on Amenity of neighbouring properties

9.9 In terms of physical impacts, the building would face towards bungalows on the opposite side of Hillylaid Road, although the proposed layout would maintain a front to front separation distance of 38m. This arrangement would not lead to any unacceptable overbearing or overshadowing impacts on these neighbours opposite the site. Furthermore, the front windows of the proposed building would not allow for any significant overlooking impacts to the south by way of the intervening distance and the proposed relationship with these dwellings would not be uncommon in terms of the outlook of windows.

9.10 The proposed building has been reduced in scale at its western side and also slightly repositioned. The dwellings to the west of the site along Caernarfon Close back onto the site with a shared boundary. A distance of 13m or more would be retained between the rear of Nos.29, 31 & 33 Caernarfon Close and the west facing side elevation of the proposed building. As this element has been reduced to two storeys, it is considered that the proposed building and layout would now accord with the council's recommended interface distances set out within SPG4. As such, no unacceptable overbearing impacts would arise to neighbours to the west of the site and whilst some overshadowing of gardens may occur, this would only be for a very small part of the morning and would not have any significant impact on the amenity of neighbours to the west.

9.11 There are no properties immediately to the north of the site that would be affected by the proposals. A distance of more than 18m would be retained between the proposed eastern side elevation of the building and the rear of Nos.15 & 17 Gravners Field. This would accord with council's recommended interface distances set out in SPG4 and would not lead to any unacceptable impacts. There are no windows proposed in this facing elevation. The retreated position of the building within the site would not result in any harmful impacts to No.1 Gravners Field which fronts towards Hillylaid Road.

9.12 In terms of other concerns raised by neighbours, the depreciation of surrounding property values is not a material planning consideration. The site is somewhat self-contained, some noise and disruption is likely to occur during construction. This, however, would be temporary in nature and not represent a reason to refuse the application and a condition would be added to any permission granted to ensure construction times and impacts on neighbours are limited. In respect of amenity areas, whilst the garden/amenity area is limited to a relatively narrow strip around the building, it is considered that this would still provide some amenity value subject to appropriate landscaping details being agreed at reserved matters stage. It is also noted that the rooms benefit from balconies or large windows which would also provide outdoor access for residents. On this basis, it is considered that the scheme would have sufficient amenity provision for future occupiers.

9.13 Overall, on the basis of the aforementioned considerations, the application would have an acceptable impact on neighbouring amenity and would accord with Policy CDMP3 of the Local Plan (2011-31).

Highway safety and parking

9.14 A number of public objections raise concerns about highway safety. LCC Highways have reviewed the application and acknowledged that there would be an increase in vehicle movements, however they have not raised any objections to the proposed development and have confirmed that there would be no significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

9.15 In assessing impacts further, a new access is proposed, set centrally within the southern site boundary. A plan showing appropriate visibility splays in each direction along Hillylaid Road has been provided to ensure an acceptable impact and the existing site access (with poorer visibility) would be closed. 22 parking spaces are proposed to the front curtilage of the site. Whilst one parking space would usually be required for each unit, it is considered that the location of the site close to local services and bus stops provides opportunity for future residents to rely on walking or public transport to meet their daily needs. Furthermore, the apartments would be for persons aged 55 or above, and car ownership rates is likely to be lower in this demographic. No objections have been raised by LCC Highways in respect of the access, parking and turning arrangements proposed, subject to conditions and mitigation. Mitigation in the form of off-site highway works has been requested, including reinstatement of the footpath over the existing access, upgrading of the bus stops near No.11 and No.117 Hillylaid Road and upgrading of street lighting adjacent to the site access. These works are considered necessary to ensure the development has an acceptable impact on highway safety in the vicinity and would be secured by condition attached to any permission granted. A condition could also secure the provision of cycle parking.

9.16 Overall, and on the basis of the aforementioned considerations, the application would not result in any unacceptable impact on highways safety and would accord with Policy CDMP6 of the Local Plan and the NPPF.

Impacts arising from flood risk and drainage

9.17 The council's Drainage Engineer does not raise objections subject to full drainage details being provided for consideration in due course. A condition would be added to any permission granted to ensure details are provided and agreed prior

to development in accordance with policy CDMP2 of the Local Plan including the Surface Water Drainage hierarchy therein.

9.18 The application site is located within Flood Zone 3 as identified on the Environment Agency Mapping system. The proposed development is classified as a more vulnerable use. The Environment Agency initially objected to the proposals, however following consideration of the revised Flood Risk Assessment and alterations by the applicant to the proposed floor levels, the Environment Agency has subsequently withdrawn their objection subject to the development taking place in accordance with the submitted details. Subject to appropriate conditions in respect of flood risk mitigation measures, it is considered that flood risk will not be increased as a result of this development.

9.19 Given the position of the site within Flood Zone 3, a sequential test is required for the proposed development. The NPPF (Para 157-159) states that a sequential test must be applied with the aim of steering development to areas with the lowest risk of flooding, and where necessary, the Exceptions Test should be applied. Policy CDMP2 of the Local Plan is in accordance with this stating 'where development is proposed in areas at risk of flooding, unless specifically proposed in this Local Plan, it must be demonstrated the at the Sequential Test has been applied and there are no reasonable available alternative sites at lower risk, considering the nature of the flooding and vulnerability of the development.'

9.20 A sequential test has been submitted by the applicant, covering the whole Wyre Borough area for comparator sites in line with the council's stated methodology. The submitted sequential test has included consideration of comparator sites that are 10% larger or smaller than the application site in terms of area which would accord with the council's guidance for higher density developments. The submitted sequential test has considered the most recent Housing Land Monitoring Report, Strategic Housing Land Allocations Assessment and sites marketed by land agents in a search for comparator sites. Whilst five comparator sites are identified within the Sequential Test, three have been discounted due to approval of a reserved matters application or agreement of discharge of conditions on an approved scheme. Of the remaining two sites, Land at The Hollies, Lancaster Road would have a smaller site area that falls outside the search parameters and Land adj. Ash Lea Farm, Carr End Lane, Stalmine would have a larger site area beyond the agreed search parameters. These sites are either smaller or larger than the required site area and would not, therefore, be suitable to accommodate the proposed development. On this basis, the application is considered to pass the sequential test and there no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

9.21 In accordance with the NPPF, where the sequential test has been passed, the exceptions test applies to sites classified as more vulnerable development. For the exception test to be passed it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh flood risk and the development must be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere. The submitted exception test outlines some social and economic sustainability benefits of the development. It asserts that the provision of housing for retired persons in this location is beneficial given the good links to services and public transport, and that there will be economic benefits through construction and supporting local infrastructure and services. Whilst acknowledging that many people aged 55 and over are not retired, officers nonetheless accept the benefits to the development outweigh any flood risk harm. The submitted Flood Risk Assessment (FRA) has been deemed by the Environment

Agency to demonstrate that the development will be safe without exacerbating flood risk subject to the proposed flood risk mitigation measures. As such the exceptions test is considered to be passed. Overall, subject to conditions the application is considered to have no unacceptable impact on flooding and drainage and would accord with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change and Policy CDMP2 of the Wyre Local Plan.

Trees

9.22 It is accepted that a number of trees and hedgerows/shrubs were removed from the site prior to the application being submitted. These removed trees did not benefit from a Tree Preservation Order. A Tree Preservation Order was subsequently made at the site last year to protect the remaining trees of sufficient quality. The council's Tree Officer has reviewed the application details and has commented that a robust and appropriate landscaping scheme is required in respect of the proposed development. This would be assessed under any subsequent reserved matters and it is considered that there is room for new planting to the site boundaries. The Tree Officer also recommends that suitable protection measures are provided and a condition would be added to any permission granted for such measures to be implemented prior to development. No objections have been raised by the Tree Officer and no unacceptable impacts on trees have been identified.

Ecology

9.23 Greater Manchester Ecology Unit (GMEU) has been consulted on the application and submitted surveys. They have confirmed that the bat survey is acceptable, and demolition works should take place within 2 years unless further surveys are submitted for consideration. No Great Crested Newts were found in the pond on land to the north of the site and no mitigation measures are considered necessary. They suggest appropriate ecological enhancements are secured as part of a landscaping scheme at reserved matters stage, which can be secured by condition. As the site lies within 3.5km of Morecambe Bay SSSI, SPA and SAC then policy CDMP4 requires the development to provide homeowner information packs highlighting the sensitivities of this designation to future residents. This can be secured by condition. Overall, given no ecological objections have been raised by GMEU, subject to suitably worded conditions, it is considered that the application would have an acceptable impact on ecology and protected species.

Housing Mix

9.24 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). In this case this is the May 2018 Addendum 3 Supplementary Note which sets out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units (subject to a consideration of local need and demand). Out of the 33 dwellings proposed, there would be 29 x 1 beds and 4 x 2beds. The mix proposed is not strictly in accordance with the SHMA Mix as it comprises a higher proportion of smaller units and zero 3 and 4 beds. However the provision of smaller properties is generally in line with the overall SHMA evidence and housing strategy. Furthermore it is acknowledged that the type of development would provide housing for Wyre's older population. Therefore the proposed mix in this instance is considered acceptable. Also in compliance with Policy HP2 the proposal will be required to provide adaptable ground floor living accommodation to assist in meeting the needs of the ageing population and people with restricted mobility.

Affordable Housing

9.25 Policy HP3 identifies an affordable housing requirement in Thornton of 10% on brownfield sites and 30% on greenfield sites. The relevant policy states that affordable housing should be provided onsite, aside from where it can be demonstrated that such a provision is not appropriate (and a financial contribution will instead be provided in lieu of an onsite provision). As it is only the existing dwelling footprint which constitutes brownfield and the vast majority is greenfield, 30% provision would be required, albeit vacant building credit for the dwelling to be demolished can be applied. On the basis that the development proposes apartments, and getting a registered provider for affordable housing for this type of accommodation would be difficult, a contribution towards off-site affordable housing provision is considered acceptable in this instance. As such the development would be required to make an offsite contribution of £273,592.53 towards Affordable Housing.

Green Infrastructure

9.26 Policy HP9 of the WLP31 requires developments resulting in a net gain of 11 dwellings or more to make appropriate provision of green infrastructure (GI) on site. In this instance based on the development type and density proposed an off-site contribution would be acceptable in lieu of on-site provision. Applying policy HP9 to the housing mix proposed and the development would be required to make an offsite contribution of £39,093.94. It has been agreed with the Parks and Open Spaces Officer that this could be provided towards improvements at Wyre Estuary Country Park including access and seating. Wyre Estuary Country Park is located 750m from the site. Whilst this slightly exceeds the recommended 720m accessibility distance for residents to walk to access parks and amenity greenspace in urban areas, this is only marginally further and on balance is considered the most preferred option.

Health Care

9.27 To mitigate the impact of this development on local health care facilities, a financial contribution of £5,627 towards the refurbishment and reconfiguration of Thornton medical centre is required.

Education

9.28 Lancashire County Council Education has not responded, however it is considered that as the application would provide accommodation for persons over the age of 55, a contribution towards education would not be required for this demographic in line with their methodology.

Viability

9.29 Policy SP6 of the Local Plan sets out that the council's overarching objective is to ensure that development is viable. Where a developer seeks to negotiate a reduction in infrastructure requirements that would normally apply to a development, the council will require the developer to supply a financial appraisal demonstrating the costs to be incurred, the financial return and the profit expected. This is in accordance with the NPPF which requires viability to be a material consideration in decision making. In this instance the applicant advised that the aforementioned contributions would deem the development unviable and subsequently submitted a viability appraisal. This has been reviewed by the council's independent advisor,

financial and property surveyors Keppie Massie (KM). KM disagree with the applicant's position and are of the view that the development is capable of providing the necessary contributions.

9.30 As a consequence of the KM response, the applicant confirms the requisite contributions towards affordable housing, green infrastructure and education will be made. These contributions can be secured in a section 106 legal agreement. Therefore the development would satisfy the provisions of Policies SP7, SP8, HP3 and HP9 of the Local Plan.

Other Matters

9.31 In respect of other matters raised by members of the public, a bin collection area is proposed to the front of the building and would ensure bins are adequately stored and screened from public view. It is considered there is space to pull this further back from the highway to reduce its impact. Full details of location, design and appearance can be secured by condition.

9.32 In terms of ownership deeds, the submitted details indicate the site is owned by the applicant. Any land ownership dispute would be a matter for the respective parties and would not be considered under this planning application.

10.0 CONCLUSION

10.1 The application site is within the settlement boundary of Thornton Cleveleys where residential development is acceptable in principle. The application would not result in unacceptable impacts in respect of design, residential amenity, highways safety, flooding, and drainage. All other material impacts have been assessed and found to be acceptable and overall, subject to conditions and a legal agreement, the proposed development is considered to be acceptable.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant outline planning permission subject to conditions and a S106 Legal Agreement to secure contributions towards affordable housing, health care and green infrastructure. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

1. In the case of any reserved matter, namely landscaping, of the development, an 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 26.02.2020 including the following plans/documents:

- Location Plan Drg No.JBA404-PL-001, received by the LPA on 03.02.2020;
- Proposed Site Plan Drg No.JBA404-PL-005 Rev A, received by the LPA on 04.08.2020;
- Proposed Ground Floor Plan Drg No.JBA404-PL-006 Rev B, received by the LPA on 04.08.2020;
- Proposed First Floor Plan Drg No.JBA404-PL-007, received by the LPA on 03.02.2020;
- Proposed Second Floor Drg No.JBA404-PL-008 Rev A, received by the LPA on 04.08.2020;
- Proposed Roof Plan Drg No.JBA404-PL-009 Rev A, received by the LPA on 04.08.2020;
- Proposed South Facing Front Elevation Drg No.JBA404-PL-010 Rev B, received by the LPA on 04.08.2020;
- Proposed West Facing Side Elevation Drg No.JBA404-PL-011 Rev C, received by the LPA on 16.09.2020;
- Proposed North Facing Front Elevation Drg No.JBA404-PL-012 Rev B, received by the LPA on 04.08.2020;
- Proposed East Facing Front Elevation Drg No.JBA404-PL-013 Rev A, received by the LPA on 30.07.2020;
- Proposed Highways Plan Drg No.JBA404-PL-015 Rev A, received by the LPA on 21.04.2020.

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. 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 building (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).

4. Prior to the commencement of development, 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.

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.

5. 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.

6. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Version 2 Job No. H8308 - dated July 2020) and the following mitigation measures detailed within the FRA:

1. Raising of finished floor levels to 600mm (5.60m AOD) above the surrounding ground level;
2. Flood resilient construction to a height of 1.2m above surrounding ground level (6.2m AOD). This to include rendering or tanking of the external walls to prevent ingress via these in the event of flooding and the installation of flood proof air bricks (where fitted) up to the same height;
3. Raising of entry points for all services to a minimum of 600mm above the surrounding ground level, e.g. to 5.60m AOD;
4. Orientation of entry points away from the direction of flooding e.g. no entry points present on north eastern elevation;
5. All entry points at ground floor level to comprise flood doors / flood windows;

6. Provision of a muster point / safe refuge space situated at first floor level or above and capable of accommodating all ground floor residents for up to 2 no. high water tides (12 hrs - 14hrs); and

7. Non return valves to be fitted on all ground floor toilets, sinks and other waste outfalls to prevent backflow / ingress pathways in the event of flooding.

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.

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 visibility splays from the proposed new site access onto Hillylaid Road as shown on approved plan reference Drg No.JBA404-PL-015 Rev A [Proposed Highways Plan] shall be provided prior to first occupation of any dwelling and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

Reason: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

9. Prior to first occupation of any dwelling hereby approved, the off-site works of highway improvements [namely the site access, street lighting, 2m wide footpath along site frontage, upgrading of bus stops near 11 and 117 Hillylaid Road and reinstatement of footway over the existing access which shall be closed permanently] 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).

10. No dwelling hereby approved shall be occupied until the parking / turning areas shown on the approved plan Drg No.JBA404-PL-015 Rev A [Proposed Highways Plan] has been laid out, surfaced and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles for communal use only, and no spaces shall be reserved for individual dwellings.

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).

11. The car parking and manoeuvring area 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 before any other development takes place within the site.

Reason: To ensure that satisfactory access is provided to the development site, and that adequate provision is made for deliveries off road, the storage of materials and contracting staff in the interests of highway safety in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

12. If the demolition hereby approved does not commence prior to 22nd April 2022, then prior to commencement of any demolition, a report which establishes the presence or otherwise of European protected species (defined in the Conservation of Habitats and Species Regulations 2010 or in any statutory instrument revoking and re-enacting those regulations with or without modification) shall be submitted to and approved in writing by the Local Planning Authority. If a European protected species is confirmed to be present the report shall include mitigation measures, including timescales, to avoid and / or mitigate any possible harm to the European protected species. Those mitigation measures shall then be implemented in accordance with the approved details.

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 (2011-31) and section 15 of the National Planning Policy Framework.

13. 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 .

14. Prior to the installation of any external lighting a scheme for the provision of external lighting together with an Artificial Lighting Assessment 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 will not 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 biodiversity and residential amenity 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.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and these shall be maintained thereafter in accordance with the approved scheme. No other external lighting shall be installed without the prior written approval from the local planning authority.

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policies CDMP1 and CDMP4 of the Wyre Local Plan (2011-31).

15. 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 trees 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 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. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

16. As part of any reserved matters application, details a Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- Native tree and shrub planting to mitigate for loss of trees
- Hedgerow planting / Bolstering of existing hedgerows along site boundaries using native species
- Bat bricks and/or tubes within the new development
- Bird Boxes
- Bat Boxes

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site 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.

17. Prior to first occupation of any dwelling, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from

residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as 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 approved 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 Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

18. No development approved by this permission shall be commenced until details of the existing and proposed ground, slab and finished floor levels have been 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: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31). 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 dwelling shall be occupied other than by a person of 55 years of age or over, or as part of a household where at least one person is of 55 years of age or over.

Reason: The application has been assessed on this basis and other impacts would arise through occupation by other demographics requiring further consideration by the Local Planning Authority.

20. Prior to the commencement of development 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. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. 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).

21. Prior to the first occupation of any dwelling hereby approved, the first floor window in the west facing side elevation serving the landing/corridor 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).

22. 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).

23. No development above ground level shall be commenced until details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter 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). 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.

24. No development above ground level shall be commenced until 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 development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter 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).

Notes: -

1. The applicant should be aware that the decision is subject to a separate legal agreement.

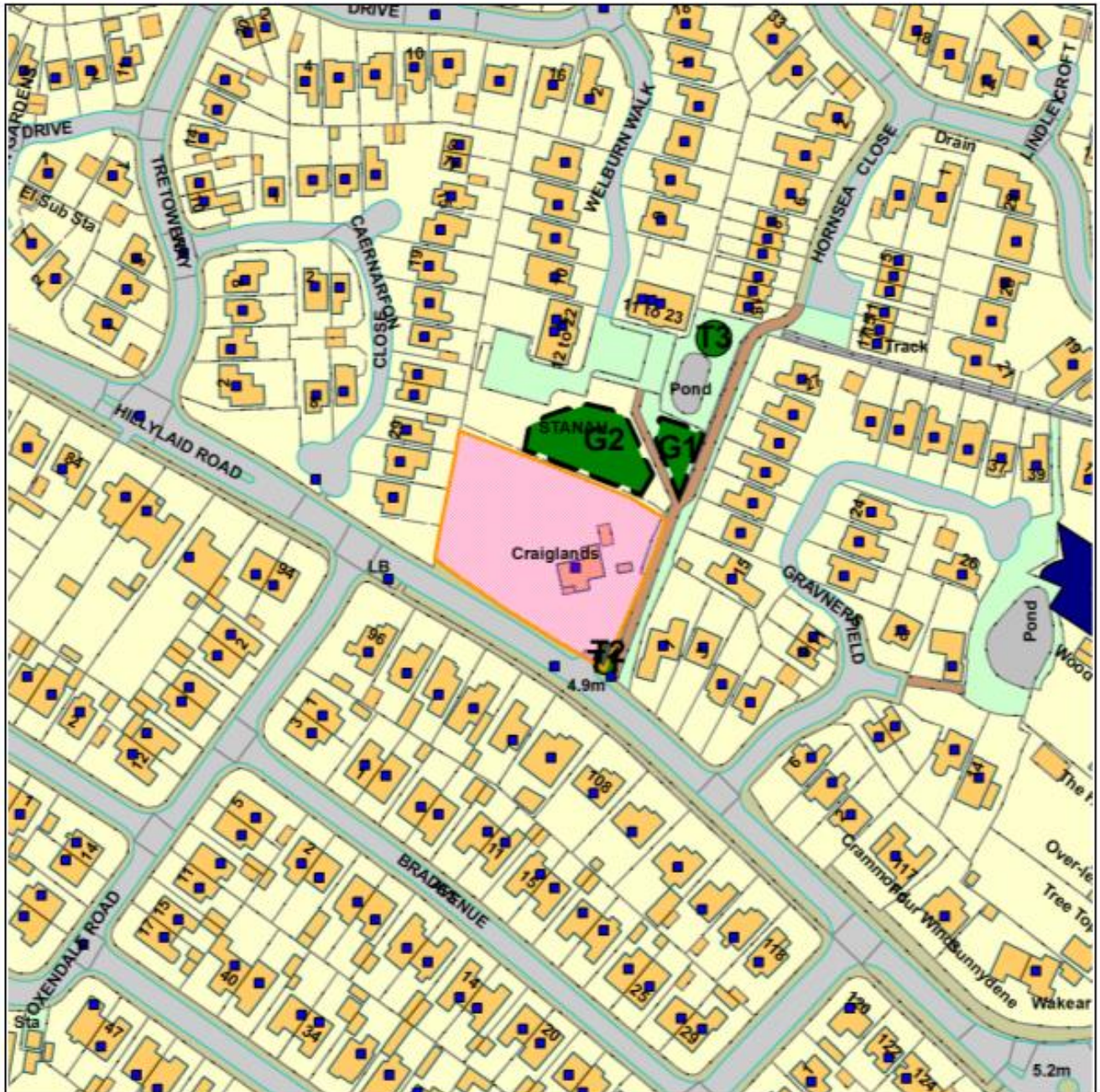
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway 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.

Planning Committee



20/00092/OUTMAJ - Craiglands, Hillylaid Road, Thornton Cleveleys, FY5 4E



Scale : 1:1636

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 3
Date	15 April 2021
SLA Number	100018720

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Committee Report**Date: 28.04.2021****Item Number 05****Application Number** 21/00105/FUL**Proposal** Two storey side extension, single storey rear extension and new roof to existing rear extension**Location** 20 Ormont Avenue Thornton Cleveleys Lancashire FY5 2BT**Applicant** Mr Andrew Horner**Correspondence Address** c/o Mr Lindsay Oram
Unit 7 FY Creatives 154-158 Church Street Blackpool FY1 3PS**Recommendation** Permit**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Fiona Flower****1.0 INTRODUCTION**

1.1 This application is before the Planning Committee for consideration at the request of Cllr Baxter. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application is located on the eastern side of Ormont Avenue, Thornton-Cleveleys. The site is occupied by a two-storey semi-detached dwelling faced in red brickwork. There is an existing single-storey lean-to extension to the rear. The street comprises properties of similar design and character. The site falls within Flood Zone 3.

3.0 THE PROPOSAL

3.1 The application seeks permission for a two-storey side extension and single storey rear extension, and a new roof to the existing rear extension.

3.2 The revised proposal presents a two-storey side element, which would project 2.34m from the northern elevation of the existing dwelling. The proposed extension would be set back from the principle elevation by 1.5m, and would extend 6.2m towards the rear elevation of the main dwelling. The proposed extension would have a hipped roof to match the design of the existing dwelling, with a lower eaves height of 5.05m and ridge height of 7.21m. Materials proposed are red facing brickwork to the front and side elevations to match the existing dwelling, with a rendered finish to the rear elevation.

3.3 The proposed single-storey rear element would have a rearwards projection of 3.12m (same as existing) and extend up to the extension. The proposed would incorporate a lean-to roof, with eaves height of 2.45m and ridge height of 3.72m. The proposed new roof to the existing rear extension would be raised slightly to be in line with that of the proposed, with an eaves height of 2.45m and ridge height of 3.72m. Materials proposed are to match the existing.

4.0 RELEVANT PLANNING HISTORY

4.1 None found

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies are of most relevance:

- CDMP2 - Flood risk and Surface Water Management
- CDMP3 - Design

OTHER MATERIAL CONSIDERATIONS

5.2 NATIONAL PLANNING POLICY FRAMEWORK

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). Good design is a key aspect of sustainable development. The NPPF sets out a number of planning policies concerned with achieving well-designed places including providing a high standard of amenity.

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 Extending Your Home Supplementary Planning Document:
Design Note 1 - General Principles
Design Note 3 - First Floor Side Extensions
Design Note 4 - Single Storey Rear Extensions

6.0 CONSULTATION RESPONSES

6.1 None required.

7.0 REPRESENTATIONS

7.1 13 representations have been received, 8 in objection and 5 in support. Objections raised include:

- Terracing effect caused by proposal and unbalance of semi-detached properties
- Overbearing impacts upon neighbours
- No external access to the garden
- Obstruct access to party walls
- Revised plans do not address these aforementioned concerns

Letters of support include:

- Design of extension is in-keeping with character of existing property and street
- Variety of extensions within the street
- No visual harm

8.0 CONTACT WITH APPLICANT/AGENT

8.1 Contact was made with the Agent to advise of concerns relating to the proposal as originally submitted, in particular the bulk, scale, and mass of the proposed two-storey side extension and the resulting impact upon the character of the street scene and neighbouring amenity. The agent was advised that the application would be recommended for refusal, unless the concerns raised could be satisfactorily addressed. Revised plans were submitted to the council on 09.04.2021 showing an increased set back from the principle elevation.

9.0 ASSESSMENT

Principle of development

9.1 Extensions to an existing property within its curtilage are acceptable in principle.

Design and visual impact

9.2 The revised proposal involves a two-storey side extension to the northern elevation of the existing dwelling, with a single-storey rear extension, and a new roof to the existing rear extension. The proposed two-storey side extension would be visible from within the street scene. The eaves and ridge of the proposed extension would be set lower than that of the main dwelling, and would be substantially set back from the principle elevation, ensuring that the form and design of the proposed extension would appear subordinate to the main dwelling. Whilst the council's adopted SPD encourages side extensions to be set in from boundary lines by a minimum of 1.0m, an exception can be made in this instance given the already subordinate nature of the revised proposal, achieved by the significant set-back distance and lower roof height and hipped roof design further reducing the bulk and massing on the boundary. Extending up to the side boundary would mean that bins would need to be provided to the front of the property. Whilst this is not desirable, it is considered they could be sited next to the recessed front wall without projecting forward of the building line which would reduce their prominence. Whilst the proposal does not strictly comply with Design Note 3 of the SPD on balance, the revised proposal would be of a more appropriate scale and would respect the character of the existing dwelling, and is therefore not considered to cause such significant visual

harm to the area as to warrant a refusal on design grounds. The proposal would therefore comply with Policy CDMP3 of the WLP31.

Amenity impact

9.3 All observations and objections raised by neighbours are acknowledged, however only the material planning matters raised can be taken into account.

9.4 The neighbouring property to the north of the site is number 22 Ormont Avenue. Number 22 has an existing single-storey side extension, forming a garage, which extends up to the shared boundary with the application site. Whilst the concerns raised within representations have been taken into account, matters such as obstruction of access to party walls and fire safety concerns about loss of external access to the rear are not material planning considerations. Matters to be assessed therefore relate to potential overlooking and overbearing impacts upon residential amenity. Number 22 has two side windows in the facing elevation, believed to serve a landing and a bathroom (non-habitable rooms) and two bay windows at the front and rear which afford oblique angles of the side extension. However the encroachment of a side extension 2.34m beyond the original side wall of the applicant's property is not considered to appear significantly overbearing upon the residential amenity of no.22. Furthermore the revised proposal has reduced the scale of the proposed side extension as seen from the front of the neighbouring property.

9.5 No windows are proposed within the north facing side elevation that could cause overlooking impacts. The proposal would involve the addition of two first floor rear facing windows, one of these would serve a bathroom and is proposed to be obscure glazed, and the other would serve a bedroom. However, it is not considered that these would cause any additional overlooking than the existing first floor windows within the rear elevation of the dwelling. On balance, it is not considered that the revised proposal would cause such significant impacts upon the residential amenity of no.22, by way of overlooking or by appearing overbearing, as to warrant a refusal of this application.

9.6 The proposed single-storey rear element would have a rearwards projection of 3.12m and would satisfy Design Note 4 of the SPD. As such there would be no unacceptable overbearing impact on the rear elevation of Number 22. No other neighbouring amenity is considered to be impacted upon by this proposal.

Parking and highway safety

9.7 Parking provision at the site would remain for at least 3 vehicles, accommodated within the driveway to the front of the property, which accords with latest guidance for a dwelling of this size. The proposal will not impact on highway safety or amenity.

Flood risk

9.8 The application site is located within Flood Zone 3. A Flood Risk Assessment has been submitted which includes flood risk mitigation measures in accordance with Policy CDMP2 of the Wyre Local Plan. This can be secured by condition.

Other material considerations

9.9 Ecology - No issues identified.

9.10 Trees - No issues identified.

9.11 Land contamination - No issues identified.

10.0 CONCLUSION

10.1 The revised proposal is considered to be visually acceptable and would not adversely impact on neighbouring amenity or highway safety. The proposal is therefore considered to comply with Policy CDMP3 of the Adopted Local Plan (2011-2031) and the relevant design notes of the adopted Extending Your Home SPD with the exception of design note 3, however in this instance no significant adverse harm has been identified as a result of this.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant full planning permission

Recommendation: Permit

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).

Planning Committee

21/00105/FUL - 20 Ormont Avenue Thornton Cleveleys FY5 2BT



Scale : 1:1636

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