



## **Planning Committee Agenda**

Wyre Borough Council  
Date of Publication: Date Not Specified  
Please ask for : Daphne Courtenage  
Assistant Democratic Services Officer  
Tel: 01253 887476

**Planning Committee meeting on Wednesday, 1 September 2021 at 2.00 pm in the Council Chamber, Civic Centre, Poulton-le-Fylde**

**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 04 August 2021 (already circulated by email).

**4. Appeals**

(Pages 3 - 10)

The Schedule of Appeals lodged and decided between 15 July 2021 – 15 August 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:**

- |   |                         |
|---|-------------------------|
| <p><b>(a) Application A - Brick House Farm Cottages, Brick House Lane Hambleton, Poulton-Le-Fylde Lancashire FY6 9BG (21/00594/FUL)</b></p> <p>Erection of a two-storey building comprising of visitor's centre, cafe/restaurant, hydrotherapy pool, an on-site laundry facility and an expanded car parking area</p>   | <p>(Pages 11 - 24)</p>  |
| <p><b>(b) Application B - Land Off Lambs Road And Raikes Road Thornton (20/01018/LMAJ)</b></p> <p>HYBRID application: 1) Full planning application for the erection of 80 dwellings with vehicular access from Lambs Road and to land to the east (phase 3) and pedestrian access to land to the south (phase 1) and associated works to include landscaping and green infrastructure 2) Outline planning application for the erection of up to 194 dwellings, a one-form entry primary school (1.36ha) and a convenience retail store (up to 280sqm net sales floorspace) with associated works (all matters reserved for subsequent approval)</p> | <p>(Pages 25 - 66)</p>  |
| <p><b>(c) Application C - Land South Of A586 And North West Of Copp Lane Great Eccleston (19/00860/OULMAJ)</b></p> <p>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)</p>  | <p>(Pages 67 - 110)</p> |

**PLEASE NOTE:**

**Transport for members of the committee will leave the Civic Centre, for the one site visit, at 11.30am.**

**APPEALS LODGED AND DECIDED**

**Appeals Lodged between – 15<sup>th</sup> July – 15<sup>th</sup> August 2021**

<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Com/Del decision</b>	<b>Appeal Type</b>	<b>Date Lodged</b>
20/01026/FUL	Field West Of New Road Wardleys Lane Stalmine Poulton FY6 9DX	Change of use of land for the siting of two holiday chalets (re-submission 20/00369/FUL)	Delegated	Written Representations	26 <sup>th</sup> July 2021
21/00358/LAWP	12 Chiltern Avenue Poulton-Le-Fylde Lancashire FY6 7DY	Certificate of lawful development for proposed use from dwelling (C3) to children's care home (C2) for up to 2 children with care provided by two staff	Delegated	Written Representations	4 <sup>th</sup> August 2021

**Appeals Decided between – 15<sup>th</sup> July – 15<sup>th</sup> August 2021**

<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Com/Del decision</b>	<b>Decision</b>	<b>Date Decided</b>
19/00875/FULMAJ	AGC Chemicals Europe Ltd Hillhouse International Works Fleetwood Road North Thornton Cleveleys Lancashire FY5 4QD	Erection of a two storey lubricants building (B2), internal roads and hardstanding	Delegated	Dismissed	16 <sup>th</sup> July 2021

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## Appeal Decision

Hearing Held on 22 June 2021

Site visit made on 23 June 2021

**by Helen B Hockenhull BA (Hons) B. PI MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 16<sup>th</sup> July 2021.**

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**Appeal Ref: APP/U2370/W/20/3265515**

**AGC Chemicals Europe Ltd, Hillhouse International works, Fleetwood Road North, Thornton Cleveleys FY5 4QD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by AGC Chemicals Europe Ltd against the decision of Wyre Borough Council.
  - The application Ref 19/00875/FULMAJ, dated 21 August 2019, was refused by notice dated 20 August 2020.
  - The development proposed is the erection of two storey lubricants building (B2), new internal roads and areas of hardstanding.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The Council and the appellant produced a Statement of Common Ground before the hearing. It is agreed that the principle of the development within the Hillhouse Enterprise Zone is acceptable and complies with Policy SA4 of the Wyre Local Plan 2011-2031. The one area of disagreement relates to the impact of operational noise on the living conditions of the occupiers of nearby dwellings. My decision therefore concentrates on this aspect only. It is agreed that construction noise can be managed through the imposition of appropriate conditions should the appeal be allowed.

### Main Issue

3. Given the above, the main issue in this case is the effect of the proposal on the living conditions of the occupants of nearby residential properties with particular regard to operational noise.

### Reasons

4. The appeal site is located within the Hillhouse International Enterprise Zone and located at the north west corner of the AGC Chemicals site. It is proposed to construct a two storey lubricants building incorporating a drive through loading bay. The proposal is required so that the appellant can meet new EU Regulations which mean that the lubricants product needs to be heat treated, a process which would take place within the proposed new building.

5. The appellant has prepared a noise assessment to predict the likely noise emanating from the proposed development. Both main parties agree that the methodology for the assessment is robust and complies with accepted guidelines. I have no reason to disagree. The appellant advises that the detailed design of the development and the treatment process has yet to be finalised. This means that the noise assessment is based on preliminary design information. In principle this is not an unacceptable approach. The Assessment predicts an increase of 3dB at night-time and 4dB in the daytime at the closest residential receptor on Hatfield Close.
6. The appellant argues that the noise assessment provides a worst-case scenario for a number of reasons. Firstly, that noise levels from existing ovens on the site have been obtained and as these are old ovens, they are likely to be noisier than those which would be installed in the development. Whilst I accept this may well be the case, the appellant has been unable to provide manufacturers power levels for new ovens to confirm this.
7. I understand that the assessment assumes inlet fans would be external when they may in reality be internal, thereby benefiting from noise attenuation. The assessment also assumes the provision of four ovens when only three may be required. Furthermore, two HGV movements have been assumed to occur every hour when this may in practice be one movement per hour. Additionally, the sound power level for the HGV source has been assessed with a vehicle doing a three-point turn, when the design of the proposal facilitates through access without the need for reversing.
8. The noise assessment assumes that the proposed lubricant building would operate 24 hours a day but that mobile plant would operate daytime only. However, at the hearing the appellant indicated that HGV movements may be necessary at night. The likely number of movements is uncertain as it would depend on the ability to stockpile materials during the day. Forklift truck movements would be necessary at night to unload and load vehicles. I accept that forklift trucks would be within the building and the doors of the loading bay would be closed. However, this activity would increase noise levels at night to the level predicted for daytime ie a 4dB increase over background noise rather than 3dB. In light of these differences, I cannot be satisfied that the noise assessment represents the worst-case scenario.
9. Assessment guidelines in BS4142<sup>1</sup> set out at what level a low, adverse or significant adverse noise impact is likely to occur. A rating level not exceeding background level would have a low impact but a rating level of around 5dB above existing background sound level would lead to an adverse impact.
10. The predicted noise level increase in this case, 4 dB, is approaching the 5 dB threshold which the guidance indicates will have an adverse impact. Whilst the noise assessment described the impact as low, at the hearing the appellant gave the view that the proposal could be considered to have a 'low adverse impact'. I consider this more accurately describes the potential noise impact.
11. BS4142 also advises that in assessing the noise impact, it may be appropriate to consider context. In this case, the site is located within an established industrial area where there is continuous existing background noise. Whilst there are clearly other existing noise sources in the area, this should not

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<sup>1</sup> BS4142: 2014 Methods for rating and assessing industrial and commercial sound

- downplay the predicted impact of the proposal. National Planning Practice Guidance advises that in cases where existing noise sensitive locations already experience high noise levels, such as the Hillhouse International site, a development that is expected to cause even a small increase in the overall noise level may result in a significant adverse effect occurring even though little to no change in behaviour would be likely to occur.
12. There was discussion at the hearing about whether the appropriate character corrections had been assumed to take account of impulsivity. Forklift truck movements generate intermittent impulsive sounds for which the guidance in BS4142 suggests a penalty of up to 9dB could be applied. The noise assessment makes no penalty, as it is assumed that the continuous noise of the plant would mean that impulsive sounds would not be audible. However, the noise from the shutting and opening of the loading bay doors has not been assessed. This activity could add to the intermittent impulsive noise impacts. Assuming a worst-case scenario, it would have been reasonable to expect some level of correction. This would have led to a higher predicted noise level and reinforces concerns that the assessment does not adequately assume a worst-case scenario and that the likely impact of the proposal would be adverse.
  13. Given the predicted noise levels, it is important to consider potential mitigation measures to reduce the likely noise impact. The submitted assessment assumes that operational noise would not result in significant adverse effects. It therefore provides little detail on possible mitigation measures, though accepts that silencers could be installed to the ventilation system.
  14. There are several measures that could be taken, and these were discussed at the hearing. For example, the fans could be sited on the furthest elevation from the residential properties and be placed inside the building. Screening around the yard and operational mitigation measures for HGV movements and forklift truck activity could be employed. The appellant has confirmed that Best Available Techniques would be applied. Whilst I do not doubt this intention, as the detailed design has not been finalised, it is not possible to indicate exactly what measures would be employed and assess how effective they would be.
  15. One approach to resolve this uncertainty would be to set an operating limit. The Council are keen to achieve an operating level no higher than existing background noise level. However, the appellant is unable to agree to this, as it is not certain that it could be achieved without compromising the functionality of the building or the financial viability of the project. An operating limit set at 4 dB above background noise, which would reflect the predicted levels in the noise assessment, would be an acceptance that an adverse noise impact would occur.
  16. I am advised by the Council that in general terms, background noise levels from the Hillhouse site, appear to be increasing. The noise assessment submitted by the appellant to accompany a planning application for a thermal plant in 2015 indicated background noise levels lower than currently experienced. The Council also advised that they receive complaints from nearby residents about noise from the Hillhouse site. Whilst these are not attributable to the appellant's operations, it is an indicator that noise is an issue which needs thorough assessment when new proposals come forward on this site.

17. The National Planning Policy Framework in paragraph 180 seeks to ensure that new development mitigates and reduces to a minimum, potential adverse impacts resulting from noise. Based on the evidence before me, I am not persuaded that the appeal proposal achieves this objective.
18. In summary, I have found that the likely noise generated from the proposal would have an adverse impact. In the absence of detailed mitigation measures and an assessment of their effectiveness, combined with the appellant's inability to agree an acceptable operating noise limit, I conclude that it has not been satisfactorily demonstrated that the proposal would not cause harm to the living conditions of the occupiers of nearby dwellings.
19. The appeal scheme would therefore be contrary to Policies SP2, SP8 CDMP1 and CDMP3 of the Wyre Local Plan which seeks to ensure that development is well designed and does not lead to significant adverse effects on health and amenity.

**Conclusion**

20. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

*Helen Hockenhull*

INSPECTOR



**APPEARANCES**

FOR THE APPELLANT:

Claire Brown	Wood Group Uk Ltd
Mark Evans	Wood Group Uk Ltd
Andrew Williamson	Wood Group Uk Ltd
Andrew Scully	AGC Chemicals Europe
Stuart Ede	AGC Chemicals Europe

FOR THE LOCAL PLANNING AUTHORITY:

Lucy Lowcock	Planning Officer, Wyre Borough Council
Corinne Mason	Environmental Health Officer, Wyre Borough Council
Nick Clayton	Environmental Health Officer, Wyre Borough Council
Jonathan Fail	Environmental Health Officer, Wyre Borough Council

INTERESTED PARTIES:

None in attendance

**DOCUMENTS SUBMITTED AFTER THE HEARING**

1. Email from the Council dated 29 June 2021 providing revised wording for conditions 17 and 18.

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**Committee Report****Date: 01.09.2021****Item Number 01****Application Number** 21/00594/FUL**Proposal** Erection of a two-storey building comprising of visitor's centre, cafe/restaurant, hydrotherapy pool, an on-site laundry facility and an expanded car parking area**Location** Brick House Farm Cottages Brick House Lane Hambleton Poulton-Le-Fylde Lancashire FY6 9BG**Applicant** Vicki Murray**Correspondence Address** c/o Mr Graeme Thorpe  
2 Lockside Office Park Lockside Road Preston PR2 2YS**Recommendation** Permit**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob Clewes**

Site Notice Date: 21.06.2021

Press Notice Date: 16.06.2021

**1.0 INTRODUCTION**

1.1 This application is before Members of the Planning Committee at the request of Councillor Robinson. A previous planning application at the site was also presented to the Planning Committee for consideration.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application site is located to the south of Brick House Lane, Hambleton and comprises an existing holiday accommodation complex with lake accessed from Brick House Lane via a single width access track. Beyond the west/north-west boundary of the site is a cluster of residential properties as well as a Public Right of Way. The surrounding area is predominantly open countryside with agricultural fields to the north, east and south. The site is located within the defined Countryside Area on the Local Plan Policies Map and is within flood zone 3. The proposal has already been constructed and is currently operating.

**3.0 THE PROPOSAL**

3.1 The application is a re-submission of previously refused application ref: 20/00411/FUL and seeks retrospective permission for a two-storey building comprising of visitors centre, café/bistro and hydrotherapy pool together with

changing rooms. The application also seeks retrospective permission for an expansion of the car park area.

3.2 The foot print of the building is asymmetrical with a maximum width of 38m and depth of 19.5m. The building comprises a single storey element and a central two-storey element. The single story part has a height of 4.2m and the two-storey element has a height of 7.3m. The front elevation primarily consists of curtain wall glazing and the remainder of the elevations consist of facing brick and cladding.

3.3 The use of the building will consist of the hydrotherapy pool, bistro, changing places facility and laundry at ground floor level as previously proposed. At first floor it is now proposed for a sensory/activity room and a calm room, alongside toilets, storeroom, and office area for the business. The building is to be primarily used by customers staying at the holiday cottages (on average 70-80% of the time). The remainder of the time slots for the hydrotherapy pool (20%) would be available for service users (referrals from health and/or social care services) and the local community who need this specialist facility. The remainder of the time slots for the sensory / calm room (30%) would be available for service users. Visitors to the hydrotherapy pool and sensory / calm room would also be entitled to use the café / restaurant facility before, during and after their booking.

3.4 The extended car park area is to the south of the site and is to be primarily used by staff and as an overflow car park for larger vehicles.

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 20/00411 - Application (retrospective) for the erection of a two-storey building comprising of visitors centre, café/restaurant and hydrotherapy pool. Refused

4.2 18/00512/FUL - Erection of two-storey building for hydrotherapy, visitors centre, cafe, office and meeting room. Withdrawn

4.3 18/00268/FULMAJ - Variation of condition 2 (key drawings) on application 15/00758/FULMAJ to allow a first floor to the hydrotherapy pool. Withdrawn

4.4 15/00758/FULMAJ - Erection of 5 holiday units and erection of a building for a hydrotherapy pool, visitors centre and cafe for disabled visitors and carers. Approved

4.5 14/00833 - Erection of 3 holiday units for disabled visitors and carers (resubmission of 14/00666). Approved

4.6 14/00666/FUL - Erection of 3no holiday units. Withdrawn

4.7 12/00782/FUL - Creation of private leisure lake and engineering operations to form landscaped mound. Approved

4.8 12/00176 - Change of use from tile showroom to annex for ancillary accommodation to Brickhouse Farm, extension to existing barn to form a domestic garage, addition of a private swimming pool to existing garage of main dwelling, change of use and conversion of 4 no industrial units into 5 no specialised holiday accommodation for people with disabilities and their carers. Approved

## **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
- SP4 - Countryside areas
- SP8 - Health and well-being
- CDMP1 - Environmental protection
- CDMP2 - Flood risk and surface water management
- CDMP3 - Design
- CDMP4 - Environmental assets
- CDMP6 - Accessibility and transport
- EP8 - Rural economy

### **5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021**

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 20th July 2021. 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 2021 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 4 - Decision-making
- Section 6 - Building a strong, competitive economy
- 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

## **6.0 CONSULTATION RESPONSES**

6.1 STALMINE WITH STAYNALL PARISH COUNCIL - Objects to this application. It seeks to legitimise the current form of construction for which no planning permission exists by reusing the areas for different purposes. The planning statement seeks to minimize the external use of the dining facilities without accepting a discontinuation. Anything other than a planning condition restricting use to users of the cottages would be unenforceable in practice. Councillors wish to emphasise that

they have no objection to the use of the food facilities to the disabled and their carers.

6.2 HAMBLETON PARISH COUNCIL - Object. Access/exit is on a very narrow road. The applicant has underestimated and contradicted themselves in their calculation of the likely number of vehicles visiting the site

6.3 ENVIRONMENT AGENCY - No objections

6.4 LANCASHIRE COUNTY HIGHWAYS - No comments received

6.5 LANCASHIRE COUNTY PUBLIC RIGHTS OF WAY OFFICER - No comments received

6.6 RAMBLERS ASSOCIATION - No comments received

6.7 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - No objections

6.8 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION) - Request a pre-commencement Phase 1 desk study condition.

6.9 UNITED UTILITIES - Standard advice regarding drainage

6.10 CADENT/NATIONAL GRID - No objections

## **7.0 REPRESENTATIONS**

7.1 66 representations have been received supporting the application and raising the following matters:

- There are no facilities in the area like this for people that require them
- The changing places facility is able to be used by anyone with a disability
- Hydrotherapy is essential for rehabilitation and physiotherapy
- Site allows for people to be fully included and access all aspects of daily life in confidence and without prejudice
- Restaurant ensures the inclusivity of both disabled and non-disabled patrons
- In general, access to suitably adapted community facilities is poor in the area
- The pool is accessed weekly by numerous people
- Site is an ideal environment
- Staff are well trained and able to assist greatly

## **8.0 CONTACTS WITH APPLICANT/AGENT**

8.1 Agent contacted on the following matters:

- Clarity on parking provision
- Additional clarity on how first floor would be used
- Amended Site Location Plan

## **9.0 ISSUES**

9.1 The main issues in this application are as follows:

- Principle of the Development
- Visual Impact / Design / Impact on the street scene
- Impact on residential amenity
- Impact on highway safety
- Flood Risk / drainage
- Ecology

#### Principle of development

9.2 The starting point for an assessment of any proposal is the development plan, which is the Wyre Local Plan 2011-2031 (WLP31). 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 made in accordance with the development plan unless there are material considerations that indicate otherwise.

9.3 The site falls in the countryside as designated within WLP31. Policy SP4 of WLP31 restricts development in the countryside to a limited number of purposes, including the expansion of businesses in rural areas, provided they are in accordance with Policy EP8. Policy SP1 directs development to the settlements unless development in the designated countryside is specifically supported by another policy in WLP31.

9.4 The existing business consists of 13 holiday cottages that are specifically designed to cater for visitors with disabilities and their families and/or carers. Planning permission was granted in 2016 (ref: 15/00758/FULMAJ) for a building to be used for a visitors centre, café/restaurant and hydrotherapy pool. The Council considered that previously approved building to be an expansion of the existing holiday accommodation business as it would not be available to be used by the non-staying public.

9.5 Policy EP8 of WLP31 allows for the expansion of business in rural areas, provided that any new building and supporting infrastructure is necessary. Therefore it has to be assessed whether the proposal can be viewed as an extension to an existing business, and whether the building and infrastructure is necessary. To satisfy the first point, the proposal would reasonably need to offer a supporting function to the business, otherwise it would be reasonable to assume that it has the potential to be used as an independent facility and therefore form a new independent business in the countryside.

9.6 This application is a re-submission of previously refused application ref: 20/00411/FUL which sought to allow the building to be open to members of the public that would not be staying at the site as holiday guests. That application was refused as it was considered that the building, particularly the increased provision of hospitality/dining floor space, would operate independently from the main use of the site as holiday accommodation. That conclusion was reached based on the plans and information presented as part of that application as well as the nature of online advertising by the business which offered unrestricted access to any member of the public, despite this never being previously applied for.

9.7 This application is supported by more information, including occupancy rates of the cottages, as well as customer feedback outlining what facilities they use when staying at the site. In so far as the use of the building by those customers staying

within the cottages the occupancy rates (during 2019) are presented as over 95% for 8 months of the year with only January falling below 50%. Based on this occupancy it is said that if every person uses the building facilities every day of their stay there would be very little space for non-staying guests to use the facilities. This supports the proportion of staying guests and non-staying guests using the facilities proposed in section 3.3. Although the building would still be used by non-staying guests it is considered that the additional information presented shows that it is not unreasonable to conclude that the building would be predominantly used by staying guests.

9.8 It was previously determined that those not staying at the site contributed to a significant proportion of the business activity within the building. This was based on the large amount of floor space dedicated to hospitality (i.e. Class A3 use) and it being advertised as such. The application now proposes the first floor of the building as a sensory activity room and sensory calm room to support the specialist needs of the customers as opposed to a function suite and additional café/restaurant floor space as previously proposed. The resulting floor space in terms of use as proposed, as shown on the submitted floor plan, would now equate to 78.7sqm for the Cafe/Bistro (Class A3) (this excludes the kitchen and preparation area) on the ground floor with the remaining areas of ground floor used for the Hydrotherapy Pool, Changing Places facility and Laundry room. There would be no cafe/bistro and/or function suite on the first floor with much of this floor space now used for the proposed sensory rooms totalling 86sqm with the remainder of the floor area for office and storage space and toilets. The area of floor space proposed to be used for hospitality space has been significantly reduced from that proposed on the previous application. Whilst there are still concerns the flexible layout at first floor means it could still be used for hospitality, on balance, it is considered that with the additional information supplied and the ability of the Council to impose controls by way of condition, there is insufficient reason to conclude that this development would result in a stand-alone business and would not be functionally linked to the main use of the site as holiday accommodation. As such it is considered that the proposal complies with policies SP4 and EP8 (criterion 2.b) of WLP31.

9.9 In terms of justification for the creation of an overflow car park, information submitted shows that prior to this being created the dedicated parking spaces within the site amounted to 33 spaces which was insufficient. Each of the 13 cottages (able to sleep between 6-12 people) is said to require 1-2 spaces with additional carer 'extra' spaces. 8 visitor spaces are said to be required for the hydrotherapy pool or to visit staying guests. The overflow car park is therefore proposed predominately for staff working on site each day (said to total 12-15 a day on average and up to 27 on change-over days) and for larger vehicles such as delivery vans, school buses, maintenance vehicles so that the main car park area is not blocked. The details provided by the applicant are considered justifiable and therefore the overflow car park is considered necessary in line with criterion 2.b) of Policy EP8 of WLP31.

9.10 Policy SP8 of WLP31 supports proposals that promote healthy communities and development that helps maximise opportunities to improve quality of life and to make it easier for people in Wyre to lead healthy active lifestyles. The hydrotherapy pool, changing places facility and sensory rooms do provide a benefit to those groups and people that require such a facility and contribute to them being able to lead active healthy lives. The letters of support received all provide accounts of how the facility has benefitted them. In addition it is understood that the hydrotherapy pool and changing places facility provide a specialist facility not readily available elsewhere in the locality and provides a clear and meaningful benefit to the wider community. The provision of the hydrotherapy pool, changing places facility and



sensory rooms is therefore considered to be in line with the principles of Policy SP8. This matter is given moderate weight in the assessment of the application.

9.11 Policy EP5 of WLP31 requires a Town Centre Sequential Test for main town centre uses outside defined centres, to demonstrate that there are no sequentially preferable sites available. This aligns with paragraph 86 of the NPPF. The NPPF defines a main town centre use to include restaurants (which includes cafes/bistros) and leisure facilities. The failure to provide a robust sequential test was one of the refusal reasons in the previous application. As the officer's assessment at paragraphs 9.7 and 9.8 above is that the proposed building would be functionally linked to the existing activity on site and not a stand-alone business, it is no longer necessary to apply a sequential test for a town centre use.

#### Visual Impact / Design / Impact on the street scene

9.12 The design of the building incorporates glazing to help alleviate the building mass however it is nevertheless larger in scale than the building previously approved under permission ref: 15/00758/FULMAJ. The building is considered to be large in scale and there will be views of the building from the wider area having regard to the wider open landscape to the south and east. However its siting on the western boundary means it will be viewed in the context of the other three buildings on site as well as the group of residential properties to the west and north-west of the site where the landscape is more developed. In addition the existing holiday cottages on the eastern side of the site do provide additional screening when viewed from the east on Carr Lane. Whilst a reduction in the scale and massing of the building would be looked on more favourably, having regard to the long distance views of the buildings from the public vantage points and the scale, design and appearance to the existing buildings on site, on balance it is not considered that there would be an unacceptable visual impact having regard to Policies SP4 and CDMP3 of WLP31. The proposed building is also immediately adjacent to Public Right of Way (PROW) 2-22-FP-11. The proposal does have an impact on the setting of this PROW due to its size and proximity, however the impact is not considered so great that it is unacceptable, especially as this part of the PROW is adjacent to existing built development. As such the appearance, design and visual impact of the development is considered acceptable.

9.13 The overflow car park is to the south of the existing site and projects into what was an undeveloped part of the countryside. The area of land used for the overflow car park is relatively minor with a large proportion of the field in which it is located remaining undeveloped. It is to the very northwest corner of the field at the end of the existing access road within the site therefore not appearing so detached that it appears incongruous. It is not considered necessary to require landscaping or screening beyond anything complimentary. It may however be beneficial to have the car park bounded by a means of enclosure such as a low level post and rail fence to establish the extent of the car park and to ensure there is no further encroachment. This can be secured via condition. As such it is considered that the overflow car park does not have a detrimental impact to the character of the area and is therefore acceptable in accordance with policies SP4 and EP8 of WLP31.

#### Impact on residential Amenity

9.14 Due to the location of the development and its distance from boundaries with neighbouring residential properties it is considered that there will be no detrimental impact to residential amenity from the building itself. As part of the previously refused application concerns were raised over the resulting greater impact that there would

be to the amenity of residents living on Brickhouse Lane caused by the increase in vehicular movements and associated noise etc. from patrons using the bistro which is proposed to operate until 10pm. Whilst this is a legitimate concern it is not considered so detrimental that it is unacceptable in its own right. Due to the nature of the use of the site it means that there is a reliance on the private motor car as users are often in wheelchairs and are unable to easily use public transport. Many customers are users often with severe needs and are not able to use the local bus, walk or cycle to the site. The applicants have submitted a highway review document that establishes the majority of users of the building would be by staying guests or users of the pool with the café and visitor centre ancillary to those facilities. Where use of the building by customers that do not stay in the building would occur (20-30% of sessions estimated to be booked by non-staying guests visiting the hydrotherapy pool or sensory rooms) the additional impact would not be so great that it would materially change the level of impact. Therefore the proposal is considered to comply with Policies CDMP1 and CDMP3 of WLP31.

#### Impact on Highway / Parking

9.15 The proposal will use the existing access to the site and additional parking is also proposed. As part of the previous application Lancashire County Council Highways department raised no objection on highway safety grounds. There is no material change to the nature of the development since the previous application and as such the proposal is considered to comply with Policy CDMP6 of WLP31. A requirement of Policy CDMP6 is the provision of Electric Vehicle Charging Points (EVCPs) on developments involving parking provision. This could be secured by condition on any permission granted.

#### Flood Risk/Drainage

9.16 The site lies within Flood Zone 2, so a site specific flood risk assessment (FRA) is required. The submitted FRA has been assessed by the Environment Agency who have accepted its conclusions.

9.17 A flood risk sequential test is also required. As established, the proposed building is considered to be an expansion of an existing business, therefore the NPPG advises on a pragmatic approach in considering the availability of alternative sites. Generally for operational reasons this means applying the sequential test to the site itself. It is considered that there are no other more suitable locations for the building within the site that would be at a lower risk of flooding therefore it is considered that the sequential test is passed.

9.18 With regards to site drainage the Council's drainage engineer has raised no objections and the approved drainage scheme for the building approved under 15/00758/FULMAJ is said to be implemented. There are therefore no drainage concerns.

9.19 Taking the above into account it is considered the proposal satisfies the NPPF and Policy CDMP2 of WLP31.

#### Ecology

9.20 No ecology survey has been submitted as part of the application however an Ecological Appraisal including a Phase 1 Habitat survey was submitted with previous application ref: 15/00758/FULMAJ which was prepared by a suitably qualified ecologist. Overall, the survey indicated there were no significant constraints in

relation to the proposed development. GMEU as the Council's ecology advisor accepted the report findings. Notwithstanding the time that has now passed, it is considered that there are no matters that would give rise to concerns over the impact to protected species or protected designated sites. This stance is supported by Natural England's no objection to the proposal. The proposal is therefore considered to comply with Policy CDMP4 of WLP31.

#### Other Issues

9.21 Trees - There are trees adjacent to the proposal to the west, however as the proposed development has already been completed and in operation any potential impacts may have occurred already. As such the council is unable to establish what mitigation may have potentially been necessary.

9.22 Contamination - The council's environmental health officer responsible for contamination has requested a pre-commencement Phase 1 desk study condition. Due to the nature of the development being retrospective the inclusion of this pre-commencement desk study condition is not possible. Whilst this proposal is a different development to that previously approved (ref: 15/00758/FULMAJ) it is nevertheless located on the same piece of land. Further to that permission the contamination condition (No.7) was partially discharged with the results of the watching brief required to be submitted in order to fully discharge the condition. The council's records do not indicate that this was submitted therefore a condition requiring the submission of the results of the watching brief would be considered reasonable and necessary on any new permission granted.

### **10.0 CONCLUSION**

10.1 The proposed building involves a revised first floor layout to remove hospitality (Class A3) floor space and instead propose a sensory room / calm room and additional information on occupancy levels and customer surveys has been provided. It is therefore a materially different proposal to the previously refused application (ref: 20/00411/FUL) and on balance the proposal is considered to be functionally linked to the main use of the site as holiday accommodation. Whilst there are still some concerns that the flexible first floor configuration could still lend itself to hospitality floor space, there is no longer considered sufficient reason to justify refusal of the application given that the use of the building can be adequately controlled via the use of conditions.

10.2 Both the building and extended car park are considered to be appropriate forms of development in the countryside. It is accepted that the facility does provide a social benefit in the form of providing 'access to all' facilities used by the local community. No adverse impacts are identified in terms of design and amenity, highway safety and parking, trees and ecology. On balance, taking all material matters into account the application is therefore recommended for approval as it is considered compliant with relevant policies of WLP31 and the NPPF.

### **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 subject to conditions.

### Recommendation: Permit

#### Conditions: -

1. 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 04.05.2021 including the following plans/documents:

- Site Location Plan (Received 06.08.2021)
- Proposed Site Plan - Drawing No. K480/5 (Received 02.08.2021)
- Proposed Floor Plan - Drawing No. K480/3 (Received 04.05.2021)
- Proposed Elevations - Drawing No. K480/4 (Received 04.05.2021)

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.

2. The floor area of the building, hereby approved, shall only be used for those uses as shown on the submitted floor plan (ref: K480/3) and for no other purpose. There shall be no increase in floorspace of the respective uses as coloured on the floor plan. There shall be no hospitality provision at first floor level.

Reason: This planning permission relates to the use of the building as an expansion of the existing holiday accommodation business only. An alternative mix of uses or floorspace configuration would require further consideration by the Local Planning Authority in accordance with Policies SP2, SP4, CDMP2, EP5 and EP8 of the Wyre Local Plan (2011-31).

3. The building, hereby approved, shall only be used by guests staying at the holiday accommodation cottages on site or by people who are specifically using the Hydrotherapy Pool or Sensory Rooms facilities within the building, and by no other person(s).

Reason: This planning permission relates to the use of the building as an expansion of the existing holiday accommodation business only. The use of the building by members of the public outside that listed above would require further consideration in accordance with Policies SP2, SP4, CDMP2, EP5 and EP8 of the Wyre Local Plan (2011-31).

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

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

5. An electric vehicle recharging (EVCP) scheme shall be submitted to the Local Planning Authority within 2 months of the date of this planning permission. The approved EVCP scheme shall be provided within 3 months of the date of receiving formal approval from the Local Planning Authority, and such EVCP scheme 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).

6. A plan indicating the positions, design, materials and type of boundary treatment to be erected around the overflow car park, shall be submitted to the Local Planning Authority within 2 months of the date of this planning permission. The approved details shall be provided within 3 months of the date of receiving formal approval from the Local Planning Authority. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and to prevent further encroachment of the car park into an undeveloped part of the site in accordance with policies SP4 and CDMP3 of the Wyre Local Plan (2011-31).

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# Planning Committee



21/00594/FUL - Brick house Farm cottages. Brick House Lane Hambleton



Scale : 1:3273

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	19 August 2021
SLA Number	100018720

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## Committee Report

Date: 01.09.2021

Item Number 02

Application Number  
20/01018/LMAJ

Proposal HYBRID application: 1) Full planning application for the erection of 80 dwellings with vehicular access from Lambs Road and to land to the east (phase 3) and pedestrian access to land to the south (phase 1) and associated works to include landscaping and green infrastructure 2) Outline planning application for the erection of up to 194 dwellings, a one-form entry primary school (1.36ha) and a convenience retail store (up to 280sqm net sales floorspace) with associated works (all matters reserved for subsequent approval)

Location Land Off Lambs Road And Raikes Road Thornton Cleveleys Lancashire

Applicant Wainhomes (North West) Ltd

Correspondence Address c/o Mr Stephen Harris  
Units 2 - 4 South Park Court Hobson Street Macclesfield SK11 8BS United Kingdom

Recommendation Permit

## REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Miss Lucy Embery

### 1.0 INTRODUCTION

Site Notice Date: 03/12/2020

Press Notice Date: 25/11/2020

1.1 This application is before Members of the Planning Committee as the development of this site is of strategic significance, including the delivery of Local Plan infrastructure requirements. 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 is currently green fields, bordered by hedgerows situated between Lambs Road and Raikes Road in Thornton. To the west across Lambs Road is an established residential area set back behind a verge and access roadway. To the north lies Stannah Primary School. To the east beyond Raikes Road lies countryside.

2.2 The site forms part of a housing allocation (SA1/2 Lambs Road/Raikes Road) in the Wyre Local Plan 2011-2031. The allocation is made up of five parcels,

referred to as Phases 1, 2, 3a), 3b) and 3c) in this report. Phase 1 in the south west of the allocation is under construction having planning permission for 157 dwellings. The application site relates to Phases 2, 3a) and 3b), to the north and east of Phase 1. Phase 3c) is a smaller area of land in the south east of the allocation in separate ownership and no planning applications have yet been received on this phase.

### **3.0 THE PROPOSAL**

3.1 This is a hybrid application seeking full planning permission for phase 2 and outline planning permission for phase 3a) and b).

3.2 Phase 2 is a triangular piece of land approximately 2.6ha in area slightly elevated from Lambs Road. Phase 2 proposes the erection of 80 dwellings and associated landscaping and green infrastructure. Vehicular access is proposed from Lambs Road and to land to the east (phase 3a) and pedestrian access is proposed to land to the south (phase 1).

3.3 Phase 3a) and b) relates to a much larger expanse of land, the vast majority of which is to the east of phase 2 where up to 194 dwellings, a one-form entry primary school (1.36ha) and associated landscaping, ponds and green infrastructure is proposed on the indicative plan. It also includes a narrow strip of land between Phase 2 and Lambs Road where a small convenience store (up to 280sqm net sales floorspace) is proposed on the indicative plan. A cycle lane and potential vehicular access is indicated to the southern boundary of phase 3a) linking to phase 3c). Two footpath links are indicated to the eastern boundary of phase 3a) onto Raikes Road.

### **4.0 RELEVANT PLANNING HISTORY**

4.1 There is no planning history for Phase 3a, b or c.

4.2 Relevant planning history for Phase 2 is as follows:

17/00951/OUTMAJ - Outline application for the erection of up to 66 dwellings and a convenience store (up to 280sqm net sales area) with access applied for off Lambs Road (all other matters reserved). Application refused. Appeal dismissed.

4.3 Relevant planning history for Phase 1 is as follows:

- 19/00981/RELMAJ - Reserved matters application for approval of landscaping and layout to reflect the revised access arrangement off Lambs Road approved under application 18/00875/OULMAJ. Withdrawn.
- 18/00875/OULMAJ - Variation of condition 3 to vary site access on planning permission 14/00553/OULMAJ. Permitted.
- 18/00457/REM - Reserved matters application for appearance, landscaping, layout and scale for the erection of 4 dwellings (substitution of plots 6-9 on reserved matters application 17/00050/REMMAJ). Permitted.
- 17/01021/REMMAJ - Removal of condition 07 (positioning of doors and windows) and variation of condition 12 to allow permitted development rights on application 17/00050/REMMAJ. Withdrawn.

- 17/00050/NOMAT1 - Non-material amendment to application 17/00050/REMMAJ for the removal of two ground floor side elevation windows to Plot 151. Accepted.
- 17/00050/NONMAT - Non material amendment to the approved landscaping plan on planning application 17/00050/REMMAJ to include a planted hedgerow along part of the western boundary adjacent to 6-8 Furlong Green, and a reduction in the length of the road by 1 metre adjacent to Plot 10. Accepted.
- 17/00050/REMMAJ: Reserved matters application for the erection of 157 dwellings with associated works. Approved.
- 14/00553/OULMAJ: Outline application for a residential development of up to 165 dwellings with access applied for off Lambs Road and Raikes Road. Application Refused. Appeal allowed.

## **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
- 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 Developments
- SA1 - Residential Development
- SA1/2 - Lambs Road/Raikes Road, Thornton Site Allocation

### **5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021**

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 20th July 2021. 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 2021 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,
- Section 4: Decision-making,
- 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

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.

## OTHER MATERIAL CONSIDERATIONS

### 5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

### 5.4 WYRE GUIDANCE NOTES FOR APPLICANTS

- Green Infrastructure in New Residential Developments (Policy HP9)

### 5.5 LAND OFF LAMBS ROAD / RAIKES ROAD, THORNTON MASTERPLAN

5.5.1 The Lambs Road / Raikes Road Masterplan was approved by the Council on 14 July 2021 and represents a significant material planning consideration to this application.

### 5.6 NATIONAL PLANNING POLICY GUIDANCE (NPPG):

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

5.10 Planning (Listed Buildings and Conservation Areas) Act 1990

## **6.0 CONSULTATION RESPONSES**

6.1 HIGHWAYS ENGLAND: No objection subject to conditions.

6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.2.1 No objections to the proposed hybrid application and are of the opinion the development will not have a significant impact on highway safety, capacity or amenity on roads managed by Lancashire County Council. Travel Plan contributions of £6,000 for Phase 2 and £18,000 for Phase 3 are requested. A contribution is requested towards enhanced bus services of £150,000 per annum for three years as part of the phase 3 development. A number of conditions are required including Construction Management Plan, visibility splays, off-site highways works, off-site sustainable links, estate construction, phasing and management, retention of garages and, Travel Plan submission.

6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.3.1 Based on present calculations the phase 2 development would require contributions towards 8 primary school places which equates to £159,142.08 and the phase 3a and 3b development would require contributions towards 74 places which equates to £1,472,064.24. The named infrastructure project to mitigate the development is the proposed new primary school site at Lambs Road and/or Thornton Primary School. No financial contribution is requested towards secondary school places.

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

6.5 UNITED UTILITIES

6.5.1 The proposed surface water strategy of discharging into watercourse is acceptable in principle. Conditions requested.

6.6 ENVIRONMENT AGENCY (EA)

6.6.1 No objections. A small area of the site to the north of Phase 3 is located in Flood Zone 3. Based on the indicative location of the proposed dwellings in this part of the site as being in Flood Zone 1, the EA are satisfied the development will be safe without increasing flood risk elsewhere in relation to tidal and fluvial flood risk. Advice provided to the applicant in relation to permits.

6.7 BLACKPOOL TEACHING HOSPITALS NHS FOUNDATION TRUST

6.7.1 Request a contribution from this development of £140,981.00.

6.8 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.8.1 Request a contribution of £20,671 from phase 2 and £53,515 from phase 3 towards the refurbishment and reconfiguration of Thornton Medical Centre and Beechwood surgery.

6.9 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE (LAAS)

6.9.1 In respect of phase 3a) a condition is needed requiring a programme of archaeological work to be carried out in accordance with a written scheme of investigation.

6.10 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.10.1 No objections subject to conditions to ensure that certain mitigation measures for conserving nature conservation interests are delivered.

6.11 NATURAL ENGLAND

6.11.1 Concur with the assessment on impacts on the Morecambe Bay and Duddon Estuary SPA and Morecambe Bay Ramsar Site as well as the Wyre Estuary SSSI, providing that all mitigation measures are appropriately secured.

6.12 WBC's HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.12.1 No objection in principle. No construction should take place until the new surface water outfall being constructed as part of Phase 1 is completed and operational. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction). All discharges of surface water shall be to the new outfall, as part of Phase 1, or by an additional discharge to the River. In relation to Phase 2 all existing watercourses on the site shall be diverted to discharge to the new outfall and connections to the existing surface water sewers severed.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.13.1 The submitted desk study is acceptable. For phase 2, conditions requested requiring submission of a remediation strategy, as well as a watching brief. For phase 3 it is requested the Post Phase 1 desk study condition requiring the submission of a site investigation, and remediation if required should be attached, together with a watching brief condition.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY)

6.14.1 A noise assessment is required with regard to the primary school and convenience store. A lighting condition is requested along with a Construction Environmental Management Plan (CEMP) condition.

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY)

6.15.1 The air quality assessment submitted in support of the application uses an appropriate methodology and concludes that the traffic pollution generated by the development and other committed developments will not exceed the threshold for declaring an air quality management area. Conditions suggested in respect of electric

vehicle charging points, gas boilers, Travel Plan, Construction Management Plan and Dust Plan.

#### 6.16 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (WASTE MANAGEMENT)

6.16.1 Identifies those properties which would have to present their bins at a collection point, with all other properties being able to present as usual at the kerbside.

#### 6.17 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

6.17.1 Have previously visited the site to appraise the trees and concur with the details contained in the Tree Survey and Plan. A tree protection plan will be required to demonstrate that protection of trees and hedgerows will be afforded for the full application. In relation to the outline application the current tree survey is preliminary in nature which is appropriate for this stage. The objectives of the masterplan appear to have been carried through in relation to green infrastructure, landscaping and biodiversity enhancement and gain through the choices of soft landscape elements and appropriate schedule and specification information. Raise concern about safety re egress from the play area in proximity to the road beyond.

### 7.0 REPRESENTATIONS

7.1 13 letters of objection have been received. The issues raised can be summarised as follows:

- Infrastructure in the area (doctors, dentists, schools) will not cope.
- Footpath link to phase 1 was unknown to phase 1 resident(s)

7.2 The following comments have been received to the application and as representations to the draft masterplan, (for clarity any reference to Phase 4 should be read as Phase 3c):

- Raikes Road is not suitable for vehicular access or additional traffic which would increase a dangerous situation to vehicular traffic and walkers who use the road for recreation. It would decrease the amenity value and recreational value and result in impact upon wildlife habitat.
- Access for vehicles and pedestrians to Phase 4 should be through the Wainhomes site (Phases 1, 2 and 3)
- It is queried whether footpaths along Raikes Road would require removal of hedgerows/trees, and whether lighting would be required, as there is concern this would impact upon wildlife and the countryside.
- Local drains on Raikes Road/Woodhouse Road cannot cope with surface water, and the Raikes Road entrance floods.

### 8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various. Provided updates on the application, requested additional information e.g. land level details and site access plan, requested amended plans. Discussion on financial contributions and conditions and s106 heads of terms.

## 9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Infrastructure Provision (Affordable Housing, Green Infrastructure, Education, Health Care)
- Housing Mix and Adaptable Housing
- Visual impact / design / impact on the street scene
- Impact on residential amenity
- Impact on highway safety and parking
- Flood risk and drainage
- Ecology and Trees and Hedgerows
- Impact on Heritage Assess
- Other Matters (air quality, contamination, climate change, waste management)

### Principle of development

9.2 The site forms part of a wider housing allocation SA1/2 Lambs Road/Raikes Road in the Adopted Wyre Local Plan 2011-2031. The site allocation sets a site capacity of 400 dwellings, 360 of which are required to come forward during the plan period. Phase 1 has planning permission for 157 dwellings and is therefore a fixed element. This application seeks full permission for 80 units and outline permission for up to 194 units which, if approved, would take the total number of committed dwellings within the allocation to up to 431 dwellings. Phase 3(c) to the south is yet to come forward which would provide further units. Whilst this exceeds the site capacity figure for the 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 274 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.

9.3 Site allocation SA1/2 contains 'Key Development Considerations' (KDCs) which are policy requirements. KDC1 requires a masterplan to be produced covering the whole of the allocation; to be agreed by the Council prior to the granting of planning permission for any part of it. As phase 1 was approved prior to the WLP31 it was not subject to a masterplan, however being within the allocation it is a fixed element for any masterplan being developed to take into account. The Lambs Road / Raikes Road, Thornton Masterplan was approved by the Council in July 2021. It describes a vision and objectives for development of the allocation and establishes the Masterplan framework which identifies the broad location of the different land uses and indicates how the movement network will function. Therefore the location of the accesses, primary roads, school site, convenience store, green infrastructure lower density housing and internal walking/cycling routes, have been agreed through the masterplan. The proposal satisfies KDC1.

9.4 KDC6 of SA1/2 requires the allocation to make land available for a new primary school if required. KDC7 requires the development of the site to include a small convenience store of 280 sq.m net sales area. Their location has been considered and determined through the masterplan process. This application includes the reserving of land for each of these elements and their location in phase 3(a) and 3(b) of the site is in line with the approved masterplan. The potential primary



school site is towards the north east part of the allocation which was considered suitable in terms of highway safety (being set back from Lambs Road) and convenient access (being close to a primary internal road). The convenience store is proposed along the Lambs Road frontage to enable access for future occupiers of the proposed development and existing residents. Therefore it is considered the proposal satisfies KDC6 and KDC7. Should Members resolve to approve the application detailed matters (appearance, scale, layout and landscaping) of the convenience store and school would be considered at reserved matters stage. Other specific KDCs and masterplan matters are subsequently discussed in relevant sections of this report.

9.5 Policy SP1 (Development Strategy) of WLP31 seeks to deliver and direct new development in line with the settlement hierarchy. The site falls within the settlement boundary of Thornton. Thornton is listed as one of the Main Rural Settlements within the hierarchy where 14.9% of housing growth is expected during the plan period 2011 to 2031. Therefore in terms of location the proposed development would satisfy the development strategy set out within Policy SP1.

9.6 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. Notwithstanding some of the objections received, the site is considered to be well related to the existing settlement of Thornton and its existing services and facilities. This is a matter that was considered in the selection of site allocations through the Local Plan process. Therefore the principle of development satisfies policy SP2 of WLP31. LCC Highways have identified measures to encourage sustainable travel, which is considered in the highways section of this report.

9.7 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. This is a matter that was considered in the selection of site allocations. The application site is Grade 3 agricultural land which is only of moderate quality. Therefore the proposal would not lead to the loss of high value agricultural land or conflict with Paragraph 170 of the NPPF.

#### Infrastructure Provision

9.8 Policy HP3 requires this development to include 30% affordable housing provision on site. Phase 2 is proposed as a 100% affordable housing scheme to be delivered by Jigsaw Homes. The applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP3, in which case putting 80 affordable units on phase 2 would equate to 29% of the total number of 274 units proposed, which would effectively mean that very little affordable housing (up to 2 units) would come forward on Phase 3(a) and (b) in order to be policy compliant. Whilst provision within each of the phases would be preferable in terms of delivery of sustainable communities, the applicant's proposal would enable the early delivery of affordable housing which carries significant weight in the planning balance and would enable the delivery of lower density development on phase 3 which is a masterplan requirement. This treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that 30% will still be provided. The s106 agreement would also secure the submission of an affordable housing scheme to agree the scheme details.

9.9 KDC3 of Policy SA1/2 requires the development to 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 and in particular Wyre Estuary Country Park. This forms part of the approved Masterplan. The applicant has submitted GI and landscaping plans in accordance with the approved Masterplan. Therefore it is considered the requirement of KDC3 has been satisfied.

9.10 Policy HP9 requires this development to provide on-site GI. For phase 2, based on the housing mix proposed, the requirement is 0.55ha. The amount of GI proposed on Phase 2 is 0.73ha therefore in excess of the requirement. For Phase 3(a) and (b), based on a SHMA compliant housing mix, the requirement is 1.71ha. The indicative proposals for Phase 3(a) and (b) indicate GI provision of 1.89ha. Again this would exceed the requirement. As with affordable housing, the applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP9, in which case any over provision of GI on phase 2 would enable under provision on phases 3(a) and (b). As the GI within all phases would be accessible to all future occupants because of the linkages identified in the masterplan and proposed for phase 2 (and which would be subsequently proposed in a future reserved matters application for phase 3(a) and 3(b) in order to comply with the masterplan), each phase would still be providing reasonable levels of GI and the over provision within phase 2 would potentially enable early delivery of GI, there is no objection to this approach. Again, this treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that the total amount of GI required will still be provided.

9.11 In terms of GI typologies the Masterplan requires the proposals to focus on the provision of amenity open space, play space for children and young people, and natural and semi-natural greenspace. The Masterplan also requires a series of linked green spaces providing off-road opportunities for walking and cycling and enhanced permeability and connectivity, and the use of strategic landscaping which softens the development edges and provides a successful transition between the built form and adjacent countryside. The proposals on Phase 2 are considered to accord with this requirement providing for amenity open space, natural and semi-natural green space through the provision of wildflower planting, and a children's play area proposed centrally within the site. The landscaping plan proposes a new hedgerow to the northern boundary of the site, and a green planted corridor along the southern boundary. This complies with the location of GI on the site shown within the Masterplan. Linkages are also shown with a footpath link shown through the wildflower area to Phase 1. The provision of GI would be secured by s106.

9.12 For Phase 3(a) and (b) the same typologies would need to be provided. Furthermore the Masterplan identifies that there will need to be a landscaped green corridor along the eastern edge of the allocation designed to respect the visual context of Raikes Road and provide a soft green landscaped edge to the development. This landscaped corridor is to include woodland copse, new hedgerow planting and gapping up the existing hedgerow, tree planting and wildflower areas. It must have a depth of approximately 10m and be integrated into the wider GI network. The indicative layout for Phase 3 (a) and (b) indicates a new hedgerow boundary along the north of the Phase linking to Phase 2, landscaped planted corridors (likely as wildflower areas) running west to east to tally with the corridor shown on Phase 2, amenity open space areas including to the front of the convenience store, and a central play area and open space containing the existing pond to be retained. A green corridor is also indicated of sufficient width along the eastern edge of the

allocation. This corresponds with the submitted GI Framework (which is shown within the approved Masterplan). Again the provision of GI would be secured by s106.

9.13 KDC6 of Policy SA1/2 requires that land be made available for a new primary school if required, in response to identified need identified by the local education authority (LEA) in the Infrastructure Delivery Plan (IDP). The need for new school provision is to mitigate for planned development expected to come forward over the plan period. The LEA has clarified through the previous application that because of the uncertainty surrounding the school expansion it remains prudent to reserve approx. 1.36ha site for the provision of a 1FE primary school. Specifically, provision needs to be made for a new school site within the allocation until there is certainty that school expansion can take place. The illustrative plans reserve land for a 1.36ha primary school within Phase 3(a) in line with masterplan requirements. It is considered the proposal would provide for sufficient land for a school if required.

9.14 The LEA response confirms the financial contributions to mitigate the number of primary school pupil places generated by this hybrid development. The phase 2 development would require contributions towards 8 primary school places which equates to £159,142.08 and based on present calculations the phase 3a and 3b development would require contributions towards 74 places which equates to £1,472,064.24, although the precise amount for phase 3a and 3b would be calculated at reserved matters stage. The named infrastructure project to mitigate the development is the proposed new primary school site at Lambs Road and/or Thornton Primary School. No contributions from any phase are requested towards secondary school places. For the avoidance of doubt, the contributions sought will be towards construction of the new school site (or expansion of an existing school) and not towards purchase of the land, as Wyre Council does not consider that the LEA methodology provides a CIL compliant mechanism to seek contributions towards land purchase in addition to contributions for expansion/new build. This application would reserve land for the school site to be delivered by the LEA should this be required. The applicant initially challenged the LEA in terms of the requested primary school contribution for Phase 2, making reference to surplus places that had not apparently been considered by the LEA, however the LEA have responded to confirm the contributions are justified in line with their methodology. The applicant has accepted this position, with education contributions to be secured in a s106 agreement.

9.15 The NHS Fylde and Wyre CCG have been consulted and have stated that the proposed development falls within the catchment area of Thornton Medical Centre and Beechwood surgery, and a financial contribution of £20,671 from phase 2 and £53,515 from phase 3 is requested towards the refurbishment and reconfiguration of this practice. The applicant has accepted this contribution which would need to be secured in a S106 Legal Agreement. Blackpool Teaching Hospitals Trust have also responded requesting a contribution. However, unlike the CCG, the Trust have no Adopted Policy document in place that evidences a direct need arising from developments, and their request is not considered to be compliant with the CIL Regulations, and therefore Members are advised this request would not be in accordance with policy SP7 and should not be upheld.

9.16 In terms of the convenience store, the outline application would reserve land for this to be provided at a future date. Conditions secure the scale of the convenience store to have a net sales area of no more than 280qmsqm in line with SA1/2 and restrict its future use to retail only. Full details of its appearance, scale etc. would be provided at reserved matters stage.

## Housing Mix and Adaptable Housing

9.17 Policy HP2 of WLP31 requires that developments provide an appropriate mix in terms of size, type and tenure of housing to meet the identified need in the borough and local market demand to accord with the most recent Strategic Housing Market Assessment (SHMA) (Addendum 3). The SHMA evidence of need is 38% 1 and 2 beds, 43% 3 beds, and 18% 4 bed. The policy also requires developments exceeding 20 units to 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.

9.18 Phase 2 (80 dwellings) proposes a mix of 62% (50) 1 and 2 bed properties, 32% (26) 3-bed properties, and 5% (4) 4 bed properties. Whilst Phase 2 would see a significantly greater proportion of smaller units on the site than recommended by the SHMA, this is not considered a matter of concern as the overarching need in the Borough is for smaller units, and the Council's own evidence as to what has been built in the borough since the start of the plan period in 2011 (including sites permitted prior to adoption of the WLP31) clearly show that new builds have been heavily skewed toward larger 4 bedroom properties. The housing mix for Phase 2 is therefore considered acceptable.

9.19 Typically outline applications would include a condition requiring reserved matters application to propose a housing mix in accordance with the most recent SHMA evidence. However, as with affordable housing and GI, the applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP2, in which case any over provision of smaller units on phase 2 would enable under provision on phases 3(a) and (b). Whilst a variety of housing mix provision within each of the phases would be preferable in terms of delivery of sustainable communities, the applicant's proposal would enable the early delivery of smaller units which would help rebalance the overall housing stock and carries moderate weight in the planning balance and would enable the delivery of lower density development on phase 3 which is a masterplan requirement. This treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that a SHMA compliant mix will still be provided.

9.20 In terms of adaptable housing all of the house types on phase 2, excluding the Chinley house types, are designed to M4(2) standard of the Building Regulations and are 'accessible and adaptable' lifetime homes. This exceeds the 20% Policy requirement. The phase 3 application would be subject to a condition securing a policy compliant scheme.

### Visual impact/design/impact on the street scene

9.21 KDC4 of policy SA1/2 requires the design of development to provide an organic extension to this part of Thornton and utilise important vistas into the adjoining countryside and estuary, and provide a rural transition zone between the development and the wider countryside and coastline. Particular attention should be given to boundary treatments and an appropriate buffer to the Estuary is required.

9.22 From views along Lamb's Road the Phase 2 site is currently read as an agricultural field behind hedging along the roadside and pavements, with a backdrop of wider open land to the east. Boundary hedging and trees form the western boundary, and also the southern boundary with Phase 1. There is also a partial

hedgerow along the eastern boundary with Phase 3(a). As mentioned earlier, the land on Phase 2 rises away from Lamb's Road. The proposed development would undoubtedly be visible from Lamb's Road particularly in the winter months when boundary screening is less well established, and would change the current character of the greenfield site. However any visual and landscape impacts resulting from introducing an urban development onto this currently undeveloped site are not considered to be unduly harmful. This is a matter that was considered in the selection of site allocations. The proposal would be read against the approved Phase 1 currently under construction to the south, housing on the west side of Lamb's Road and existing development including a school further north. Due to the difference in land levels, dwellings on Phase 2 would be higher than existing properties across Lamb's Road. However the dwellings would have no more than two storeys and would be set back from Lamb's Road behind the potential convenience store. They would follow existing land levels and would be no greater than 1m in height above the dwellings sited on Phase 1. Therefore it is considered they would not be considered unduly dominant from Lamb's Road. The dwellings would also be higher than the existing school to the north, but they would be sited away from the school as the application site does not include land up to existing boundary with the school. A new northern site boundary would be formed as part of the development.

9.23 The proposed phase 2 dwellings would be a relatively high density of development, similar to that approved on phase 1, but the approved masterplan acknowledges this higher density will be appropriate in proximity to existing development, which includes the consented Phase 1 scheme in order to enable lower density on the periphery and towards Raikes Road in particular. The dwellings would be constructed of facing brick and tiled roofs and would be of relatively simple in design although with some detail in the form of window heads and cills and porch canopies. They would not appear dissimilar to the built development of Phase 1 and the materials is considered appropriate to the character of the area. As the precise details of materials are unknown a condition is required to agree the details. The design and visual impacts of phase 2 is considered acceptable and in accordance with KDC4 of SA1/2 and the masterplan principles.

9.24 The indicative plan for Phase 3a) and b) shows built development along the western extent adjacent to Phases 1 and 2 and along the southern extent adjacent to Phase 3c. Development within the central portion of the site would be based around a spine road and central GI area. The indicative plan shows land reserved for a primary school to the north projecting section of the site (within Phase 3a), and a short row of dwellings further north of this land (Phase 3b). It is considered this indicative layout would not have any significant visual impact from Lamb's Road. The main length of the eastern boundary is adjacent Raikes Road and the wider countryside area further to the east. Any development on Phase 3a and b) would undoubtedly change the character of Raikes Road. Both KDC4 and the Masterplan identify the need for an appropriate buffer along the eastern boundary and also lower density housing on the eastern side of this Phase to help soften the edge of the site and provide a transition with the countryside adjacent, and prevent significant visual harm from views from the east. The illustrative plans demonstrate that alongside the Phase 2 proposal, a development of up to 194 units is physically achievable on this site and can meet the necessary requirements including green buffer and lower density. Landscaping, scale, layout and appearance are reserved matters details, and will be important considerations to ensure the development would sit comfortably in the surrounding landscape and satisfy the key development principles of the masterplan.

9.25 The indicative plan for the convenience store demonstrates that this development can be accommodated in an appropriate location at the front of Phase 2 with Lambs Road, together with an internal access road and appropriate level of parking. The access proposed into Phase 2 would serve this convenience store. Again landscaping, scale, layout and appearance will be important reserved matters details to ensure the development would sit comfortably in its surroundings.

#### Impact on Residential Amenity

9.26 The proposed dwellings on Phase 2 do not raise any concerns about impact on existing / approved dwellings which are well over the required 21m separation distance. The new access proposed is opposite existing dwellings on Lambs Road, however this position was considered and accepted through the masterplan. In terms of short term impact there would be disturbance during the construction phase however this would be temporary and can be mitigated via a condition requiring the submission of a Construction Environmental Management Plan (CEMP).

9.27 The Phase 2 layout has been considered against SPG4 and the spacing requirements between plots. SPG4 requires 21m between front and rear elevations, and 13m distance between side and rear elevations. It also sets out that properties should have 2m separation distance if side to side, and gardens should be 10.5m in length. All properties achieve the required 21m distance requirements. There are six properties (plots 13, 14, 15, 16, 23 and 56) which do not achieve 10.5m garden lengths. These shortfalls are still considered to provide those plots with sufficient and useable garden space, and would not result in unacceptable overlooking issues. All properties achieve the required 13m distance with the exception of plots 10, 11, 56 and 57, with separation distance of 12m and 12.2m. This shortfall would affect plots 10 and 56 the greatest, with the side gable in full view, although it is their north facing elevation which would be affected where impact on sunlight would be reduced and there would be no significant change in land levels. The shortfalls on a few plots across the site is not considered so significant to conclude that the development would result in adverse impacts on future occupants. As such phase 2 satisfies policy CDMP3 of WLP31.

9.28 As Phase 3a) and 3b) has been submitted in outline, issues relating to impacts on residential amenity cannot be properly assessed now, but would be considered at reserved matters stage. 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 SPG4 and so impact on residential amenity is not a cause for concern. In terms of the convenience store and primary school, Environmental Health have requested a noise assessment be submitted. This is not considered necessary at this stage but would need to be submitted as part of any reserved matters application taking account of their precise siting and appearance, including any external extraction units which may be required. This can be secured by condition. Environmental Health also require details of lighting for the school and convenience store to be given due consideration, which would be for a reserved matters application.

#### Impact on Highway Safety and Parking

9.29 KDC2 of Policy SA1/2 requires primary access into the site to be from a new road from Skippool Road to Raikes Road unless demonstrated that satisfactory access could be obtained from the existing road network. In a previous application / appeal on Phase 2 LCC Highways accepted that off-site highway works on the existing network would be sufficient not to require a new road construction. This is

also reflected in the approved Masterplan. In addition to the off-site highway works being delivered by phase 1 (as set out in the masterplan), this application is being asked to deliver a 3m wide shared surface along the full frontage of the site with Lambs Road, along with a footway / carriageway widening and traffic calming scheme at the Skippool Road bend. Subject to the above being provided, LCC Highways agree with the Transport Assessment (TA) submitted that the development would not have an unacceptable impact on the local highway network in terms of highway safety, capacity or amenity. Highways England have considered the TA including additional information submitted and the impact on the wider strategic highway network and have raised no objections subject to a condition requiring a travel plan to be secured. This will ensure that the traffic generated by this development is minimised as much as possible given that the future layout of the A585 Skippool junction will operate close to / over capacity at peak times.

9.30 The primary access for the allocation has been accepted via the Masterplan as being the existing access off Lamb's Road serving Phase 1. Phase 2 would be served from a secondary access off Lamb's Road. The position and type of access proposed for phase 2 is in accordance with the Masterplan. LCC Highways consider the design of the access and sight lines to be acceptable. The phase 2 access is required to provide a secondary access to phase 3, as such an access is also shown on the eastern boundary of phase 2 with phase 3a. The road layout through phase 2 has been designed in a convoluted way to discourage this as being the primary access. To ensure that phase 3 including supporting infrastructure is not prejudiced from coming forward, a Grampian condition is required to ensure the previously approved alterations to the phase 1 layout to provide a main access road up to the boundary with phase 3 is provided. This road must be provided prior to commencement of development on phase 2, otherwise without the timely delivery of this link and certainty of its provision as the primary access to Phase 3, the secondary access design and convoluted road layout proposed for phase 2 would need to be revisited.

9.31 In terms of sustainable links the proposed 3m wide shared surface cycle lane for the full frontage of the site with Lamb's Road is considered by LCC Highways to be acceptable, along with the footpaths and cycle links proposed for Phase 2. The internal site layout and car parking proposed for phase 2 conforms to current guidelines, and would be suitable for adoption under a section 38 Agreement.

9.32 In terms of requested financial contributions, LCC Highways identify a £6000 Travel Plan contribution is required from Phase 2 and £18,000 Travel Plan contribution is required from Phase 3a) and 3b), as well as £150,000 per annum for three years towards enhanced bus services from Phase 3a) and 3b). The applicant has submitted a Technical Note which challenges some of these contributions. None of the KDCs of SA1/2 require the site to make a contribution towards 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 £450,000 request by LCC for bus service improvements would not meet the test as being reasonably necessary to make the development acceptable and Wyre BC officers do not support this request. This same principle was taken on the Prospect Farm, Garstang development brought before planning committee in April 2021. Whilst bus service contributions over a five year period have been agreed for Phase 1 that development was approved prior to the WLP31 being adopted. The applicant has since confirmed

their agreement of the Travel Plan contributions, which would be secured by s106 agreement.

9.33 A number of conditions are suggested by LCC Highways, the majority of which are considered necessary, reasonable and enforceable, and will be imposed. Those relating to matters falling outside the planning system (e.g. details of the street furniture on those streets proposed for adoption) are not necessary, and those not relating to the development proposed (removal of permitted development rights for garages) will not be imposed. Conditions will also be attached requiring the vehicle and pedestrian access and pedestrian links proposed between Phase 2 and phases 1 and 3 to be provide, and for any reserved matters application on Phase 3a) to provide a road link up to the boundary of Phase 3c) to ensure that land is not prejudiced from coming forward, as required by the masterplan.

9.34 Subject to the aforementioned contributions and conditions being secured, the application is not considered to have an adverse impact on highway safety and satisfies policy CDMP6 of WLP31 as well as the NPPF.

#### Flood Risk and Drainage

9.35 KDCs 8 and 9 state that very small parts of the site on the northern periphery fall within Flood Zone 3 where housing will not be permitted. Residual surface water should drain into the River Wyre at Ramper Pot via Underbank Road. Contributions towards the replacement of the tidal outfall will be required.

9.36 The applicant has submitted a Flood Risk Assessment and Drainage Management Strategy. No sequential test is required as no dwellings are proposed outside of Flood Zone 1 as indicated in the FRA. Therefore the proposal satisfies KDC8.

9.37 The Drainage Strategy confirms infiltration is not possible on the site and therefore proposes surface water discharge to the River Wyre directly via a new connection to the east of site (required to be constructed for Phase 1). It is known to the Council that this surface water pipe is to be adopted by United Utilities. The primary option would be for each Phase of Development to connect to this. The Strategy states that the minimum Finished Floor Levels (FFL) of residential dwellings should be set a minimum of 150mm above the external ground levels. The relevant drainage bodies have been consulted. The Environment Agency have no objections based in the development proposals falling within Flood Zone 1, and are satisfied the development will be safe without increasing flood risk elsewhere in relation to tidal and fluvial flood risk. United Utilities also have no objections, confirming the proposals for surface water discharging into the watercourse are acceptable in principle subject to conditions requiring the surface water drainage for the development hereby approved be carried out in accordance with principles set out in the submitted Preliminary Drainage Strategy Plan, and foul and surface water to be drained separately.

9.38 The council's drainage engineer has no objection in principle to the drainage proposals for Phases 2 and 3a and 3b subject to conditions that no construction should take place until the new surface water outfall being constructed as part of Phase 1 is completed and operational, no surface water to discharge from the site to existing local surface water drains at any time (including during construction) with all surface water shall be to the new outfall, as part of Phase 1, or by an additional discharge to the River. Specifically in relation to Phase 2 a condition is also required to ensure all existing watercourses on the site are diverted to discharge to the new



outfall and connections to the existing surface water sewers severed and sealed as per the submitted FRA. The conditions requested by the consultees are considered to be reasonable and necessary, and it is also understood the surface water pipe for phase 1 is not operational. It is considered the conditions requested by the drainage engineer are necessary and should be attached should the application be approved, together with the suggested condition from United Utilities that the development takes place in accordance with the submitted Drainage Strategy.

9.39 The topography of the whole site varies, but overall Phase 3 a) and b) are the lower part of the site dipping towards Raikes Road. Phase 2 is the highest part of the site. A topographical survey has been provided within the Drainage Strategy. There is a roughly 2.5m-3m drop from the eastern boundary of Phase 2 with Phase 3, except for the area of the proposed road linking the phases. For Phase 2, the applicant has been asked to provide details of proposed finished floor and land levels for the purposes of assessing flood risk, and also visual impact. The floor levels of dwellings would gradually increase eastwards and northwards to the middle of the site, before gradually lowering again towards the eastern boundary. The proposed levels are therefore following the same pattern as the existing lay of the land across Phase 2. The council's drainage engineer has been consulted on the proposed levels and has raised no concerns. The proposed land levels from the outline proposals on Phase 3a) and b) are unknown at this stage, however consultees are clearly of the view that subject to conditions the drainage strategy including levels proposed are acceptable and in accordance with KDC9 of Policy SA1/2 and CDMP2 of WLP31.

#### Ecology and Trees and Hedgerows

9.40 The application site is not subject to any ecological designations, however it is approximately 500m from the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Morecambe Bay Ramsar site as well as the Wyre Estuary SSSI. KDC5 of Policy SA1/2 requires that potential ecological impacts to the adjacent ecological designations and on the site due to its greenfield nature and features such as hedgerows, trees, ponds and watercourses should be considered, and that buildings and surrounding habitat should be surveyed for signs of use by bats, Barn Owls and nesting birds. KDC11 states the site is located within 3.5km of Morecambe Bay European protected nature conservation site and home owner packs for future home owners highlighting the sensitivity of Morecambe Bay to recreational disturbance will be required. The applicant has submitted an ecology report as part of the application, and the indicative plan for phase 3a) indicates the existing large pond would be retained.

9.41 Both Natural England and the Greater Manchester Ecology Unit (GMEU) has been consulted on the application. GMEU have no overall objections subject to conditions. The response received confirms that the Habitats Regulations Assessment (HRA) that was carried out for the site during the Local Plan process (Arcadis 2018) indicated that the development of the application site would be unlikely to cause harm to the special nature conservation importance of the designated sites, subject to further local surveys which have now been undertaken to inform the current application. Surveys submitted, and the assessments undertaken, have determined the site is not functionally linked to the designated site. Therefore it is concluded that the development would not cause harmful impacts on the designated site, providing that the mitigation measures identified are secured by condition. This includes conditions to mitigate risks from surface water contamination by requiring full details of the new planned surface water outfall, a Construction Environmental Method Statement, and full details of the proposed sustainable drainage (SUDS) solutions. It also recommends a condition requiring a Construction

Environment Method Statement to mitigate noise and visual disturbance, and a condition requiring an Information Pack (Home-owners Pack) for new residents to mitigate risks from recreational disturbance of birds. Natural England has reviewed this assessment and does not object to its findings subject to the mitigation being secured.

9.42 GMEU has confirmed that the submitted ecological surveys have been undertaken by suitably qualified ecologists and to appropriate standards. In terms of impact on local habitats the site is dominated by improved agricultural grassland of limited nature conservation value. However GMEU state there are some habitats of local ecological value, including trees, hedgerows, ditches and ponds. That said, the application demonstrates that locally important habitats can be retained and protected as part of the scheme, or replaced if lost. In terms of impact upon protected species GMEU consider that there are some trees on site which have the potential to support bat roosts, and therefore any trees which need to be removed to site the development should be inspected for bat roosts prior to removal. This can be required by condition. Further conditions are suggested requiring a sensitive lighting scheme, to avoid works during bird nesting season, a scheme for the provision of habitat creation (including bird boxes and structural landscaping). The scheme is therefore considered to comply with KDC5 and KDC11 of Policy SA1/2 as well as policy CDMP4.

9.43 In terms of impact upon trees and hedgerows there are no Tree Preservation Orders within the application site or along its boundaries. The Tree Officer has been consulted and is generally satisfied with the information and plans submitted. A tree survey has been submitted. The survey shows that no existing trees or hedgerows would be removed on Phase 2 except for G1 Blackthorn thicket which is a low grade category in order to facilitate the Phase 2 access. The survey also shows that within Phase 3a) there are a cluster of 3no. category U trees dead or dying that need to be removed, and two category C2 trees that would also be removed due to their condition. T9 may be able to be retained but would require regular pruning. South east on the boundary with Raikes Road one tree (T6) is identified as a category U tree to be felled, and T3 within the southern hedgerow is listed as preferable to fell as a C2 category tree. Overall it is considered the proposal would not cause harm to any high quality or important trees or hedgerows across the site. Full details for Phase 3 would be required with any reserved matters submission for landscaping.

9.44 The applicant has been asked to submit landscaping plans to demonstrate whether existing treed boundaries alongside phase 2, in particular the east boundary of Phase 2 with Phase 3a) will be retained, and also to show whether there would be any hedgerow removal required for accesses. From these plans it is clear that short sections of the existing hedgerows, at the site frontage with Lambs Road, and on the eastern boundary of phase 2 with Phase 3 would need to be removed to provide for access into Phase 2 and beyond to Phase 3. A small section of hedgerow would also be removed to form a pedestrian access from Phase 2 to Phase 1. Whilst these short sections of hedgerow would be removed, there is a new hedgerow proposed along the full extent of the north boundary of Phase 2 which would be additional to the current situation around the site, and tree lined streets are proposed within the site, therefore the loss of short sections of hedgerow is considered to be acceptable. The landscaping plans also clearly show that the existing hedgerow of the eastern boundary of Phase 2 with Phase 3 would be retained. As it is within Phase 3 it is considered any reserved matters landscaping proposals for Phase 3 should bolster this hedgerow.

## Impact upon Heritage Assets

9.45 There are no heritage assets within the application site. There is however an existing Grade II listed building known as Raikes Farmhouse to the north east of the application site. It is physically separated from the site by existing farm buildings. KDC10 of Policy SA1/2 sets out that to mitigate any impact on the setting of this listed building the current tree screening to the eastern edge of Raikes Road should be protected and strengthened. It also stated the use of appropriate building mass within the setting of the listed building would further minimise any negative impact. The applicant has submitted a 'Planning, Heritage, Affordable Housing and Design & Access Statement' within which the Heritage section identifies the location of the farmhouse, the existing buildings, and concludes the proposal would not impact upon the setting of the listed farmhouse.

9.46 Based on the application submission, there is no indication the development would impact upon the appearance, setting or significance of this nearby designated heritage asset and is therefore considered to sustain its significance. The Masterplan was required to consider the location of this heritage asset. The proposals for Phase 3a) and b) are submitted in outline, and therefore matters such as landscaping, scale and siting of proposed buildings cannot be considered at this stage. An indicative layout plan has been provided which details proposed dwellings in Phase 3b) to the west of the listed building, with the school site further to the south of this. The indicative plan is in accordance with the approved masterplan, and demonstrates that it would be possible that an appropriate scheme could be put forward at reserved matters stage. Therefore the proposed development 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 KDC10 of SA1/2.

9.47 Lancashire Archaeology Service advise that a single built structure can be seen on the western side of Raikes Road (opposite Under Bank) which was demolished sometime 1945-1960. Mapping suggests the structure might date to the first quarter of the 19th century although its use (domestic or agricultural) is not known. The site is considered to be of a low, purely local, archaeological interest, the loss of which could be mitigated through a programme of archaeological excavation and recording. This could be secured by condition for the phase 3 development.

## Other relevant matters

### Air Quality

9.48 The applicant has submitted an Air Quality Assessment which recommends a series of mitigation measures that should be provided. Those that are planning related include provision of electric vehicle charging points (EVCP), submission of a Travel Plan, and support of local walking and cycling initiatives. The council's environmental health officer has responded that the submitted assessment uses an appropriate methodology and concludes that the traffic pollution generated by the development and other committed developments won't exceed the threshold for declaring an air quality management area, and whilst the proposal will generate extra pollution, reasonable mitigation measures can be implemented. The Officer suggests conditions requiring EVCP, specific type of gas boilers, a Travel Plan, and submission of a Construction Management Plan and Dust Plan prior to commencement. Travel Planning has been mentioned earlier in this report and will be secured by condition, as will a Construction Management Plan. A gas boiler condition cannot be reasonably imposed as this is not a planning consideration, but a

building control matter. In terms of EVCP this is also a requirement of Policy CDMP6. A condition will be imposed on each phase to secure this. Therefore the proposal is considered acceptable in terms of impact on air quality subject to conditions.

#### Contamination

9.49 The applicant has submitted a Phase 1 desk study and a Phase 2 site investigation. Environmental Health Contamination have been consulted and overall have no objections subject to conditions. The desk study is considered acceptable for the entirety of the hybrid proposals. However it is recommended that a remediation strategy is required for phase 2 prior to commencement of development, as well as a watching brief condition. As the site investigation undertaken on phase 2 does not include any sampling/monitoring points on the outline application area, the phase 3 conditions will need to require the submission of a site investigation, and remediation if required, together with a watching brief condition. Subject to these conditions the proposal satisfies policy CDMP1 of WLP31.

#### Climate Change

9.50 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. Tree planting can also be considered a measure responding to climate change. In response to this policy, the applicant has provided the following summary statement:

- As agreed with LCC Highways, the Phase 2 & 3 schemes include sustainable transport links with footways and cycleways maximising opportunities for travel by means other than private vehicle. This includes a 3m wide shared surface cycle land for the frontage of the site with Lambs Road.
- The proposed development will include electric vehicle charging points to encourage the use of electric vehicles.
- The proposed development will take advantage of the new bus stops being provided along Lambs Road and the contributions secured for the Phase 1 development for improved bus service provision.
- The Phase 2 scheme, which is submitted in 'full', includes a detailed landscape planting scheme that includes net gain terms of hedgerow, tree and shrub planting.
- The amount of green infrastructure being provided exceeds the requirements of the adopted local plan as per our email to the LPA dated 1st December 2020 and this includes the retention and enhancement of the existing pond within the Phase 3 development.

#### Waste Management

9.51 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. No information has been submitted in relation to waste storage and collection for Phase 2. Whilst no in principle objections are received to the proposed layout by the Council's Waste Management Officer, a condition can be attached to ensure full details are provided prior to occupation of the

dwellings. In relation to Phase 3a) and 3b), this detail can be considered at reserved matters stage.

## **10.0 CONCLUSION**

10.1 The principle of developing the site for housing and supporting infrastructure is supported by Policy SP1, SP2 and SA1/2 of the Wyre Local Plan (WLP31) and the development proposals are considered to be in general accordance with the approved Lambs Road / Raikes Road, Thornton Masterplan. All relevant planning policies have been considered and both the detailed scheme for phase 2 and outline scheme for phase 3a) and b) are considered acceptable subject to conditions and a s106 agreement to secure financial contributions and the delivery of development.

## **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**

Grant full planning permission for 80 dwellings subject to conditions and a section 106 agreement to secure on-site GI and affordable housing and financial contributions towards education, health care and Travel Plan support; and grant outline planning permission for up to 194 dwellings, a 1FE primary school and a convenience store subject to conditions and a section 106 agreement to secure on-site affordable housing, GI and housing mix (linked to phase 2 development) and financial contributions towards health care, education 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 RELATING TO FULL PLANNING PERMISSION**

**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 20.10.2020 including the following plans/documents:

- Drawing No. LP01 Location Plan in relation to the full application area delineated by orange line on Drawing No. OF01 (Outline and Full Application Plan)
- Drawing No. AL02 Rev E (Alternative Site Layout Phase 2) received 5th July 2021

- Drawing No. AL02 Rev E ALTERNATIVE SITE LAYOUT PHASE 2 SPOT & FINISH FLOOR LEVELS received 5th July 2021
- Drawing No. 873-2B4P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 873-2B4P
- Drawing No. C4-001 CHINLEY (NEW) APARTMENTS
- Drawing No. 1000-3B5P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 1000-3B5P
- Drawing No. 1095-4B5P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 1095-4B5P
- Drawing No. A105893 - SK001 (Proposed Site Access for Phase 2) received 27th April 2021
- Tree Survey Plan, Lambs Lane Phase 2, August 2017
- Drawing Nos 5397.12 Rev A LANDSCAPE PROPOSALS SHEET 2 OF 2 received 30th June 2021 (NB 2 drawings with same reference)

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. There shall be no commencement of development until the primary access road within Phase 1 up the boundary with Phase 3a, as approved by application 19/01250/FUL (plan ref: 0001 Rev Z), has been constructed to an adoptable standard to its junction with the adjoining land at the easterly site boundary. After its construction in accordance with this condition the said primary access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: This is the primary access route required to serve the Phase 3 development including supporting infrastructure. Failure to deliver this road link in a timely manner would prejudice the delivery of Phase 3 of the allocation, and if not delivered prior to the road layout for Phase 2 becoming fixed, would mean that Phase 3 would not be served by a suitable access. This would be contrary to Policies HP1, SA1, SA1/2 and CDMP6 of the Adopted Wyre Local Plan (WLP31), the requirements of the approved Lambs Road/Raikes Road Thornton Masterplan, and the provisions of the NPPF.

4. Prior to first occupation of any dwelling, the access road hereby approved within the application site shall be constructed to an adoptable standard up to the eastern site boundary with Phase 3a) (red line) and offered to the local highway authority for adoption. After its construction this access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: To ensure that the development provides a timely access link to subsequent development phases to enable the delivery of site allocation SA1/2 in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policy CDMP3 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.

5. (a) Prior to first occupation of any dwelling, the cycle and pedestrian link (opposite plots 5 and 6) shall be constructed to adoptable standard up to the southern boundary of the site with Phase 1 and offered to the local highway authority for adoption. After its construction this cycle and pedestrian link shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

(b) Prior to first occupation of plots 72-75, the shared drive to the front of those plots, which is also designed to provide an off-road cycle and pedestrian link shall be constructed in accordance with the approved details, including the provision of bollards at the eastern extent, and shall thereafter be maintained and remain open and unobstructed at all times.

Reason: To ensure that the development provides sustainable linkages to neighbouring development to support the creation of sustainable communities in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policies SP2, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.

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

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

7. Prior to first occupation of any dwelling hereby approved the site access (including assessment of the street lighting and provision of tactile paving) and off-site works of highway improvement, namely 3 metre wide shared surface cycle link along the full frontage of the site with Lambs Road, including assessment of the street lighting, and highway improvement scheme as detailed on Drawing A105893-SK002 Rev A (included within the Submitted Transport Assessment) 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. The visibility splays as shown on the approved site access plan (Drawing No. A105893 - SK001) shall be provided prior to commencement of any part of the development (other than works necessary to form the site access and associated visibility splays) 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 during the construction phase and beyond, for the free flow of traffic, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

9. (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).

10. 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).

11. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan No. AL02 Rev E Alternative Site Layout Phase 2, 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.



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).

12. 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. Any EVCP shall be a minimum of Mode 3. 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).

13. Prior to the commencement of development a drainage scheme, which shall detail full 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. For the avoidance of doubt the surface water drainage scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Management Strategy by Betts Hydro Consulting Engineers October 2020 with surface water drainage to the new surface water outfall being constructed as part of Phase 1, or by an additional discharge to the River should this be required. Where discharge of surface water is proposed to the new outfall, this new surface water outfall shall be completed and operational prior to the commencement of development hereby approved. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction).

The drainage scheme shall also demonstrate that all existing watercourses on the site are to be diverted to discharge to the new outfall and connections to the existing surface water sewers severed and sealed (as per the submitted Flood Risk Assessment and Drainage Management Strategy).

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 dwelling shall be first occupied 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), the approved Lambs Road/Raikes Road Thornton Masterplan 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.

14. 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.

15. Prior to the commencement of development a Remediation Strategy providing 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. Validation of the approved scheme shall be submitted to and approved by the Local Planning Authority in writing on completion of the works.

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).

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

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

17. 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).

18. Prior to first occupation of any dwelling hereby approved, 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.

19. Prior to the installation of any external lighting within public areas, 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, demonstrating that artificial lighting will be designed so that it is not intrusive to visual amenity, residential amenity, or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places. 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). For the avoidance of doubt the light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3).

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.

20. 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.

21. Prior to commencement of any development above ground level, a scheme for the provision of bird boxes (types, locations and number) within the new development shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the boxes shall be implemented in accordance with the approved scheme prior to first occupation of any dwelling on the site, and shall be retained as such thereafter.

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 particular in relation to ground nesting birds, 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.

22. Prior to commencement of any development above ground level full details of hard landscaping works (including location, type, texture and colour) shall be submitted and agreed in writing by the Local Planning Authority, and shall be implemented in accordance with the approved details.

The soft landscaping works shall be carried out in accordance with the approved details [Both drawing of the same reference No.s 5397.12 Rev A LANDSCAPE PROPOSALS SHEET 2 OF 2 received 30th June 2021] prior to first occupation or first use 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.

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.

23. Prior to the commencement of development, including any demolition or tree works, a Tree Protection Plan for the retained tree(s) 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 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.

24. The development hereby approved shall be constructed and completed in accordance with the ground, slab and finished floor levels as detailed on approved Drawing No. AL02 Rev E ALTERNATIVE SITE LAYOUT PHASE 2 SPOT & FINISH FLOOR LEVELS received by the Local Planning Authority on 5th July 2021, and such levels shall not be altered without having first been submitted to and approved in writing by the Local Planning.

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).

25. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the dwellings hereby approved (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).

26. No development above ground level shall commence until a plan indicating the positions, design, materials and type of boundary treatments to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the relevant associated dwellings is first occupied. The approved details shall thereafter be maintained and retained.

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

27. The development hereby approved shall be carried out in full accordance with the supporting statement on adaptable housing (email received from Emery Planning dated 13/08/21) and all of the house types, excluding the Chinley house types, shall be provided to M4(2) standard of the Building Regulations, and retained and maintained at all times thereafter as accessible and adaptable lifetime homes.

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.

28. 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 dwelling(s) on plots 11-16, 23-25, 30-32, and 69-71 inclusive, 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 dwellings in the interests of preserving the character and amenity of the area and the residential amenity of occupants of the site in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

29. Prior to the first occupation of any dwelling hereby approved, details of refuse storage provision (including location, design and materials of construction if

necessary), waste collection points, and means of collection (e.g., Council or private), 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 dwelling, 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), and the provisions of the NPPW.

30. Prior to first occupation of any dwelling, 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 dwelling 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.

31. 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 planning permission.

Reason: To safeguard the appearance of open plan development and in accordance with Policy CDMP3 and CDMP4 of the Adopted Wyre Local Plan 2011-31.

### **CONDITIONS RELATING TO OUTLINE PLANNING PERMISSION**

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 [20.10.2020] including the following plans/documents:

- Drawing No. LP01 Location Plan in relation to the outline application area delineated by the pink line on Drawing No. OF01 (Outline and Full Application 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 shall be up to 194;
- (b) No less than 1.36ha of land shall be provided for a 1-form entry primary school in the general location shown the submitted Sketch Drawing SK03-B;
- (c) A small convenience store of 280sqm net sales area shall be provided in the general location shown on the submitted layout plan AL02 Rev E (Alternative Site Layout Phase 2) received 5th July 2021;
- (d) 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 retail unit hereby permitted within (c) above shall only be used for the purposes of class E(a) or F2(a), nor shall any mezzanine floor be installed without the express permission of the Local Planning Authority.

Reason: To ensure the development delivers appropriate housing, retail and education, 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 Lambs Road/Raikes Road Thornton Masterplan.

4. There shall be no commencement of development until the primary access road within Phase 1 up the boundary with Phase 3a, as approved by application 19/01250/FUL (plan ref: 0001 Rev Z), has been constructed to an adoptable standard to its junction with the adjoining land at the easterly site boundary. After its construction in accordance with this condition the said primary access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: This is the primary access route required to serve the Phase 3 development including supporting infrastructure. Failure to deliver this road link in a timely manner would prejudice the delivery of Phase 3 of the allocation, and if not delivered prior to the road layout for Phase 2 becoming fixed, would mean that Phase 3 would not be served by a suitable access. This would be contrary to Policies HP1, SA1, SA1/2 and CDMP6 of the Adopted Wyre Local Plan (WLP31), the requirements of the approved Lambs Road/Raikes Road Thornton Masterplan, and the provisions of the NPPF.

5. Where an application is made for approval of details of access and/or layout, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway across the site from its junction with adjoining land at the westerly site boundary (leading into the approved road layout for Phase 1) to its junction with the adjoining land at the southern site boundary (leading into Phase 3c).

Reason: To ensure that the development provides a timely access link to subsequent development phases to enable the delivery of site allocation SA1/2 in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policy CDMP3 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.



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

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

7. Prior to first occupation of any dwelling hereby approved the highway improvement scheme as detailed on Drawing A105893-SK002 Rev A (included within the Submitted Transport Assessment) 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. Prior to the commencement of development a drainage scheme, which shall detail full 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. For the avoidance of doubt the surface water drainage scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Management Strategy by Betts Hydro Consulting Engineers October 2020 with surface water drainage to the new surface water outfall being constructed as part of Phase 1, or by an additional discharge to the River should this be required. Where discharge of surface water is proposed to the new outfall, this new surface water outfall shall be completed and operational prior to the commencement of development hereby approved. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction).

The drainage scheme shall also demonstrate that all existing watercourses on the site are to be diverted to discharge to the new outfall and connections to the existing surface water sewers severed and sealed (as per the submitted Flood Risk Assessment and Drainage Management Strategy).

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 dwelling shall be first occupied 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), the approved Lambs Road/Raikes Road Thornton Masterplan 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.

9. 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.

10. Prior to the commencement of development 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. Validation of the approved scheme shall be submitted to and approved by the Local Planning Authority in writing on completion of the works.

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).

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

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

12. Prior to the 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).

13. Any reserved matters application for layout and appearance of the school or convenience store shall include the submission of a noise impact assessment, which shall be carried out to assess the impact of the proposed noise sources (including plant associated with extraction for the kitchen, delivery noise, fan banks etc) for existing and proposed properties located near to either building.

The noise assessment shall demonstrate the following standards are met:

- LAeq 50-55 dB 16 Hours - gardens and outside living areas
- LAeq 35 dB 16 Hours- indoor daytime
- LAeq 30dB 8 Hours- indoors night-time (23.00-07.00)
- LAFmax 45dB (8 hours -Indoors night-time (23.00-07.00)
- LAFmax 45dB 4hours - indoors evening (19.00 -23.00)\*

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

Reason: To ensure the impacts of these proposed uses can be adequately assessed, and 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).

14. Prior to the installation of any external lighting associated with the school, convenience store or residential development (in the case of residential development this shall be lighting within public areas only) a scheme for the provision of external lighting together with an Artificial Lighting Assessment, demonstrating that artificial lighting will be designed so that it is not intrusive to visual amenity, residential amenity, or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places shall be submitted to, and approved in writing by, the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance). For the avoidance of doubt the light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3).

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.

15. No development shall take place until a programme of archaeological work and investigation (which shall include the timetable for the investigation) has been submitted to and approved in writing by the Local Planning Authority.

The approved programme of archaeological work and investigation shall be carried out as approved.

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

16. Any reserved matters application relating to layout or appearance of the residential development shall include 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. 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.

17. Prior to the first occupation of any dwellings, 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.

18. 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.

19. Prior to the commencement of development, a survey of the trees (to be removed or pruned) for potential bat roost features, including aerial inspection and/or activity surveys, shall be carried out by a suitably qualified ecologist and submitted to and approved 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.

20. Prior to the commencement of development 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
- Hedgerow planting
- Bolstering of existing hedgerows
- Bat bricks and/or tubes within the new development
- Bird Boxes
- Bat Boxes
- Retention of existing ponds

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.

21. Any reserved matters application relating to layout or scale shall include details of the existing and proposed ground, slab and finished floor levels. 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 and has a minimum risk of flooding in accordance with Policies CDMP2 and 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.

22. An electric vehicle recharging (EVCP) scheme shall be submitted for all development involving 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. Any EVCP for the dwellings shall be to a minimum of Mode 3. 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.

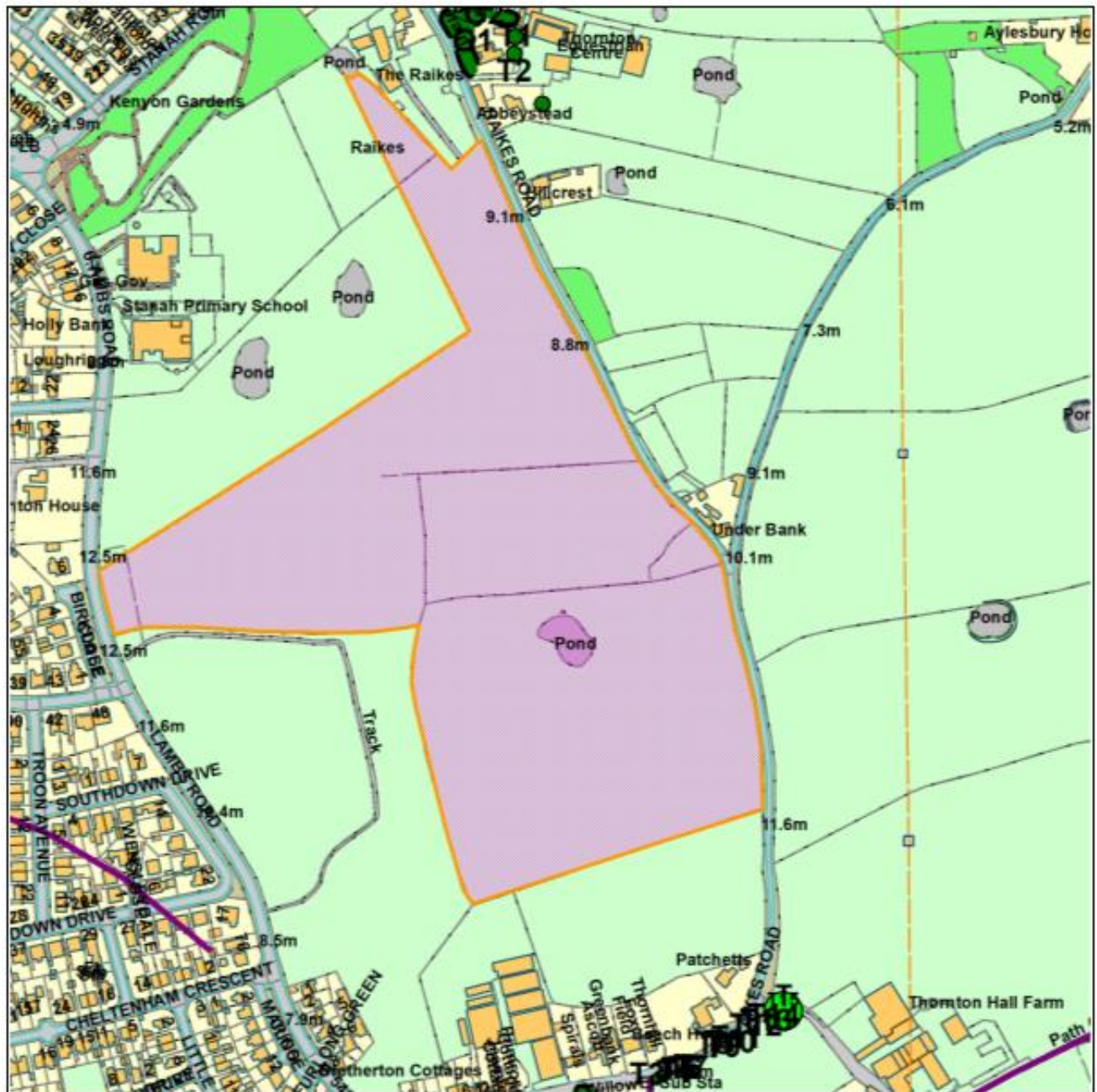
Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

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# Planning Committee

## Land off Lambs Road and Raikes Road Thornton



Scale : 1:4255

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	16 August 2021
SLA Number	100018720

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## Committee Report

Date: 01.09.2021

Item Number 03

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 Lancashire

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 AND ASSESSMENT (UPDATED FROM ORIGINAL REPORT FOR 28 APRIL 2021 COMMITTEE)

1.1 This application is before the Committee for a second time. It was initially presented to the Committee on the 28 April 2021. The Committee resolved to grant outline planning permission subject to the satisfactory completion of the section 106 legal agreement.

1.2 Following the committee meeting and during ongoing negotiations with the applicant on the section 106 agreement, the applicant has queried the last sentence of condition 4 in respect of Green Infrastructure (GI) provision. Condition 4 is currently drafted as follows (relevant sentence underlined).

- 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.

1.3 Paragraph 9.28 of the committee report explains that the precise amount of GI is not usually determined until reserved matters stage when housing mix details are known. However as Natural England in their response stated the indicated amount of GI (3.18 hectares) should be provided to mitigate against the impacts of the development, it was considered justifiable to fix this amount at outline stage.

1.4 The applicant has highlighted that in fixing the amount irrespective of housing numbers or mix, this conflicts with Policy HP9 and the approved Masterplan as it could require a greater amount of GI than what is actually required by policy. Having reviewed the Natural England response it is clear they have based their recommendation on the summary findings of the Habitats Regulations Assessment (HRA), yet the HRA is also clear that the precise amount of GI would be secured at Reserved Matters stage. Therefore amending condition 4 to remove this last sentence will still require a policy compliant scheme and so will not materially affect the mitigation objective that Natural England were seeking to achieve.

1.5 As such members are being asked to grant outline planning permission subject to a s106 legal agreement (with the same s106 terms as previously presented) and subject to the same conditions previously presented but with an update to condition 4 as set out above removing the sentence underlined.

## **1.0 UPDATE SHEET FOR 28TH APRIL 2021 COMMITTEE**

### Great Eccleston Masterplan

1.1 As an update to paragraph 5.4.2 (page 44) of the main committee report, the Great Eccleston Masterplan Part 2 has now been approved by the Head of Planning Services under delegated authority. The approval of the Part 2 document means that there is now a complete masterplan for the allocation in line with the Local Plan requirement.

### Updated Consultee Response

1.2 Since the publication of the committee report Lancashire County Council (LCC) have provided a revised indicative Education Contribution Assessment (Dated 13th April 2021) which identifies that at this particular point in time and assuming a development of 4 bedroom dwellings (as is standard practice where housing mix is unknown at outline stage), then a financial contribution towards 131 primary school and 43 secondary school places is required.

1.3 LCC intend to use the primary education contribution to provide additional primary places at the new primary school linked to Land West of Gt Eccleston (identified as part of the Local Plan) and/or Inskip St Peter's Church of England School. LCC intend to use the secondary education contribution to provide additional secondary places at Hodgson Academy and/or Millfield Science and Performing Arts College. These are the closest schools to the development that have space to accommodate an expansion.

1.4 Should the primary places be an extension to an existing school this equates to a contribution of £2,194,244.76. Alternatively should these places be provided at the new primary school (indicated on the approved Great Eccleston Masterplan) then this equates to a contribution of £2,605,951.56. The 43 secondary school places would equate to a contribution of £991,655.25.

1.5 In terms of the new school site, LCC would be seeking a 1 form entry primary school site and request that the maximum site size of 1.36 ha be provided.

1.6 The response also states that in the event a new school site is needed then where the demand is generated by more than one development or phase, it may be that one developer would be required to provide the school land to address the collective demand. This would require applicants to provide a contribution towards the cost of the school site land, proportionate to the size of their development. LCC would seek to work with the Council to ensure that such equalisation arrangements are established prior to the approval of any of the developments affected.

#### Officer Response:

1.7 Members are advised that this updated response would not change how the Section 106 agreement was drafted, which would impose a mechanism for the precise contribution to be calculated at the time of any approval on the reserved matters application(s) when bedroom mix is known. In terms of a contribution towards the costs of the school site land, no such equalisation arrangements are in place and the Council does not consider this additional contribution request as being reasonable or in conformity with the CIL Regulations. It is suggested to amend condition 2 (below) to specify the amount of land required to be reserved for the new primary school.

#### Clarification in Section 9 of Report (Infrastructure provision and employment)

1.8 Paragraph 9.12 (page 55) of the main committee report documents that the application would secure the provision of the spine road linking from the A586 to Copp Lane and its timely delivery as an early phase of development would need to be secured through a Section 106 legal agreement. This would actually be secured by condition (condition 6 being relevant).

#### Amendments to conditions (amendments in bold and italics)

1.9 The following amendments are proposed to conditions 2, 5, 6 and 10, having been reviewed by officers, the applicant and the changes subsequently agreed by LCC Highways (where relevant):

2. (a) The total number of residential units to be provided on the site in the general locations shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan shall be up to 350;

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

(c) No less than 2.43ha of land shall be reserved for the provisions of a Community Hub in the general location shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan comprising an A1 retail (convenience) store (now Classes E (a), (b) and (c)) and class D1 uses of a Village Hall (up to 0.4ha of land), a Medical Centre (0.49ha of land), and a Primary School (1.36ha of land), as per the Town and Country Planning (Use Classes) Order 1987 (as amended) unless written confirmation is provided in writing by the Local Planning Authority that some or all of this safeguarded land is no longer required;

(d) The total amount of floor area to be provided for the retail (convenience) store specified within (c) above shall not exceed 400m<sup>2</sup> (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 Ecclestone Master Plan.

5. No development shall commence until a phasing programme for the whole of the application site to include the approved residential, green infrastructure, employment land and community hub, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing programme unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: To define the permission and in the interests of the proper development of the site and to ensure the timely delivery of supporting infrastructure in accordance with the provisions of the approved Great Ecclestone Masterplan (Parts 1 and 2), policies SP7, CDMP3, EP1 and SA3/3 of the Wyre Local Plan (2011-31).

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

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

10. Where any reserved matters application is submitted relating to layout on the part of the site which is located to the south of public right of way network (2-13-FP11) and east of the main spine road, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway from the spine across extending to the eastern site boundary as shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan (and to link to any similar road on the other side of the boundary if permitted or existing at the time the details are submitted). Prior to, or simultaneously with the submission of any such reserved matters application, a scheme and programme for the construction of this road and subsequent offer to the local highway authority for adoption shall be submitted to and be subject to the approval, in writing, of the local planning authority. The said primary access road shall thereafter be constructed to an adoptable standard for its entire length up to the site boundary. This primary access road shall be maintained and remain open and unobstructed at all times.

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

## **ORIGINAL REPORT FOR 28 APRIL 2021 COMMITTEE**

### **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 Ecclestone, which form a large part of Wyre Local Plan mixed use site allocation SA3/3 - Land West of Great Ecclestone. 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/REMMAJ - 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 Ecclestone, Great Ecclestone

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 Ecclestone 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 Eccleston.
- 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 Eccleston:

- The scale of the development is excessive and disproportionate to the size of Great Eccleston 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, house martins).
- 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 Ecclestone) 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 Eccleston 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 Eccleston, and Great Eccleston 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 expending 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, but also on the amount of land required (up to 0.4ha). Assuming a (maximum) land take requirement of 0.4ha (as set out in the masterplan) and village hall construction costs of £1.4million, an indicative figure at this stage based on 350 dwellings coming forward with a housing mix in line with the SHMA methodology, suggests a contribution from this development could be in the region of £1,474,453. Alternatively the payment may involve land in lieu of a contribution, on the assumption the contribution amount is greater than the value of the land required. For example if the land is 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 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 onto 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 outline 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 (up to 0.4ha of land), a Medical Centre (0.49ha of land), and a Primary School (1.36ha of land), as per the Town and Country Planning (Use Classes) Order 1987 (as amended) unless written confirmation is provided in writing by the Local Planning Authority that some or all of this safeguarded land is no longer required;

(d) The total amount of floor area to be provided for the retail (convenience) store specified within (c) above shall not exceed 400m<sup>2</sup> (gross).

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

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

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

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

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

5. No development shall commence until a phasing programme for the whole of the application site to include the approved residential, green infrastructure, employment land and community hub, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing programme unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: To define the permission and in the interests of the proper development of the site and to ensure the timely delivery of supporting infrastructure in accordance with the provisions of the approved Great Eccleston Masterplan (Parts 1 and 2), policies SP7, CDMP3, EP1 and SA3/3 of the Wyre Local Plan (2011-31).

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

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

7. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

(a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team



- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the 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 any reserved matters application is submitted relating to layout on the part of the site which is located to the south of public right of way network (2-13-FP11) and east of the main spine road, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway from the spine across extending to the eastern site boundary as shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan (and to link to any similar road on the other side of the boundary if permitted or existing at the time the details are submitted). Prior to, or simultaneously with the submission of any such reserved matters application, a scheme and programme for the construction of this road and subsequent offer to the local highway authority for adoption shall be submitted to and be subject to the approval, in writing, of the local planning authority. The said primary access road shall thereafter be constructed to an adoptable standard for its entire length up to the site boundary. This primary access road shall be maintained and remain open and unobstructed at all times.

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

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

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to

prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

Each reserved matter relating to layout should demonstrate compliance with the agreed drainage scheme.

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

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

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

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

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

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

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

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

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are shown to be at a restricted rate; and

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses.

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

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

14. A watching brief shall be undertaken during the course of the development works and shall focus in particular on the area of the sign and void. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31), and as the submitted site investigation report recommends that further work is undertaken particularly in the area of the sign.

15. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a phased programme of archaeological investigation, recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works should comprise an initial phase of archaeological trial excavation, followed by the production of an appropriate report. Should significant archaeological remains be encountered then a further phase of mitigation works should be designed and implemented in accordance with a further written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. All such works should be undertaken by an appropriately qualified professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologist ([www.archaeologists.net](http://www.archaeologists.net)).

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

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

Reason: In order to ensure that an appropriate mix of house types is provided to meet identified local needs in accordance with Policy HP2 of the Wyre Local Plan (2011-31), and the provisions of section 5 of the NPPF.

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

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

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

Reason: In order to ensure that communal areas of open space and planting are managed in such a way as to safeguard their public access and usability and/or

ecological benefits in the interests of health and wellbeing and biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policies SP8, CDMP3, CDMP4 and HP9 of the Wyre Local Plan 2011-2031. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

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

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

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

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

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

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

h) Ongoing monitoring and remedial measures.

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

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

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

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

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

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

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

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

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

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

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981, and section 15 of the National Planning Policy Framework. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place.

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

- Lighting strategy to provide wildlife dark corridors on key habitat features.
- Highways scheme which is amphibian friendly at key crossing points, such as the spine road as it crosses public open space area(s) and secondary route to north of public open space. To include dropped kerbs and off-set 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 (eg 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 of 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.

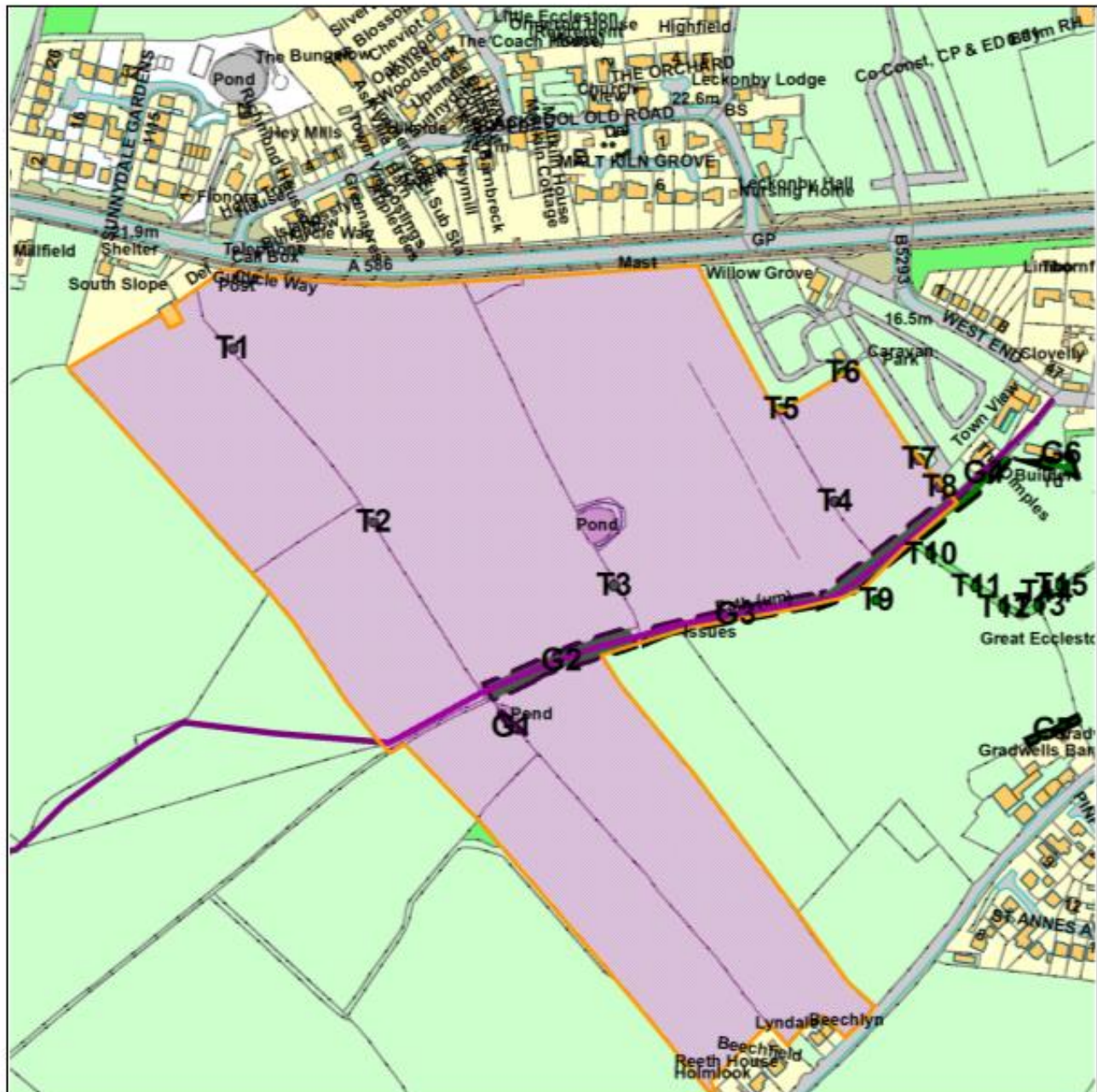
**Notes: -**

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

Land South of A586 and North west of Copp Lane Great Eccleston



Scale : 1:3928

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 3
Date	16 August 2021
SLA Number	100018720

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