



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 26 January 2022
Please ask for : Daphne Courtenage
Assistant Democratic Services Officer
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Planning Committee meeting on Wednesday, 2 February 2022 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 05 January 2022 (already circulated by email).

4. Appeals (Pages 3 - 24)

The Schedule of Appeals lodged and decided between 13 December 2021 – 15 January 2021, is attached.

5. Planning applications (Pages 25 - 42)

Background Papers:

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

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

appropriate for the historic applications specifically referred to in the reports

8. Any additional information specifically referred to in each report.

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

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

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|-----|---|-----------------|
| (a) | Application A - Land to the South of Blackpool Road Poulton-Le-Fylde Lancashire (21/00750/FULMAJ)
Erection of 42 age-restricted specialist bungalows for people aged 55 and over (Use Class C3) with associated car parking, open space and vehicular access from Blackpool Road (re-submission of application 19/00809/FULMAJ). | (Pages 43 - 76) |
| (b) | Application B - Former Kirkland Smithy Garstang By Pass Road Churchtown Preston Lancashire PR3 0HQ (20/01209/FUL)
Erection of three dwellings (following demolition of existing light industrial buildings) (resubmission of 20/00835/FUL). | (Pages 77 - 98) |

PLEASE NOTE:

Transport for members of the committee will leave the Civic Centre, for the 2 site visits, at 10.30am.

APPEALS LODGED AND DECIDED

Appeals Lodged between – 13th December 2021 – 15th January 2022

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
21/00909/FUL	2 Southwood Hill Barn Woods Lane Eagland Hill Lancashire PR3 6BB	Single storey rear extension (resubmission of 21/00525/FUL)	Delegated	Fast track appeal	15 th December 2021
21/00556/FUL	82 Lancaster Road Garstang Preston Lancashire PR3 1JB	One and a half storey front, rear and side extension (resubmission of 20/00764/FUL).	Delegated	Fast track appeal	16 th December 2021
21/00544/FUL	29 Ringway Thornton Cleveleys Lancashire FY5 2NJ	Retrospective application for the erection of a 1.82m high close boarded timber fence to northern and eastern boundaries, including 1.82m high access gates within eastern elevation	Delegated	Fast track appeal	17 th December 2021
20/00495/FUL	The Cube 2 Breck Road Poulton-Le-Fylde Lancashire FY6 7AA	Increase in height of perimeter brick wall and creation of covered area to seating (retrospective)	Delegated	Written Representation	20 th December 2021
21/00620/FUL	The Conifers 29A Alder Grove Poulton-Le-Fylde Lancashire FY6 8EJ	Erection of a first floor side extension	Delegated	Fast track appeal	5 th January 2022
21/00394/FUL	Kelbrick Farm Strickens Lane Barnacre-With-Bonds Preston Lancashire PR3 1UE	Change of use of an existing agricultural building to form pet crematorium (sui generis)	Delegated	Written Representations	5 th January 2022

21/00625/FUL	Holly Barn Winder Lane Forton Preston Lancashire PR3 0AX	Single storey rear extension	Delegated	Fast track appeal	11 th January 2022
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Appeals Decided between – 13th December 2021 – 15th January 2022

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
21/00175/FUL	4 Church Road Thornton Cleveleys Lancashire FY5 2TZ	Two storey side extension incorporating an integral garage to ground floor with living accommodation over and erection of a rear dormer	Delegated	Allow	13 th December 2021
21/00444/FUL	6 Stockdove Wood Thornton Cleveleys Lancashire FY5 2JP	Proposed extension to provide games room at first floor over existing garage, including side and rear extension to existing garage and roof raise incorporating dormer window to front roof slope (re-submission of application 20/00892/FUL)	Delegated	Dismissed	13 th December 2021
20/00092/OUTMAJ	Craiglands Hillylaid Road Thornton Cleveleys Lancashire FY5 4EB	Outline application for the demolition of existing dwelling and erection of 33 apartments for over 55's, including ancillary accommodation and parking with details of access, appearance, layout and scale included.	Committee	Dismissed and partial award of costs granted	13 th January 2022
21/00733/PIP	Land At Catterall Lane Catterall PR3 0PA	Permission in principle application for the erection of one detached dwelling (C3)	Delegated	Dismissed	14 th January 2022



Appeal Decision

Site visit made on 15 November 2021

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th December 2021

Appeal Ref: APP/U2370/D/21/3280697

4 Church Road, Thornton Cleveleys FY5 2TZ

- 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 Mr Paul Corkhill against the decision of Wyre Council.
 - The application Ref 21/00175/FUL, dated 9 February 2021, was refused by notice dated 19 May 2021.
 - The development proposed is two-storey side extension with integral garage and rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for two-storey side extension with integral garage and rear dormer at 4 Church Road, Thornton Cleveleys FY5 2TZ in accordance with the terms of the application, Ref 21/00175/FUL, dated 9 February 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plans and Elevations, drawing ref. W/21/34/01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:
 - The effect of the proposed two-storey side extension on the character and appearance of the host dwelling and the surrounding area.
 - The effect of the proposal on the living conditions of the occupiers of No.2C Church Road.

Reasons

Character and appearance

3. The appeal property is a single-storey detached dwelling with first-floor accommodation served by an almost full width rear dormer. It is offset from its

neighbour, No.2C Church Road (No.2C), by over 5m and the proposal is to infill this gap to the side with an integral garage and first-floor bedroom with rear dormer.

4. The extension has been designed so that the ridge height of the existing roof is continued, but it is set off the main elevation of the host dwelling by around 0.6m and off the bay window of the projecting gable by around 1.3m. SPD Design Guidance 1B of the Council's *Extending your Home Supplementary Planning Document (2007)*(SPD) is that the bulk and scale of an extension should appear subordinate to the original property and should not change the general character of the area. Consistent with this guidance, the overall modest scale of the extension and its reasonable setback means it would not appear overly dominant and would reflect the simple design of the host dwelling.
5. Church Road has a mix of size and style of detached and semi-detached bungalows and two-storey properties. Uniform spacing, or the size of gap, between properties is not a particular defining characteristic and I saw on my site visit examples on Church Road of properties that have been extended close to, or up to, their boundaries. There is disagreement between the parties as to whether the proposed extension should be considered a single storey side extension or first-floor side extension for the purposes of the SPD guidance. From Church Road the extension would appear single storey (with two additional rooflights) and I therefore find Design Guidance 2: Single Storey Side Extensions more applicable, although I note that the guidance for both is that extensions should be a minimum of 1m from a side boundary. The proposed extension extends up to the boundary of No.2C, which tapers to the rear, and there would therefore be a conflict with part of SPD Design Guidance 2. However, the neighbouring dwelling at No.2C is offset from its boundary by around 2m and a reasonable gap would be retained between properties. The proposal would not therefore result in a noticeable linking effect or cause harm to the general mixed character and appearance of Church Road.
6. The neighbouring semi-detached bungalows at 2B and 2C Church Road are modest in size, but the children's nursery on the other side of the appeal property is two-storey in height and overall much larger in scale. Although the eaves of the proposed extension would be above those of the existing roof slope, the overall height and scale of the extension would not appear incongruous in the context of its neighbours and it would integrate well into the streetscene.
7. Consequently, the proposed extension would not cause harm to the character and appearance of the host dwelling or the surrounding area. It would accord with the guidance at paragraph 130 of the National Planning Policy Framework (the Framework) and Policy CDMP3 of the Wyre Local Plan, 2011-2031 (2019) (LP) which both require the design of development to be sympathetic to, or enhance, the local character of an area.

Living conditions

8. The guidance in SPD Design Guidance 1D is that windows to first-floor habitable rooms that overlook neighbouring gardens should be a minimum 10.5m from boundaries they face. To the rear of the appeal property is an existing first-floor dormer with windows facing toward No.2C Church Road (No.2C). The garden of the appeal property is triangular in shape and the splayed boundary means that the existing first-floor windows already overlook

most of the garden of No.2C and fall below the distance set out in the SPD guidance. The proposed extension would extend up to the splayed boundary and would include an additional flat roofed dormer to the rear. This would serve a master bedroom and the window would be closer to the common boundary than the existing dormer windows.

9. However, I saw on my site visit that the rear building line of No.2C is set back slightly from the appeal property and there is some privacy afforded to the garden area closest to the bungalow. Whilst inevitably the proposed dormer would overlook the garden of No.2C, because the extension would not project beyond the existing rear building line of the appeal property, no more of the garden would be seen. Consequently, whilst there would be a conflict with SPD Design Guidance 1D, I consider that in this instance, the proposals would not result in a significantly greater degree of overlooking than currently exists.
10. There is a door and obscure glazed window in the gable elevation of No.2C facing the appeal property but the windows to habitable rooms principally face the rear with outlook over the garden. The proposed extension would taper away from No.2C (because of the alignment of the boundary) and combined with its modest height and the orientation of No.2C, it would not appear overbearing. Further, I am not persuaded that the depth and height of the proposed extension would result in a significant loss of light to the side garden of No.2C.
11. On balance, therefore, I conclude that the proposals would not result in overlooking, loss of outlook or overshadowing such that it would cause harm to the living conditions of No.2C. There would be no conflict with LP CDMP3 because the extension would not have an unacceptably adverse impact on the amenity of occupants and users of nearby properties. It would further meet the guidance at paragraph 130 of the Framework that developments should create places with a high standard of amenity for existing and future users.

Conditions and Conclusion

12. The standard time limit and a condition specifying the approved plans are required to provide certainty. In the interests of the character and appearance of the area, a condition is also necessary requiring external materials of the proposed extension to match the existing dwelling.
13. For the reasons given, I conclude the appeal should be allowed subject to the conditions above.

R Jones

INSPECTOR

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Appeal Decision

Site visit made on 15 November 2021

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH December 2021

Appeal Ref: APP/U2370/D/21/3281983

6 Stockdove Wood, Thornton Cleveleys FY5 2JP

- 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 Mr K Buckley against the decision of Wyre Council.
 - The application Ref 21/00444/FUL, dated 20 March 2021, was refused by notice dated 11 June 2021.
 - The development proposed is extension to existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on:
 - the character and appearance of the host dwelling and surrounding area.
 - the living conditions of the neighbours at No.7 Stockdove Wood with regard outlook and light.

Reasons

Character and appearance

3. No.6 Stockdove Wood (No.6) is a two-storey detached dwelling which has an existing double garage that sits forward of the front elevation. It is proposed to extend at ground floor to the side of the existing garage and over its full width at first-floor. The existing pyramid roof of the garage is around 4.55m in height and this would be replaced with a pitched roof and a facing gable with first-floor window to Stockdove Wood. The height of the proposed roof would be over 6m and its height, scale and massing would be significantly larger than the existing garage appearing a two-storey addition to the host dwelling.
4. The extension has been designed so that the ridge of the pitched roof is lower than the main dwelling and I note it would consume an existing car port to the side at ground floor. However, its width and height, combined with its siting, means it would be a bulky addition that dominates, rather than appears subordinate to, the host dwelling. It would therefore conflict with Design Guidance 1B of the Council's *Extending your Home Supplementary Planning Document (2007)* (SPD) that the bulk and scale of an extension should appear subordinate to the original property, or not result in a built form that is overly dominant and out of scale with its immediate context.

5. I saw from my site visit that there is some variety of design of dwellings in Stockdove Wood. No.6 is however located at the head of the cul-de-sac where dwellings are similar in their design, with garages that have either a pyramid or hipped roof, are all single storey and appear genuinely ancillary to the main dwelling. Appearing as a two-storey addition to the front of the host dwelling, the proposed garage extension would appear particularly incongruous in this context.
6. I recognise that the neighbour at No.7 has been extended over two-storeys to the side to include an integral garage and therein its scale and massing has been significantly increased. However, No.7 fronts Stockdove Wood, is set forward of the building line of No.6, and is different in style and design to those dwellings at the head of the cul-de-sac. In character and appearance, No.7 better relates to the dwelling opposite on Stockdale Wood and those on the corner of Stockdale Wood and West Drive. I do not therefore find it to be directly comparable to the appeal property or that the extension of No.7 justifies the scale of the extension now before me.
7. On the first main issue, I conclude that the proposed extension would cause harm to the character and appearance of the host dwelling and surrounding area. Consequently, it would conflict with paragraph 130 of the National Planning Policy Framework (the Framework) and Policy CDMP3 of the Wyre Local Plan (2011-2031) (February 2019) (LP) which together require all new development to respect or enhance the local character of an area.

Living conditions

8. The proposed extension to the garage over ground and first-floor would project close to the common boundary with No.7 Stockdove Wood. It would have a blank gable facing elevation to the boundary at around 6.2m to its ridge and 3.3m to its eaves. There are windows at ground and first-floor in the side elevation of No.7 but the first-floor window is obscure glazed and is a secondary window to a bedroom which has its principal window to the front. As described above, No.7 is set forward of the appeal property and although extending close to the common boundary, the relative siting of the two dwellings means the proposed extension would not cause significant harm to the outlook of the windows of No.7 at either ground or first-floor.
9. The extension to the garage would be to the immediate south of No.7 and because of this orientation, and its height, there would be an increase in overshadowing of the southern part of the garden closest to the dwelling. However, only a small part of the proposed extension projects beyond the existing rear building line of the appeal property and I am not therefore persuaded that this would result in a loss of light to either the garden or rear windows of No.7 such that it would cause harm to the living conditions of the occupiers. For similar reasons, the extension, whilst visible, would not appear particularly overbearing from the principal windows to the rear of No.7.
10. Consequently, I do not find the proposed extension would cause harm to the living conditions of the occupiers of No.7. There would therefore be no conflict with LP Policy CMP3 in so far as it requires development to not unacceptably impact the amenity of occupants and users of nearby properties. Further, there would be no conflict with SPD Design Guidance 1C or 1D in this regard or the guidance at paragraph 130 of the Framework that developments should create places with a high standard of amenity for existing and future users.

Conclusions

11. Whilst I have not found harm to the living conditions of the occupiers of No.7, I nonetheless find significant harm to the character and appearance of the host dwelling and surrounding area. For the reasons given above, and taking all other matters into account, I conclude the appeal should be dismissed.

R Jones

INSPECTOR

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Appeal Decision

Site Visit made on 23 November 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 13 January 2022

Appeal Ref: APP/U2370/W/21/3277985

Craiglands, Hillylaid Road, Thornton Cleveleys FY5 4EB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by James Carter Homes against the decision of Wyre Borough Council.
 - The application Ref 20/00092/OUTMAJ, dated 29 January 2020, was refused by notice dated 29 April 2021.
 - The development proposed is described as 'Demolition of existing single dwelling house and erection of apartment scheme comprising of 29 one bedroom and 4 two bedroom apartments for the over 55's. Ancillary accommodation to include Social room, internal scooter store and garden store. Scheme to accommodate parking for 20 parking spaces and 2 accessible parking spaces on site'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by James Carter Homes against Wyre Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was submitted in outline, with access, scale, appearance and layout to be considered at this stage. I have therefore dealt with the appeal on this basis.
4. The name of the applicant is given as James Carter Homes on the application form, but the appellant's details are specified as Mr Sean O Toole of Fylde Joinery on the appeal form. However, the appellant has confirmed in writing that James Carter Homes is the appellant. I have therefore used this name in the banner heading above.
5. An unsigned and undated S106 planning obligation has been submitted by the appellant in respect of financial contributions towards affordable housing, healthcare and public open space. I return to this matter below.

Main Issues

6. The main issues are:
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on highway safety; and

- Whether the proposal would make adequate provision for affordable housing, healthcare and public open space.

Reasons

Character and Appearance

7. The appeal relates to a large detached dwelling that sits within spacious grounds. The surrounding area is predominantly residential, comprising dwellings and apartment buildings of various size, scale and style. Despite this variety, the appeal site is largely contained by mature trees and vegetation along its northern and eastern boundaries, with a hedgerow running along its frontage. A small number of trees in the south east corner of the site are protected by a Tree Preservation Order. There is also a wide footpath that abuts the eastern boundary of the site and provides a degree of separation and a visual break from the built development on Gravner's Field.
8. I appreciate that design is subjective, and that the proposed building would occupy a larger footprint and be of a greater scale than the existing dwelling that it would replace and the neighbouring properties along Hillylaid Road. However, unlike these properties, the proposed building would be set back a considerable distance from this highway and would be seen against the backdrop of the tall mature trees to the north of the site. Its varying roof forms and heights, along with the two storey scale of the western end of the proposed building would also help reduce its massing. These factors, in combination with the visual gap provided by the footpath to the east would ensure that the proposed development would sit comfortably within the site and the street scene. The proposal's modern contemporary design would also not appear conspicuous in the context of the diverse range of nearby properties, which include the bungalows on the opposite side of Hillylaid Road.
9. In light of all of the factors above, the scale, massing and design of the proposed development would not appear oversized or overdeveloped within its context. I therefore find that the proposed development would not have a harmful effect on the character and appearance of the area. As such, it would not conflict with Policies SP2 and CDMP3 of The Wyre Local Plan (2011 – 2031) (adopted February 2019) (Local Plan) which seek, amongst other matters, to achieve high quality designed local environments that respect or enhance the character and appearance of the area. In addition, it would also accord with the design objectives of Section 12 of the National Planning Policy Framework (the Framework).

Highway Safety

10. The Council considers the proposed 22 car parking spaces to be inadequate and is concerned about the level of on-street parking that may occur on Hillylaid Road with the potential to obstruct passing traffic given the narrowness of the highway at that point.
11. Appendix B of the Local Plan provides the Council's parking standards and states that 1 vehicle space per single bed house and 2 parking spaces per 2-3 bedroom housing is required. However, it is uncontested between the main parties that this is a maximum standard. Furthermore, Local Plan Policy CDMP6, requires, amongst other things, that appropriate provision is made for parking in accordance with the Council's standards set out in Appendix B unless

it is demonstrated to the satisfaction of the Local Planning Authority in consultation with the Local Highways Authority that different provision is justified, taking into account local circumstances.

12. Lancashire County Council (LCC) in their role as the highway authority has raised no formal objections to the proposed access road, visibility splays, or the level of off street car parking provision for the proposal. LCC was satisfied that given that the proposal would be for people aged 55 and over, it would not have a severe impact on highway capacity or congestion in the immediate vicinity of the site. Furthermore, the majority of the proposed apartments would have only one bedroom each and car ownership rates are likely to be lower for residents within the over 55 age group.
13. LCC has measured the Hillylaid Road carriageway width to be approximately 6.5 metres, with an approximate 1.4 metre wide footpath fronting the site. On the opposite side of the road, LCC measure there to be a 2.4 metre wide verge with a 1.9 metre wide footpath behind it. These measurements are consistent with my site observations and allow for the safe manoeuvring and passing of vehicles.
14. During my mid-morning site visit, I also saw that other than for a few builders' vans, there was no on street car parking, and therefore space to accommodate a number of vehicles along Hillylaid Road. Furthermore, there is a 20mph speed restriction along the stretch of the highway that fronts the site. Whilst the presence of some on-street parking may require a degree of patience as vehicles, including buses, may have to give way to oncoming traffic, this would ensure that drivers are vigilant and that vehicle speeds are kept low in the immediate vicinity. On my site visit, I also saw that vehicles were able to pass the parked vans without any significant problem. I appreciate that this is only a snapshot in time, and that the situation may change in the evening and at weekends. However, it gives an indication of the level of available on-street parking and likely obstruction during this time of the day.
15. Additionally, LCC's suggested planning condition for the provision of a 2 metre wide footway along the full frontage of the site would provide mitigation for any potential pedestrian safety issues. In light of the above, I have no substantive reason to disagree with any of LCC's views in respect of pedestrian and highway safety.
16. The Council has provided conflicting information about the proximity of the site to local shops and facilities. Nonetheless, it is undisputed between the main parties that there are bus stops and an hourly bus service operating along Hillylaid Road and within a very short walk of the site that provides access to these services. Given the accessibility of services and facilities from the site, and the emphasis in the Framework on encouraging the use of sustainable modes of transport, that limit future car use, I am unable to find that the proposed car parking spaces would be inadequate, or that any modest increase in on-street parking as a result of the proposal, in this residential area, would appreciably compromise highway safety.
17. Late in the appeal process, I have also been made aware of additional information on bus provision and a traffic assessment by an interested party. Given my overall decision and for the avoidance of doubt, I have not addressed this additional information. Any subsequent planning application may need to take this additional information into account.

18. I conclude therefore that the proposed development would have an acceptable effect on highway safety. As such, no conflict would arise with Local Plan Policies SP2 and CDMP6 in this respect. Amongst other things, these seek to achieve safe and high quality designed local environments and to ensure appropriate levels of parking provision taking into account local circumstances. Road safety and the safe, efficient and convenient movement of all highway users are also required to not be prejudiced.
19. Furthermore, paragraph 111 of the Framework indicates that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. For the reasons given above, I have not found this to be the case in this instance.

Affordable Housing, Healthcare and Open Space

20. The submitted S106 Agreement sets out financial contributions towards off-site affordable housing, the enhancement of public open space, and the refurbishment and reconfiguration of a medical centre.
21. The Council's planning committee report indicates that it is reasonable and necessary to seek a financial contribution towards improvements to Wyre Estuary County Park as a result of the additional dwellings that would be created, and in line with the requirements of Local Plan Policy HP9. However, I have not been provided with any detailed evidence to indicate the 'Total Green Infrastructure Requirement' including an up-to-date assessment of green infrastructure requirements and provision, and the need for improvements to this park. Accordingly, I cannot be certain that the contributions sought for off-site public open space would be necessary to make the development acceptable, be directly related to the development and fairly related in scale and kind. I have therefore taken no account of this in reaching my decision.
22. Nonetheless, the main parties have agreed a financial contribution towards off-site affordable housing provision, based on 30% of the number of proposed units. I am satisfied that this would ensure the development contributes to affordable housing needs within the borough, as set out in Local Plan Policy HP3. As such, I am content that it is necessary and directly related to the development and that it is therefore compliant with the tests within paragraph 57 of the Framework. I have also had regard to the NHS Fylde & Wyre Clinical Commissioning Group's consultation response and consider the financial contribution towards the refurbishment and reconfiguration of Thornton Medical Centre to meet the tests of the Framework.
23. However, in the absence of an executed S106 Agreement or Undertaking there is not an appropriate mechanism in place to secure these contributions. I consequently find that the proposal would not make adequate provision for affordable housing and healthcare. As such, it would conflict with Local Plan Policies HP3 and SP8, which seek, amongst other matters, to provide on and off-site affordable housing and to promote the health and well-being of local communities.

Conclusion

24. Despite my findings on the character and appearance of the area and highway safety, I consider the harm that would be caused by the proposed development

in respect of the lack of adequate provision for affordable housing and healthcare to be overriding concerns.

25. For the reasons given above, there are no material considerations that warrant taking a decision otherwise than in accordance with the development plan when taken as a whole. Therefore, the appeal should be dismissed.

Mark Caine

INSPECTOR

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Costs Decision

Site visit made on 23 November 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 13 January 2022

Costs application in relation to Appeal Ref: APP/U2370/W/21/3277985 Craiglunds, Hillylaid Road, Thornton Cleveleys FY5 4EB

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by James Carter Homes for a full award of costs against Wyre Borough Council.
 - The appeal was against the refusal of planning permission for a development proposed that is described as 'Demolition of existing single dwelling house and erection of apartment scheme comprising of 29 one bedroom and 4 two bedroom apartments for the over 55's. Ancillary accommodation to include Social room, internal scooter store and garden store. Scheme to accommodate parking for 20 parking spaces and 2 accessible parking spaces on site'.
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Decision

1. The application for an award of costs is allowed in part in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded where a party has behaved unreasonably and that the unreasonable behaviour has caused another party to incur unnecessary or wasted expense in the appeal process.
3. The Planning Committee decided to refuse the application contrary to advice of their professional officers who had produced a written report analysing the effects of the proposal on a number of matters including the character and appearance of the area and highway safety. Authorities are not bound to accept the recommendations of their officers, but the PPG states that local planning authorities are at risk of an award of costs if they fail to produce evidence to substantiate each reason for refusal, or if they rely on vague, generalised or inaccurate assertions about a proposal's impact, which are unsupported by any objective analysis.
4. The Council reached a different conclusion to the appeal decision in respect of the main issues of character and appearance and highway safety, and the recommendation of its officers. However, the consideration of planning applications and appeals involve matters of judgement which at times are finely balanced.
5. The effect of a proposed development on the character and appearance of an area is a more subjective matter, often determined by an exercise of judgement in the particular circumstances of a case. I am satisfied that the

Council has adequately addressed this in its decision notice and response to the appeal.

6. Nonetheless, a detailed consultation response from Lancashire County Council, the highway authority, concluded that the degree of on-site parking proposed was acceptable given Wyre Local Plan's maximum car parking standards, the nearby access to public transport and compliance with advice in the National Planning Policy Framework. It also referred to guidance in Manual for Streets, TRICS data and its Personal Injury Accident database in reaching its finding that there would be no significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Yet little evidence was put forward by the Council to support this reason for refusal and demonstrate how their assumption that the level of proposed parking provision would have an unacceptable impact on highway safety grounds.
7. As such the Council inadequately substantiated its first reason for refusal and the applicant's costs in dealing with this part of the appeal were therefore unnecessarily incurred. For this reason, I conclude that the costs application should succeed in part, related only to the costs of challenging the decision in relation to highway safety. The application for an award of costs is therefore allowed in the terms set out below.

Costs Order

8. In exercise of the powers under section 250(5) of the Local Government Act 1972 Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Wyre Borough Council shall pay to James Carter Homes, the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in relation to the issue concerning the effect on highway safety.
9. The applicant is now invited to submit to, Wyre Borough Council to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Mark Caine

INSPECTOR



Appeal Decision

Site visit made on 30 November 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal Ref: APP/U2370/W/21/3280783

Land at Catterall Lane, Catterall, Wyre, Lancashire PR3 0PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Brian Thomas against the decision of Wyre Borough Council.
 - The application Ref 21/00733/PIP, dated 26 May 2021, was refused by notice dated 2 July 2021.
 - The development proposed is the erection of one dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The name of the applicant(s) is given as Mr and Mrs Brian and Jane Thomas in the original planning application forms, but the appellant's details are specified as Mr Brian Thomas in the submitted appeal forms. For the avoidance of doubt, the name of the appellant, used in the banner heading above, is taken from the appeal form.
3. The appeal proposal is for Permission in Principle (PIP) in accordance with the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical detail.
4. The scope of the considerations for PIPs is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if PIP is granted. I have determined the appeal accordingly.

Main Issue

5. With reference to the PPG advice on PIPs, and the Council's reasons for refusing the application, the main issue is whether the site is suitable for residential development having regard to its location, the proposed land use and the amount of development.

Reasons

6. The appeal relates to a relatively flat grassed area of undeveloped land that is lined by a mixture of hedges and a post and rail fence. Whilst it is located in between two dwellings, and there is a mixture of residential and commercial properties in the locality, these comprise a scattered pattern of development that is dominated by spacious gardens, open fields and agricultural land. Despite the presence of high hedgerows and the nearby properties, the appeal

site therefore has more affinity with, and reads very much as a part of the adjacent open agricultural landform and countryside that is clearly visible to the north of it.

7. Policy SP1 of the Wyre Local Plan (2011 – 2031) (adopted February 2019) (Local Plan) sets out the settlement hierarchy for the borough. This indicates that new development should take place within the settlement boundaries, as defined on the Policies Map, with the majority of new development taking place in the settlements higher up the hierarchy. Outside of settlements with defined boundaries new built development is strictly limited, with the forms of development that may be acceptable being set out in Policy SP4 of the Local Plan.
8. It is uncontested that the appeal site is located outside of a settlement boundary as defined in the Policies Map of the Local Plan. For the purpose of the Local Plan the appeal site is therefore located within a designated 'Countryside Area'. The first limb of Policy SP4 seeks to preserve the open and rural character of the countryside, unless it is demonstrated that the harm to it is necessary to achieve substantial public benefits that outweigh the harm.
9. The introduction of a dwelling, along with a likely range of other potential domestic paraphernalia, including hard surfacing, parked cars, washing lines and garden furniture in an area where this previously did not exist would inevitably alter its character. I appreciate that the existing hedgerow may obscure some views of the proposed house, however, this would not constitute permanent screening. Any residential development would also be plainly visible from the existing vehicular access points for the immediate neighbouring dwellings, that punctuate the hedgerow on the northern side of Catterall Lane, and from a number of nearby gardens and dwellings. The intensification of built development and resultant loss of openness would thereby be detrimental to the intrinsic value and character of the rural countryside in this location.
10. The appellant contends that the proposal would constitute an infill site, that would be acceptable in the Green Belt (albeit the site is not located in the Green Belt). However, there is no definition in the Local Plan or in the National Planning Policy Framework (the Framework) of 'limited infilling' and it is therefore a matter of planning judgement for the decision maker. That is notwithstanding that, under Framework paragraph 149. e) limited infilling in the Green Belt may be appropriate 'in villages'.
11. Nonetheless, there is a wider network of open fields directly to the north of the site. A pattern of sparse development is also prevalent along the length of the northern side of Catterall Lane. Given the visual gaps and intermittent open areas and fields between housing along this side of this highway, and in the immediate vicinity of the appeal site, there is little coherence to the built form here. As a result, the proposed dwelling would therefore not be positioned within an area that would logically be seen as replicating or completing the prevailing pattern of development, as might be necessary to achieve 'limited infilling' in terms of the Green Belt.
12. The appeal scheme would provide benefits in terms of boosting the supply of housing. It would provide a three bedroom single storey home, which the appellant says is needed in the Garstang area due to the lack of this type of housing for sale. I note that this would also contribute to a mix of housing for all sections of the community, including the needs of an ageing population, and

young families, now and in the future. It has also been put forward that the proposal would free up an existing two storey three bedroom house that the appellant currently occupies. However, as the proposal is for a single dwelling any benefits in these respects are somewhat limited. The proposed development would also make a contextually very small contribution to housing supply which, the appellant appears to accept technically, notwithstanding presenting some evidence of previous under supply.

13. I sympathise with the appellant's personal circumstances, in terms of medical requirements, mobility and the benefits of the scheme in terms of a comfortable and spacious living environment in that context. However, those are essentially personal benefits, rather than the public harm that would result (and which is the primary consideration in planning terms). Moreover, there is nothing to indicate that such benefits are solely reliant on the scheme before me as opposed to any other. As such I accord them limited weight.
14. The self-build nature of the proposal has also been presented as a public benefit by the appellant. However, little evidence has been put forward to contest the Council's argument that sufficient planning permissions for self-build proposals have been granted to meet demand for the number of people identified on the self-build register. On the basis of the evidence before me, I have subsequently given the self-build nature of the proposal limited weight. Taken together, I therefore find that the proposal would not result in substantial public benefits as required by Policy SP4.
15. Furthermore, Local Plan Policy SP4 also indicates that in the countryside development will be strictly limited, with exceptions for affordable housing or rural workers. The proposal is for an open market dwelling and therefore also conflicts with Local Plan Policies SP1 and SP4 in this regard, albeit that I accept there would be certain benefits to the scheme as above.
16. Notwithstanding the above, in terms of accessibility, the site is located approximately 1km to the nearest settlement, which is Catterall, and offers some limited local services, which could be accessed on foot or bike. It is also close to bus stops which offer regular services to more built-up centres, including Garstang, Preston and Lancaster. Each of these would offer access to a greater range of local facilities and services.
17. Although the short walk to these bus stops would involve utilising Catterall Lane, which has no pavements, there are streetlights close to the A6. Catterall Lane is also relatively straight and of such a width as to allow good visibility of pedestrians and/or cars. It also appeared to be lightly trafficked at the time of my midday site visit. Therefore, whilst some reliance on private vehicles will invariably be expected in rural locations such as this, overall, I consider the accessibility of the site to be reasonable. Despite the change in the local planning policy context, and increase in housing on this lane, I therefore concur with the findings of the Planning Inspector in the appeal for the neighbouring site (Ref: APP/U2370/W/15/3078128) in this regard. However, this would not in itself override the harm that the development would cause to the wider character and appearance of the area, and the conflict with the development strategy as identified above.
18. Given the reasonable accessibility of the site to local services no conflict would arise with the requirements of Policies SP1, SP2, and CDMP6 of the Local Plan in respect of ensuring accessible places and minimising the need to travel by

car. It would also accord with policies in the Framework that relate to sustainable transport solutions.

19. Nonetheless, for the reasons above, I find that the introduction of a dwelling in the location proposed would have a harmful effect on the character and appearance of the area and the development strategy, which are overriding concerns. As a result, the proposal conflicts with Policies SP1 and SP4 of the Local Plan which require, among other things, that development respects the open rural character and makes a positive contribution to the area. It would also fail to accord with policies in the Framework that require development to recognise the intrinsic character and beauty of the countryside.
20. Overall, I therefore find that the site is not suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Other Matters

21. Within its delegated officer report the Council acknowledges that the development would have an acceptable impact with regards to neighbour amenity, traffic, flood risk, land contamination and protected habitats. I have also been made aware that the Parish Council and statutory consultees raised no objection to the proposal. Nonetheless, the absence of harm in these respects, would be neutral factors, that do not weigh in favour of the proposal.
22. The appellant has also referred to other developments being granted planning permission to the west side of the A6 on Catterall Lane, including development adjacent to the treatment works and two dwellings adjacent to Rylstone. However, other than for the appeal decision referred to above (Ref: APP/U2370/W/15/3078128), which is for a conversion rather than a new build, I have not been provided with the full details of the circumstances that led to these schemes being accepted. I can therefore not be certain that they represent a direct parallel to the appeal proposal. In any case, I have determined the appeal on its own merits.

Conclusion

23. For the reasons given above, having taken account of the development plan as a whole, the approach in the Framework, along with all other relevant material considerations, the appeal is therefore dismissed.

Mark Caine

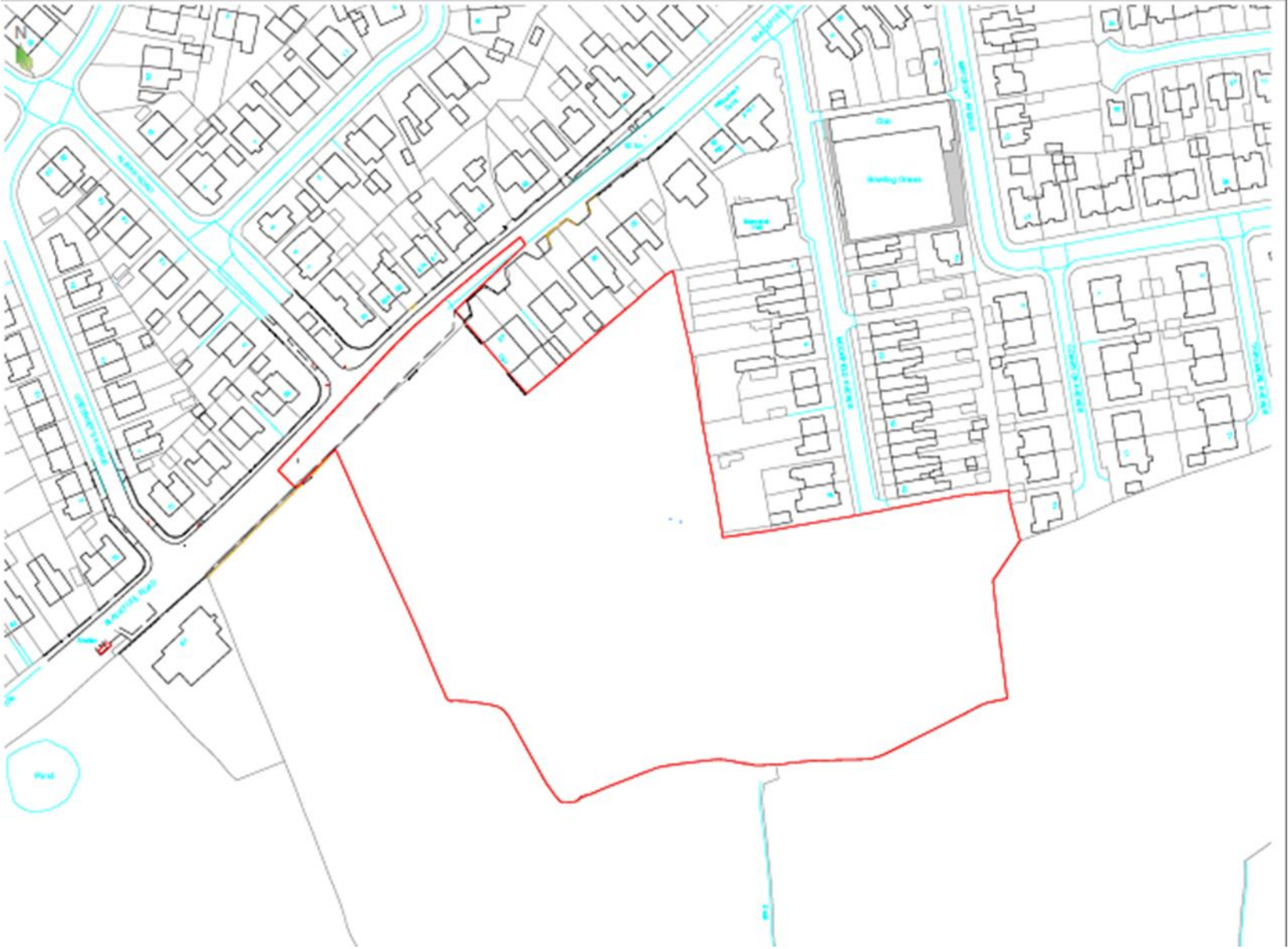
INSPECTOR

Item 1

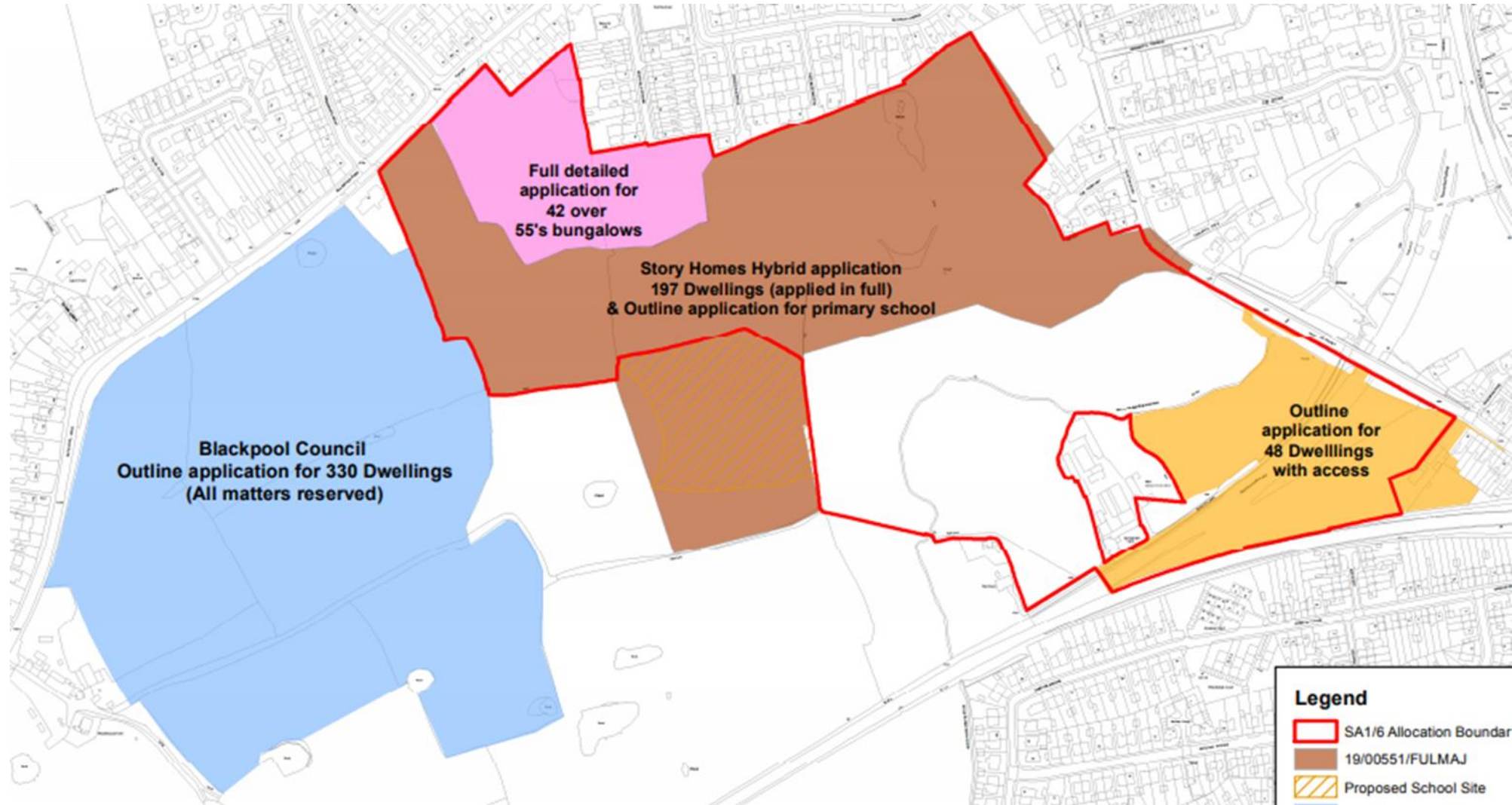
21/00750/FULMAJ

Land To the South of Blackpool Road Poulton

Site Location Plan



SA1/6 site allocation – application site coloured pink



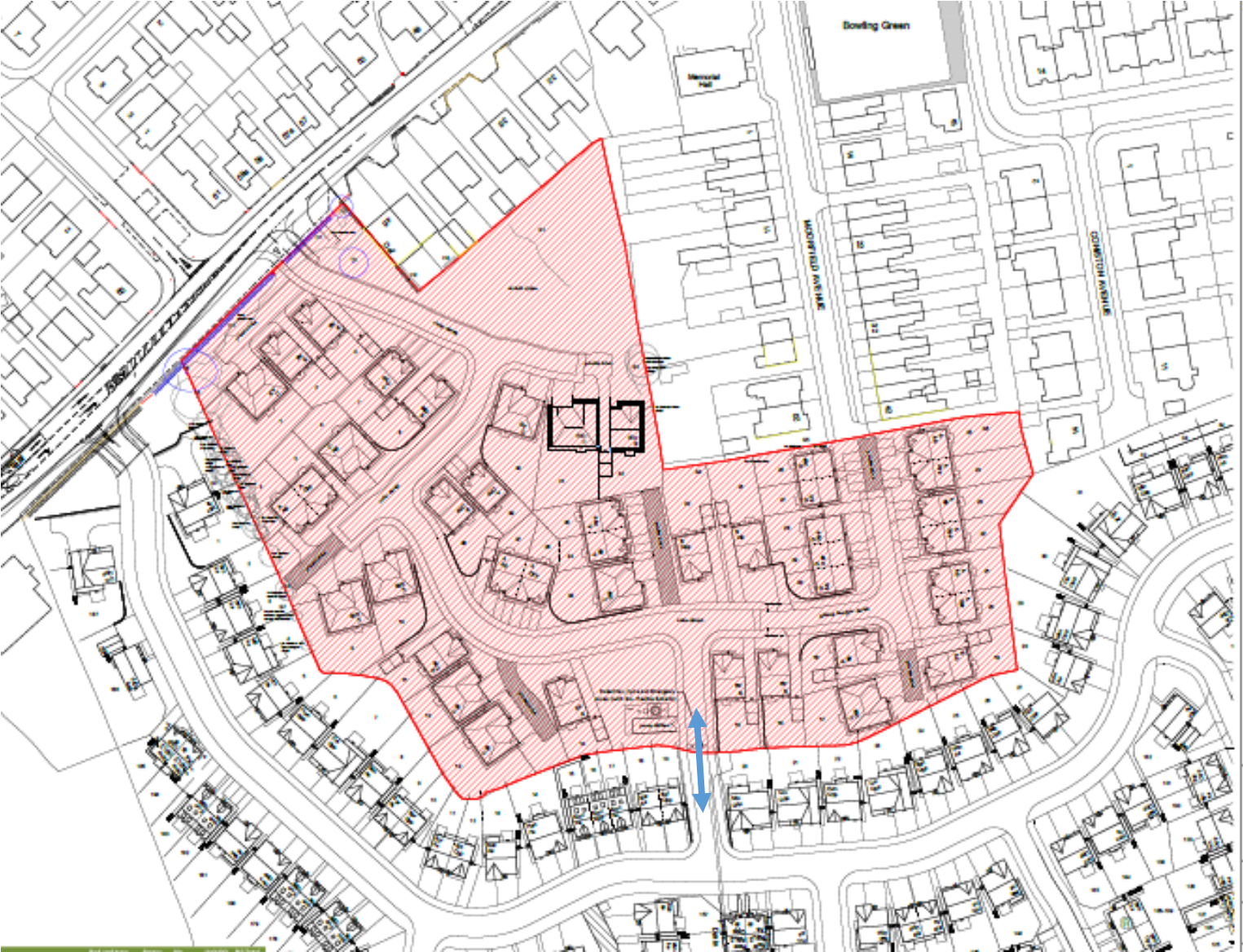




Site Layout Plan



Context Plan illustrating link to adjacent development





Affordable
Units

Streetscene elevations



Plot 4F
Streetscene B-B

Plot 4G

Plot 5

Plot 7

Plot 8

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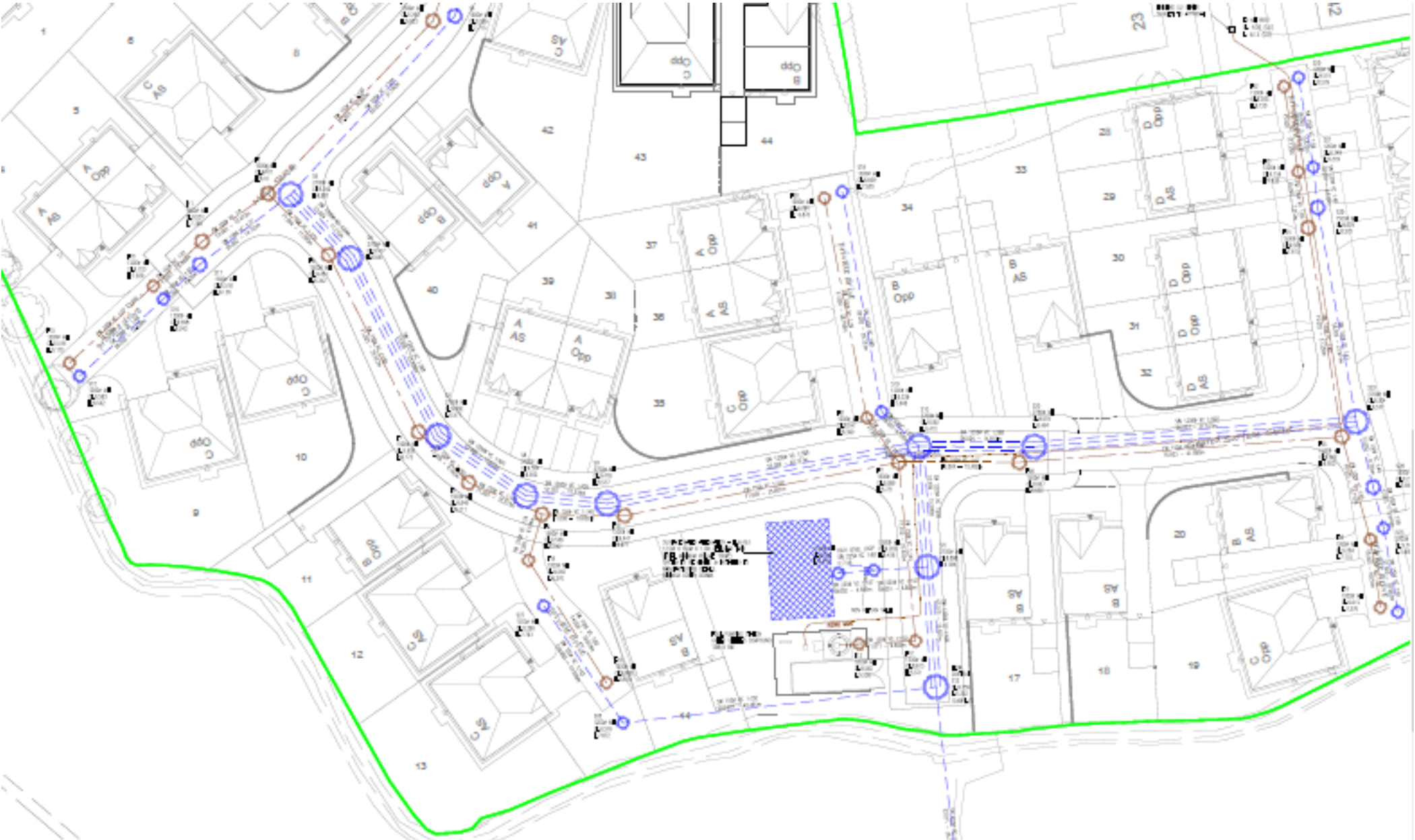
No. 46 Blackpool Rd
Streetscene A-A

Plot 3

Plot 2

Plot 1

Proposed Drainage Strategy



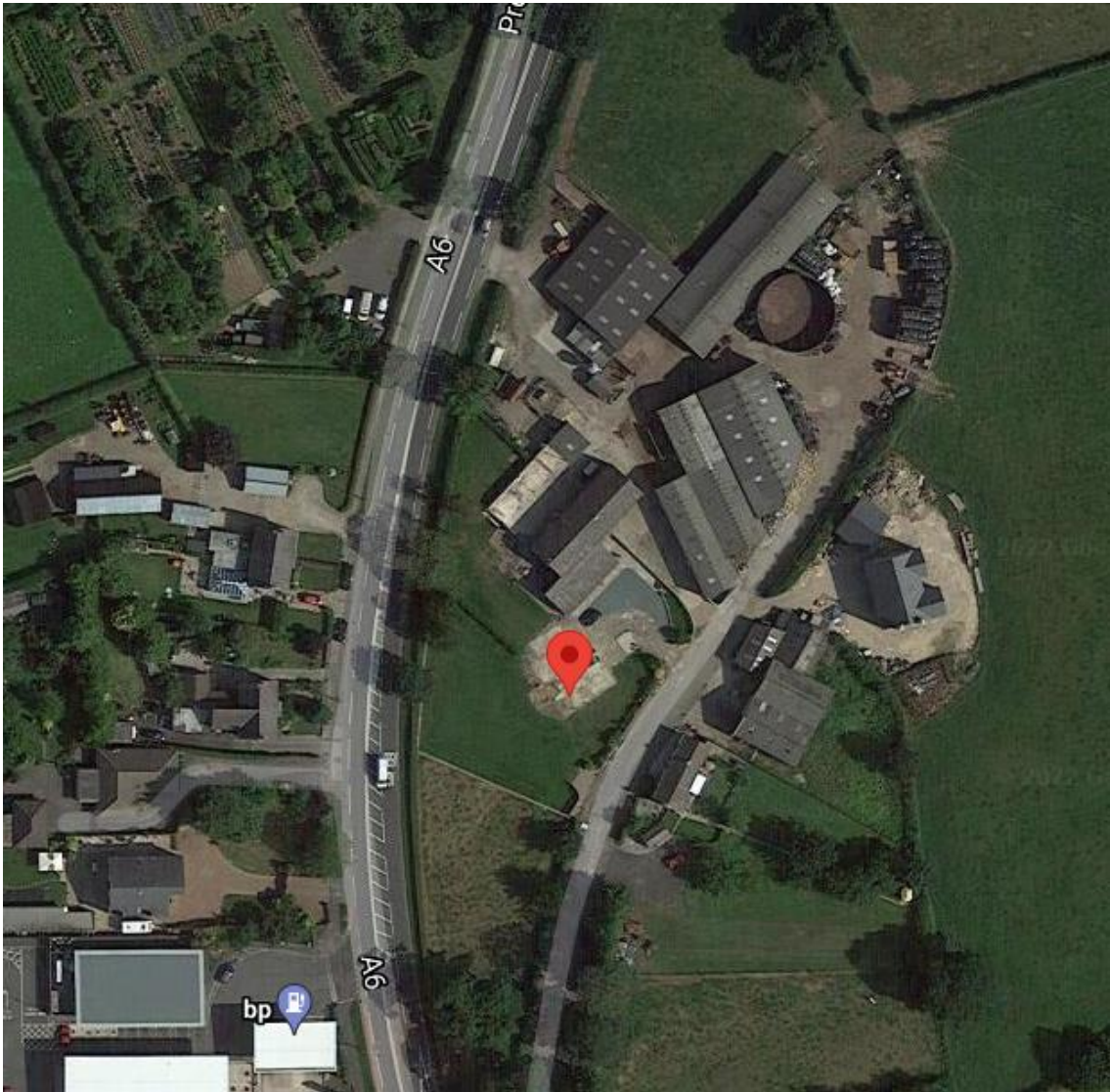
Item 2

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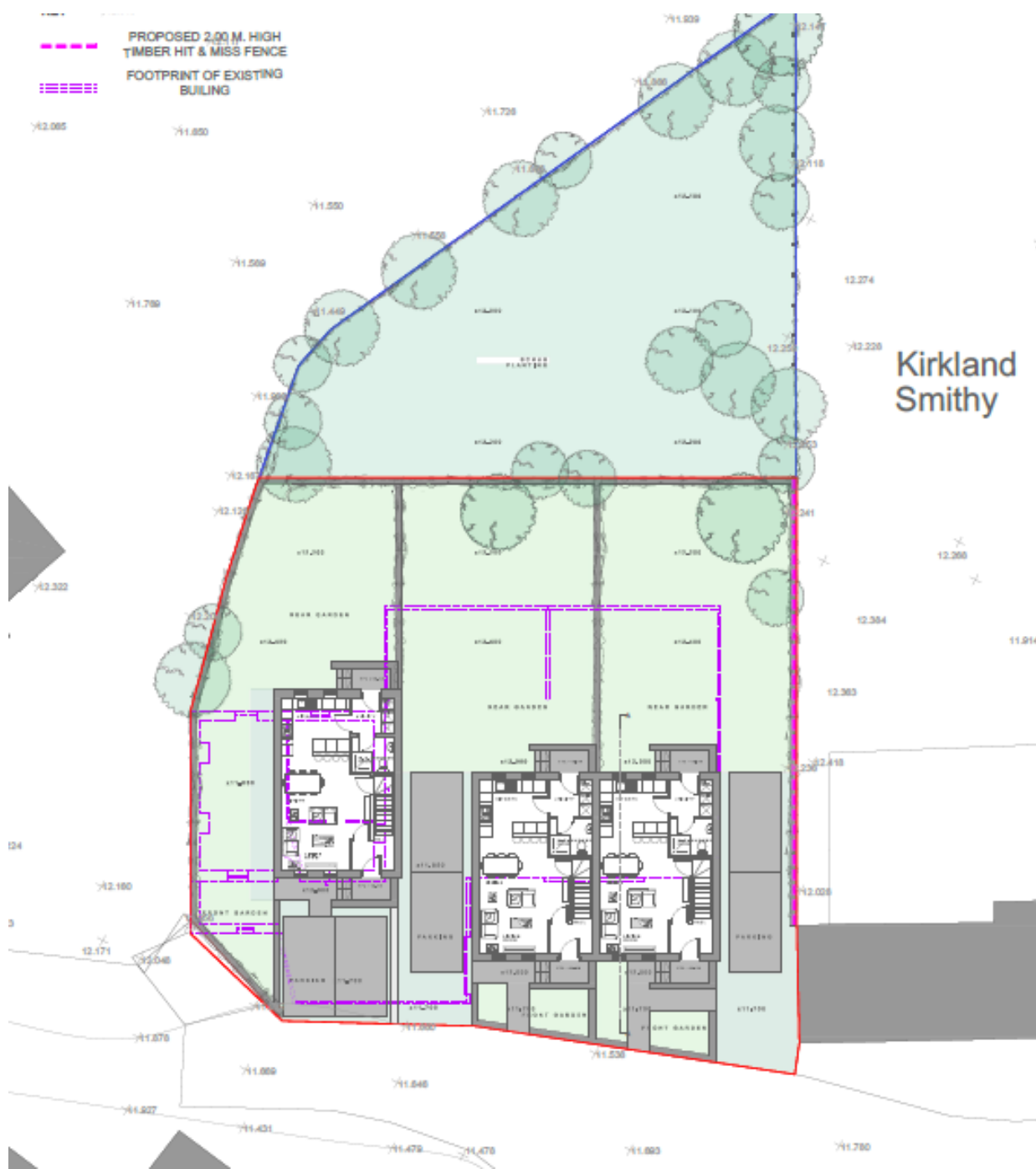
Former Kirkland Smithy Garstang By Pass Road
Churchtown

Site Location Plan

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Proposed Site Layout



Site Pictures





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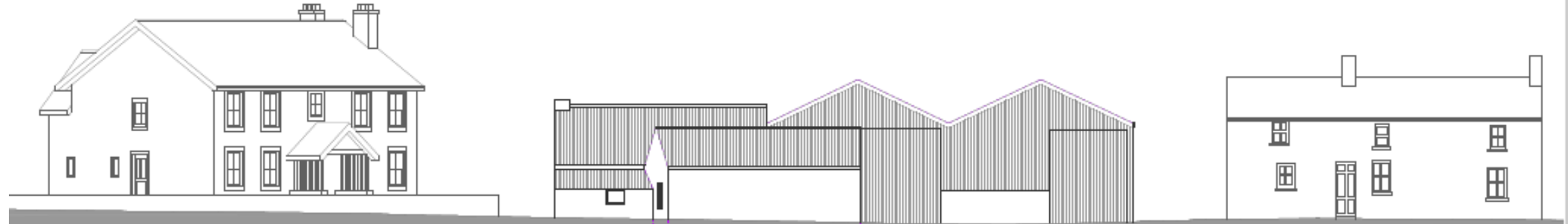
Proposed Elevation Plans



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FRONT ELEVATION (NORTH WEST)

Proposed Elevation Plans



STRIP ELEVATION AS EXISTING



STRIP ELEVATION AS PROPOSED

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Committee Report**Date: 02.02.2022**

Item Number	01
Application Number	21/00750/FULMAJ
Proposal	Erection of 42 age-restricted specialist bungalows for people aged 55 and over (Use Class C3) with associated car parking, open space and vehicular access from Blackpool Road (re-submission of application 19/00809/FULMAJ)
Location	Land To The South Of Blackpool Road Poulton-Le-Fylde Lancashire
Applicant	Mr C Hetherington
Correspondence Address	c/o Mr Graham Love Rational House 32 Winckley Square Preston PR1 3JJ
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

1.1 This application is before the Planning Committee for consideration as the application site falls within an allocated site in the Wyre Local Plan and is of strategic importance. Also the previous application on the site was put before Members at the Planning Committee on the 28th April 2021. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

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

2.2 The site itself is irregular in shape and wraps around to the south of / behind the residential properties located on Moorfield and Coniston Avenue. The site is bound by mature mixed species hedgerows, mature trees and vegetation with an existing gated field access onto Blackpool Road which crosses the adopted highway

verge. In terms of topography the site has a level range between 7.5m and 10.8m Above Ordnance Datum (AOD) and dips towards the centre. The site is located within Flood Zone 1 and there is a mature Beech tree located on the north western corner of the site which is subject to a Tree Preservation Order (ref 02/2019). There is also a group of trees located within the north eastern corner of the site which are subject to a woodland Tree Preservation Order (002/2019/TPO W1).

3.0 THE PROPOSAL

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

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

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

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

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

4.0 RELEVANT PLANNING HISTORY

4.1 The site has the following relevant planning history:

4.2 19/00809/FULMAJ - The erection of 42 bungalows for people aged 55 and over (Use Class C3) with associated car parking, public open space and vehicular access from Blackpool Road - Refused by the Planning Committee on the 28.04.2021 for the following reason:

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

4.3 83/01014 - Proposed residential development for 50 dwellings including roads, sewers and landscaping - Refused

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

4.5 19/00551/FULMAJ - Hybrid planning application seeking detailed planning permission for the development of 202 dwellings including associated access, highway works, open space provision and landscaping and outline planning permission for the development of a two form entry primary school (all matters reserved) - Permitted subject to conditions and S106 Agreement

4.6 17/00632/OUTMAJ - Outline application for a residential development comprising up to 48 dwellings with access applied for off Tithebarn Street and 100 space town centre carpark (all other matters reserved) - Resolution to grant permission subject to completion of S106 agreement.

4.7 19/00615/OULMAJ - Outline application for the erection of up to 330 dwellings and associated infrastructure (all matters reserved) - Refused (appeal pending).

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

accordance with the development plan unless there are material considerations that indicate otherwise.

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

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

5.2 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 3 - Plan - Making
- Section 4 - Decision Making
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

5.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §74, 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 Housing Implementation Strategy (published 30 September 2021) which demonstrates a deliverable housing land supply position of

6.4 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

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

5.3.2 The following guidance is also relevant:-

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

5.4 LAND SOUTH OF BLACKPOOL ROAD MASTERPLAN

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

5.5 NATIONAL PLANNING PRACTICE GUIDANCE

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

5.7 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

6.0 CONSULTATION RESPONSES

6.1 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY)

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

Off Site Highway Works:-

- Site Access to Blackpool Road prior to development
- Blackpool Road/Poulton road traffic signal upgrade to MOVA with Puffin crossing facilities
- Upgrade to the 2 bus stops on Blackpool Road
- Tithebarn Street/Queensway traffic signal upgrade to MOVA with the introduction of puffin crossing facilities
- Queensway existing Pelican upgrade to Puffin facilities
- Financial Contributions:-
- £67,000 towards the Poulton Highways Mitigation Strategy
- £6,000 towards Travel Planning

6.1.2 Amendments have been requested to the parking provisions for plots 24-27 to ensure that there is sufficient room for vehicles to enter and leave safely. This amendment has been made by the applicant as requested and is acceptable to LCC Highways.

6.2 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY)

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

6.3 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

6.3.1 No observations received as part of this application, however on the previous submission it was stated that following further consideration no onsite archaeological investigation is required.

6.4 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.4.1 No objections subject to conditions

6.5 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.5.1 No objections subject to conditions, GMEU have advised that the previous response and assessment set out below remains the same for this application:

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

6.6 HIGHWAYS ENGLAND

6.6.1 No objections

6.7 LANCASHIRE FIRE AND RESCUE SERVICE

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

6.8 UNITED UTILITIES (UU)

6.8.1 No objections in principle. UU initially requested further details in relation to site levels, however following the submission of further details UU have are satisfied with the information subject to conditions. On the previous submission UU responded advising that the Drainage Strategy submitted is acceptable in principle as the surface water is to ultimately discharge into the watercourse to the south of the site. Surface water will not be permitted to drain directly or indirectly to a public sewer. A condition requiring full details of the management and maintenance of sustainable drainage systems should be attached along with the levels of the site being set out in accordance with the submitted plans.

6.9 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.9.1 To mitigate against the development a financial contribution of £21,132 is required which will go towards the refurbishment and/or reconfiguration of Queensway Medical centre.

6.10 NATURAL ENGLAND

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

6.11 BLACKPOOL BOROUGH COUNCIL

6.11.1 No objections

6.12 POULTON HISTORICAL AND CIVIC SOCIETY

6.12.1 No observations received as part of this application previous comments set out the following concerns:

- The effect of increased traffic and impacts upon Blackpool road
- Ecological impacts
- The effects on local services and amenities
- A condition requiring archaeological evaluation and mitigation should be attached

6.13 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.13.1 No objections, surface water drainage discharge should drain to the proposed development to the south. The Development should continue to use the existing watercourse to the south of the site until such time that the surface water drain on the adjacent site has been constructed.

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

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

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

6.15.1 No objections subject to conditions in relation to dust mitigation and Construction Management plan

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

6.16.1 No objections

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

6.17.1 No objections the GI provision provided is sufficient

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been 7 letters of objection received. The primary reasons for opposition are:

- Impacts upon Wildlife, biodiversity and ecology in particular impacts upon local deer and great crested newts
- Increase in flood risk
- Impacts upon highway capacity
- Loss of open greenspace
- Impacts upon infrastructure including hospitals and emergency services
- Highway and pedestrian safety impacts
- Impacts upon pollution and climate change
- Visual impacts
- Noise impacts

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Discussions in relation to Affordable Housing provision and viability has been undertaken. Amended plans have been requested and provided in relation to the internal layout and discussions regarding a number of consultation responses has taken place along with Section 106 requirements. An extension of time has been agreed until the 03/02/2022 and the applicant has agreed to the pre commencement conditions.

9.0 ISSUES

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

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

Principle of Development

9.2 As set out in paragraph 4.2 of this report this application and proposal was considered by Members of the Planning Committee on the 28th April 2021 and was subsequently refused on the basis that there would be significant harm caused by the development as it failed to provide any affordable housing in accordance with Policy HP3 of the Wyre Local Plan (2011-31). With the exception of a few slight amendments to improve the layout within the site and a reconsidered position in relation to Affordable Housing (which is addressed within the report) the principle of the development on this site remains unchanged.

9.3 Planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The primary development plan for Wyre is the Wyre Local Plan (WLP31). A number of housing allocations identified in Policy SA1 will provide the majority of the Local Plan housing requirement. Delivery of these sites are also critical to ensure a 5 year housing land supply is maintained. The application site falls within the settlement boundary of Poulton-le-Fylde as defined in the WLP31. Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. The site is allocated for housing development as part of site allocation 'South of Blackpool Road' (SA1/6). The total allocation consists of 19.54Ha with a housing capacity of 300 dwellings. This site makes up 1 of 4 parcels in different land ownership within the allocation. Of the remaining 3 parcels, 1 is subject to an application for 48 dwellings and a town centre car park which has had a resolution to grant planning permission subject to the completion of the Section 106 and is located to the south of the application site. Another parcel comprises land immediately to the southern boundary, on which this Planning Committee resolved to grant full planning permission for 202 dwellings and outline permission for a primary school subject to a Section 106 legal agreement. The remaining parcel, a smaller area of land immediately to the north of Berry Lane has not been subject to any application. Any loss of agricultural land within the allocation site has already been considered and accepted as part of the Local Plan making process.

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

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

Infrastructure Provision

9.6 Bungalows for people aged 55 and over are not exempt from providing the necessary developer contributions and mitigation required to make the development acceptable in planning terms. In this case the necessary infrastructure to mitigate the impacts of the development is affordable housing, green infrastructure, highway

improvements and health care, in line with the overarching requirements of Policy SP7 of the Local Plan and SA1/6. The masterplan also identifies a number of infrastructure requirements. LCC Education have confirmed no education contributions are required due to the age profile of the occupants.

9.7 In terms of affordable housing, Policy HP3 of WLP31 requires new residential development of 10 dwellings or more on greenfield sites in Poulton to provide 30% affordable housing on site. Based on the proposed development of 42 dwellings this would equate to 13 on site units. Whilst as part of the previous application (19/00809/FULMAJ) the applicant stated that it would not be viable to provide any on site provision or off site financial contribution towards affordable housing, this position has now changed and as part of this submission the applicant has advised that the development can now accommodate 6 onsite affordable dwellings. 6 Affordable dwellings is what the councils independent financial advisor (Keppie Massie) has advised the development can financially support. Whilst the full amount affordable housing provision is not proposed to be provided the 6 units which are to be provided does carry some weight which is to be considered as part of the wider planning balance, in particular when considering the benefits the development would deliver.

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

9.9 To accommodate the development a range of improvements are required to be delivered towards the local highway network. KDC9 of the site allocation sets out that development should contribute to the delivery of the Poulton Highway Mitigation Strategy. Lancashire County Highways have confirmed that this application would be required to provide £67,200 towards the Poulton Highways Mitigation Strategy and a further £6,000 towards Travel Planning in conjunction with a range of off-site highway improvement Section 278 works. Further details on these requirements are set out in the highways section of this report below (Paragraph 9.26-9.32). The applicant has agreed to provide these financial contributions as requested. This can be secured via the provision of a Section 106.

9.10 To mitigate the impact of this development on local health care facilities, a financial contribution of £21,132 towards the refurbishment and reconfiguration of Queensway medical centre in Poulton is required. This has been agreed by the applicant and is to be secured by Section 106 Agreement.

9.11 Policy SP6 of the WLP31 sets out that the council's overarching objective is to ensure that development is viable. Where a developer seeks to negotiate a reduction in infrastructure requirements that would normally apply to a development,

the council will require the developer to supply a financial appraisal demonstrating the costs to be incurred, the financial return and the profit expected. This is in accordance with the NPPF which requires viability to be a material consideration in decision making. In this instance as part of the previous identical application the applicant submitted a Financial Viability Statement (FVS) along with various supporting documentation. The submitted FVS report was reviewed by the council's independent advisor, financial and property surveyors Keppie Massie (KM). KM disagree with the applicant's benchmark land value and were of the view that the development is capable of providing 6 No. on site affordable units and the £67,200 Poulton Highway Mitigation Strategy and £6,000 Travel Plan and the £21,132 towards health contributions being requested.

9.12 In response to the KM findings and following the subsequent refusal of the previous application the applicant has agreed to provide all of the necessary and required financial contributions set out above including 6 onsite affordable dwellings. The shortfall of the additional 7 affordable dwellings weighs against the proposal as part of the overall planning balance. In this instance Officers are of the opinion that the benefits of the development outweigh the loss of the 7 affordable units. The proposed 42 age restricted bungalows would provide a specialist form of accommodation for persons over the age of 55. The National Planning Policy Guidance (NPPG) sets out different types of specialist housing for older people which specifically includes age restricted general market housing. It sets out that this type of housing is generally for people aged 55 and over and the active elderly and may include some shared amenities such as communal green space but does not include support or care. Whilst there is no specific local or national policy requirement for the delivery of over 55 accommodation or requirement to meet such a need there are a number of benefits which are also set out within the NPPG (Paragraph 008). The NPPG sets out that accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage - both in terms of cost and with regard to people being able to remain safe and independent in their homes. There is no specific requirement for such dwellings to be bungalows but it is generally accepted that bungalows are the most popular form of dwelling to meet these needs. The bungalows would also provide safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable bathroom and kitchens within the home. Wheelchair user dwellings include additional features to meet the needs of occupants who use wheelchairs, or allow for adaptations to meet such needs. In this instance the applicant has set out that the bungalows would all be constructed and built in accordance with Part M4(2) building regulations standards. Notwithstanding the accessibility benefits set out above, weight is also attributed to the visual benefits that the scheme would deliver. Whilst 2 storey dwellings on the application site could be visually acceptable the bungalows proposed would lie lower within the landscape and provide a less imposing form of development when viewed from Blackpool Road and would provide a more natural transition and integration with the wider site allocation (as set out in more detail below). For these reasons and on balance, it is considered that the application can now, on balance, be supported.

Housing Mix

9.13 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). In this case this is the May 2018 Addendum 3 Supplementary Note which sets out a need for 38% 1 and 2 beds, 43% 3 beds and

18% 4+ bed units (subject to a consideration of local need and demand). Out of the 42 bungalows proposed, there would be 14% 1 beds, 62% 2beds and 24% 3 beds. The mix proposed is not strictly in accordance with the SHMA Mix as it comprises a higher proportion of smaller units and zero 4 beds. However the provision of smaller properties is generally in line with the overall SHMA evidence and housing strategy. Furthermore it is acknowledged that the type of development would provide housing for Wyre's ageing population. Therefore the proposed mix in this instance is considered acceptable. Also in compliance with Policy HP2 the proposal will be providing adaptable ground floor living accommodation to assist in meeting the needs of the ageing population and people with restricted mobility. It should also be noted that the National Planning Practice Guidance in respect of housing for older persons and people with disabilities does not mention bungalows and there is a recognition that such housing can be provided by dwellings of more than one storey.

Visual Impact, Design and Layout

9.14 The visual impacts, layout and design of the development is identical to that previously submitted and to this extent the assessment remains unchanged from that of application 19/00809/FULMAJ. KDC3 of SA1/6 sets out that the design of the development should provide an organic extension to the town. Particular attention should be given to the nature and quality of boundary treatments. Policy CDMP3 of the WLP31 also requires new development to be of a high standard of design. Within the policy a number of criteria are set out. Criterion (A) states that all development must be designed to respect or enhance the character of the area. Criterion (B) requires development to create a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment having regards to the pattern and design of internal roads and footpaths in respect of permeability and connectivity, car parking, open spaces, landscaping and views into and out of the development.

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

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

9.17 There are minimal distinguishable features on the application site except for the ditches located along the southern boundary and between the two fields. The site

falls from west to east and from north to south. The highest part of the site is in the north western corner at approximately 10.8m AOD. The lowest point is in the central most northern part of the site where a minor depression lies at approximately 7.5m AOD. By reason of the nature and the design of the bungalows they do have a reduced visual impact due to their overall height and scale, compared to that of 2 storey properties. The proposed finished floor levels range from 9.3m and 10.9m AOD and the highest ridge height of the bungalows is 5.75m with all of the eaves of the dwellings being set at 2.25m in height. Site levels are shown to be generally raised and stepped across the site by approximately 1m. However where the site is adjacent to the properties to the northern boundary (south of Moorfield Avenue) the site levels generally remain the same as existing and unchanged. Cumulatively the overall increase in ground levels and the ridge heights of the dwellings will not result in any significant visual impacts upon the character of the area. Whilst some increase in levels are proposed within the site this will not result in any significant visual harm.

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

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

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

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

9.21 The applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan. Overall the layout and design of the development including materials are considered to be acceptable and would sit well within the context of the surrounding area. In turn the proposal is seen to satisfy Policy CDMP3 of the WLP31 and design guidance set out within SPG4 along with KDCs 1, 2 and 3 of SA1/6 as well as the 8 key points within the block structure (page 10) of the masterplan.

Impact on residential amenity

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

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

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

9.25 Whilst the parcel of land to the south of the site remains in agricultural use a hybrid planning application for 202 dwellings has been granted permission (19/00551/FULMAJ). The layout and relationship of the proposed bungalows has been assessed against the siting of the proposed dwellings of the adjoining site and it is considered that there will be no adverse impacts upon the amenity of the future occupants on either site should the applications both be approved. Overall having assessed the full impacts of the proposed development on the surrounding residential properties it is considered that the development would not result in any

adverse impacts on neighbouring amenity and would comply with the provisions of Policy CDMP3 of the WLP31 and the spacing guidance set out within SPG4.

Impact on Highway Safety, Access and Highway network

9.26 In assessing the highway impacts arising from the development the application is assessed against the provisions of Policy CDMP6 of the WLP31 and KDCs 1, 2 and 9 of SA1/6 and the NPPF. Given the scale of the development a Transport Assessment (TA) has been submitted in support of the application. LCC Highways having assessed the TA have confirmed that it is acceptable and that no further traffic assessment is required. Both Highways England and LCC Highways are satisfied that the impacts arising from this development on the highway network can be accommodated with mitigation through the provision of offsite highway works secured by a combination of planning conditions and section 106 agreement.

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

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

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

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

Poulton Mitigation Strategy from this development equates to £67,200. LCC Highways have also requested a £6,000 contribution towards Travel Plan support. The applicant has agreed to pay these contributions which are to be secured via the Section 106 legal agreement.

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

- Site Access to Blackpool Road by condition and delivered via Section 278 works
- Bus stop upgrades on Blackpool Road
- Blackpool Road/Poulton Road traffic signal upgrade to MOVA with Puffin crossing Facilities to be conditioned and
- Tithebarn Street/Queensway traffic signal upgrade to MOVA with the introduction of Puffin crossing to be conditioned
- Queensway existing Pelican upgrade to Puffin also to be conditioned

9.32 Subject to conditions it is considered that the proposal satisfies Policy CDMP6 of the WLP31 and SPG4 along with the KDCs set out above.

Flood Risk and Drainage

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

9.34 In terms of flood risk the application has been accompanied by a site specific Flood Risk Assessment (FRA). The drainage strategy has been designed to ensure that the surface water connects to the watercourse along the southern boundary and to ensure compliance with KDC7 and the infrastructure framework set out in the masterplan. The Environment Agency have been consulted on the application however they have advised that the application doesn't meet any of the criteria on their external consultation checklist and as such they are not required to respond. The Councils Drainage Engineer has raised no objections to the application subject to the development being undertaken in accordance with the submitted Drainage Strategy. The drainage strategy in summary demonstrates that the surface water from the site is to be stored on site by way of onsite attenuation tanks and discharged at green field run off rate 15.6ltr per second to the adjacent surface water network and ultimately discharge in to the Horsebridge Dyke watercourse. Foul water is to be pumped via a new on site pumping station located adjacent to the pedestrian/cycle link to the south in to the existing sewer located within Blackpool Road. As the dwellings are located within Flood Zone 1 there is no requirement for the applicant to satisfy the sequential or exceptions tests.

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

Ecology, Nature Conservation and Trees

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

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

9.38 The application has been accompanied by a detailed landscaping scheme which indicates the retention of all on site TPO Trees and the frontage hedgerow save for a small section required for removal to accommodate the new access road. Whilst some hedgerows and trees are indicated for removal around some of the boundaries new tree planting is proposed. The Councils Tree Officer has advised that the contents of the submitted Arboricultural Impact Assessment are agreed and that subject to the enhancement of existing hedgerows and conditions relating to tree protection measures there is no objection to the proposals. Overall the proposed development complies with the parameters of the masterplan and satisfies KDC2 and

4 of the site allocation SA1/6 and also accords with paragraphs 174 - 177 of the NPPF and Policy CDMP4 of the WLP31.

Other Matters

Contamination

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

Archaeology/Heritage

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

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

Noise and Air pollution

9.42 The application has been accompanied by Air Quality and Noise Assessments. The council's Environmental Health Officer has verbally advised that the noise assessment and its conclusions are agreed and subject to the mitigation measures proposed being secured by condition it is not anticipated that the development will be adversely impacted from noise arising from nearby receptors. Construction noise would need to be considered within the Construction Environmental Management Plan which would need to be provided prior to development commencing. The Environmental Health officer has advised that the development is unlikely to give rise to additional impacts upon air quality and that the assessment methodologies are appropriate and reasonable assumptions have been made. Therefore the development satisfies policy CDMP1 of the Local Plan.

10.0 CONCLUSION

10.1 The application site is suitable for a housing development, as it falls within site allocation SA1/6 of the Wyre Local Plan and is identified for housing in the Blackpool Road Masterplan. Matters relating to visual impact, amenity, mix, design,

ecology, drainage and flood risk, trees and hedges are considered acceptable subject to conditions. Members are advised that this proposal is seen to provide a high standard form of development which respects the residential amenity of the surrounding neighbouring properties and would provide a sensitive layout which would interlink and fit in with the wider site allocation to the south. The absence of 7 on site affordable dwellings weighs against the development in the balancing process of this application. That said, the identified benefits arising from the scheme are considered, on balance, to outweigh this shortfall. It is concluded that the proposal does represent a sustainable form of development, and for the reasons given above, and taking other matters into consideration, it is recommended that the scheme is approved subject to the conditions and securing the infrastructure provisions by reason of an agreed Section 106 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 full planning permission for 42 age restricted bungalows subject to conditions and a S106 legal agreement to secure 6 on-site affordable dwellings, green infrastructure and financial contributions towards the Poulton Mitigation Strategy, travel plan support and health care provisions. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 21.06.2021 including the following plans/documents:

- Location Plan Drawing Number 17-12-0501 REV A
- Site Layout Plan Drawing Number 18-17-P01 REV B
- House Type A (B) Floor Plan and Elevations Drawing Number HT-A01B
- House Type A (T) Floor Plan and Elevations Drawing Number HT-A01T
- House Type B (B) Floor Plan and Elevations Drawing Number HT-B01B
- House Type B (T) Floor Plan and Elevations Drawing Number HT-B01T
- House Type C (B) Floor Plan and Elevations Drawing Number HT-C01B
- House Type C (T) Floor Plan and Elevations Drawing Number HT-C01T

- House Type D (B) Floor Plan and Elevations Drawing Number HT-D01B
- House Type D (T) Floor Plan and Elevations Drawing Number HT-D01T
- Garage Details Drawing Number SGO1
- Proposed Street Scenes & Sections Drawing Number 17-12-SS01
- POS and Greenspace Drawing Number 18-17-POS

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

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

3. The development shall be carried out strictly using those materials specified on approved plan ref: Proposed material Plan 17-12-P01 and as shown on the plans within the House Type Range unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-3

4. No development above ground level shall be commenced until a phasing programme for the whole of the application site has been submitted to and approved in writing by the Local Planning Authority. This phasing plan shall include delivery of:-

- the main spine road
- the dwellings and their respective spur roads
- all green infrastructure including and landscaping
- pedestrian/cycle access link to the southern boundary
- the drainage system including drainage connection to the southern boundary

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: In the interests of the proper development of the site, to ensure the timely delivery of supporting infrastructure and to ensure the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with policies SP7, CDMP3, CDMP6 and SA1/6 of the Wyre Local Plan (2011-31)

5. Prior to commencement of the development, a construction phasing programme for delivery of the site access and all off-site works of highway improvement (to be carried out as part of a section 278 agreement under the Highways Act 1980) namely:-

- Blackpool Road - new priority junction the scope of which is shown on plan 18-17-P01 Rev A and upgrading 2 bus stops.
- Blackpool Road/Poulton Road traffic signal upgrade to MOVA with Puffin crossing Facilities.
- Tithebarn Street/Queensway traffic signal upgrade to MOVA with the introduction of PUFFIN crossing
- Queensway Pelican Crossing upgrade to PUFFIN Crossing.

shall be submitted to and approved in writing by the Local Planning Authority. The site accesses and off-site highway works shall be delivered in accordance with the agreed phasing programme, unless any alternative phasing programme is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the timely delivery of the necessary site accesses and 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).

6. The approved boundary treatments (as shown on proposed boundary treatment plan 18-17-BT and SD-EXT-01 and SD-EXT-02) shall be completed prior to first occupation of the respective dwelling(s). The approved details shall thereafter be maintained and retained in accordance with the approved details.

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

7. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details as shown on the following plans:

- External works layout proposed levels 30344-SUT-ZZ-00-DR-C-615-0001 P02
- FFL PLAN 30344-SUT-ZZ-00-Dr-C-615-0002 P03

unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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

8. Prior to the commencement of development, a drainage scheme which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan and shall follow the parameters as set out within the Drainage strategy and Flood Risk assessment submitted with the planning application (Flood Risk Assessment 3/4/20 Rev 04 , proposed drainage strategy 30344-SUT-ZZ-00-DR-C-6020-001 P07) including any mitigation measures set out within.

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 separately from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development (or approved phase of the development) shall be first occupied or brought into first use until the drainage works and levels have been completed (for that phase) 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.

9. Prior to the commencement of development save site soil strip and preparation, 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 prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken. On completion of any remediation works deemed necessary, a verification scheme shall be submitted to and agreed in writing by the Local Planning Authority.

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 and site clearance, 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 (including timing) 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
- (l) how biodiversity would be protected throughout the construction period
- (m) the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters from sediments entering the river Wyre
- (n) a Reasonable Avoidance Method Statement (RAMS) for site clearance including details of site preparation and vegetation clearance to prevent harm to great crested newts and protective fencing and supervised destructive search of specific high quality habitat features along with the retention of the existing onsite pond.

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

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, during site preparation and construction, in

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

13. Prior to the first occupation of any of the dwellings hereby approved, a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority. The Framework Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development. Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: To 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.

14. (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 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 of any estate roads not being 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).

15. 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).

16. The scheme of noise insulation measures set out in the supporting Noise Assessment submitted with the application [report by RS Acoustic Engineering, Project Ref RSA297/2019 dated 15/08/2019] shall be implemented for those plots identified within section 5 of the report prior to first occupation of each of these dwellings. The approved noise insulation measures shall thereafter be retained.

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

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

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

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

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

19. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification);

(a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwellinghouse forward of the main front elevation or side elevation, or along the side or rear boundaries of the curtilage of any dwelling beyond the rear elevation where that elevation directly faces a highway; and

(b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without express planning permission from the local planning authority.

Reason: To safeguard the appearance of open plan development and junction highway visibility in accordance with Policies CDMP3 and CDMP6 of the Adopted Wyre Borough Local Plan.

20. The pedestrian/cycle connection shown linking to the southern boundary as shown on the approved site layout plan shall be constructed up to the respective site boundary in surface materials that have first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved phase they fall within. The pedestrian/cycle connection shall thereafter be maintained and remain open and unobstructed at all times.

Reason: In order to ensure that the links are appropriately designed and managed, and are provided to the boundary with any adjacent land to ensure access is not prejudiced in accordance with the provisions of Policies CDMP3, CDMP6 and SA1/6 of the Wyre Borough Local Plan 2011-2031.

21. The measures contained within the approved Arboricultural Impact Assessment (Ref: P.1114.18), Method Statement and Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

22. The approved landscaping proposals outlined below shall be implemented in full in accordance with the approved phasing plan:

- Landscape Proposals Sheet 1 of 2, Trevor Bridge Associates, dwg 6066.01 rev B, April 2020
- Landscape Proposals Sheet 2 of 2, Trevor Bridge Associates, dwg 6066.02 rev A, April 2020

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

23. Prior to first occupation of any dwelling, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours in the vicinity of the housing development on public rights of way along with what 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.

24. No tree felling, tree works or works to hedgerows including grass sward removal or earth moving 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.

25. No development shall commence until a Landscape and Habitat Creation and Management scheme (LHCMS) has been submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation to include the mitigation measures set out within section 7 of the Ecological Appraisal submitted with the planning application [Envirotech dated 23 March 2021)

For the purposes of this condition the scheme shall identify:

- The road infrastructure design to include amphibian friendly features such as off-set gully pots and dropped kerbs in locations between the existing pond and adjoining hedgerows/green infrastructure;
- Details of long term management for the water bodies and terrestrial habitat specifically for great crested newts along with other retained or recreational habitats;
- Demonstration of design features within the scheme's infrastructure, particularly in the vicinity of the pond that could accommodate great crested newts. This may for example include outfalls and headwall features which will not trap newts, ecological permeability under boundary fencing (cf 7.3.1 submitted Ecology

Report, boundary detail shown Applethwaite 1.8m close boarded fence dwg no. SD-EXT-02

- The erection of temporary protection fencing to retained trees, shrubs and hedgerows
- Provision of bat, bird, beetle and hedgehog boxes within the development;
- Details of informative signage for the Public open space and any new countryside furniture
- Long term management for the retained pond/other water bodies and terrestrial habitat specifically for great crested newt. This should be included within both the POS management schedule and for any other feature that might be associated with SuDS maintenance

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

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

26. Details of the appearance (size, materials and external colour finish) of the Pumping Station as shown on the approved Proposed Site Layout Plan, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The development shall be carried out and retained thereafter in accordance with the approved details.

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

27. No dwelling shall be occupied other than by a person of 55 years of age or over, or as part of a household where at least one person is of 55 years of age or over.

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

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Planning Committee

21/00750/FULMAJ - Land to the south of Blackpool Road Poulton



Scale : 1:2320

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	11 January 2022
SLA Number	100018720

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PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 2 February 2022

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
21/00750/FULMAJ	Karl Glover	01	25-53

Amended Plans

Following the publication of the Planning Committee Agenda the applicant has provided a revised boundary treatment layout plan (Revision C) and a revised brick wall and railings plan (Reference SD-EXT01.1).

Officer Response: *Concerns were raised with the applicant that the original high-level 1.8m high brick wall on the prominent corner positions throughout the site created a blank and bleak feature when viewed from within the site and it failed to respond positively to the street scene. As such the applicant has revised this wall to provide a combination of a 1.8m high wall with brick piers and railing detail on top. This is considered to be an improvement and provides an improved appearance for the site layout and boundary treatments within.*

Amendment to wording of Recommendation

Throughout the Officer Report, in particular within the Infrastructure provision and the recommendation sections reference is made to how the infrastructure provisions would be secured by reason of a Section 106 legal agreement. The applicant has requested that these are secured by of the use of a S106 planning obligation (unilateral undertaking) i.e. signed only by the applicant and landowners rather than by an agreement which would also be signed by other relevant parties including the County Council, and Wyre Council..

Officer Response: No objections are raised to securing the necessary infrastructure by means of a unilateral planning obligation. The recommendation is to be revised to read as follows:

12.1 Grant full planning permission for 42 age restricted bungalows subject to conditions and a S106 legal agreement to secure 6 on-site affordable dwellings, green infrastructure and financial contributions towards the Poulton Mitigation Strategy, travel plan support and health care provisions. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 **planning obligation**.

Amendment to conditions

Boundary Treatment

As the boundary treatment layout plan and detail has been amended as set out above **condition 6** is to be reworded to reflect the revised plans drawing numbers

Condition 6: The approved boundary treatments (as shown on proposed boundary treatment plan **18-17-P01 Rev C** and **SD-EXT-01.1** and SD-EXT-02) shall be completed prior to first occupation of the respective dwelling(s). The approved details shall thereafter be maintained and retained in accordance with the approved details. Reason: In the interests of the appearance of the locality and the residential amenity of occupants / neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

Adaptable dwellings

As the development comprises of bungalows and the applicant has submitted information to demonstrate that the dwellings would be designed to be suitable for older people and people with restricted mobility then it is not considered that condition 18 is required to be a pre commencement condition requiring information to be submitted.

Amendment of condition 18 - The dwellings hereby approved shall be of a design suitable or adaptable for older people and people with restricted mobility in accordance with the plans submitted. The development shall be carried out, retained and maintained at all times thereafter in accordance with the approved details.

Management and maintenance of Green Infrastructure

To ensure the long term management and maintenance of the Green Infrastructure it is considered necessary to include the following condition

Condition 28 - An Open Space Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all areas of open space, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development or any phase of the development whichever is the sooner for its permitted use. The Management Plan shall be implemented in accordance with the approved details during the lifetime of the development.

Reason: To ensure the long term management and maintenance of open space within the site in the interests of visual amenity and the health and wellbeing of occupants in accordance with Policies SP8 and HP9 of the Wyre Local Plan (2011-31).

Committee Report**Date: 02.02.2022****Item Number 02****Application Number 20/01209/FUL****Proposal Erection of three dwellings (following demolition of existing light industrial buildings) (resubmission of 20/00835/FUL)****Location Former Kirkland Smithy Garstang By Pass Road Churchtown Preston Lancashire PR3 0HQ****Applicant Mr A Thornton****Correspondence Address c/o Graham Anthony Associates
FAO Mr Jake Salisbury 2 Croston Villa High Street Garstang PR3 1EA****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Lucy Lowcock**

Site Notice Date: 11/12/20

1.0 INTRODUCTION

1.1 This application is brought to Committee at the request of Councillor Cartridge. 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 is situated at the north-eastern side of an internal access road off the A6, Churchtown. The site falls in the countryside and Flood Zone 3. It is also in a mineral safeguarding area, area at risk of surface water flooding (access and part of garden) and SSSI Impact Zone. There is a farm opposite and a dwelling to the southern side. There are also some residential barn conversions opposite. There is a field to the north of the site that has planning permission for a replacement dwelling under application no. 21/00403/FUL, which is significantly constructed.

2.2 The site comprises two adjoining buildings constructed from concrete block and profile sheeting. There is a single-storey pitched roof building adjoining the front and north-eastern side of these, constructed from block and sheeting, and an attached stone building. The last use of the buildings appears to be for the manufacture of 'rotating and positioning equipment' for the welding industry, however, the business has since relocated. To the rear is a small enclosed field and beyond this the wider countryside. To the southern boundary is a 2m high fence. The

dwelling to this side has a small side window facing the site. To the front of the building is an area of hardstanding.

3.0 THE PROPOSAL

3.1 This application is for the erection of 3 dwellings on the land, following the demolition of the existing light industrial buildings. These would be one detached dwelling and a pair of semi-detached dwellings. All would have pitched roofs, with an eaves height of 4.75m and ridge of 6.6m. Parking would be provided to each dwelling either to the side or front. Enclosed gardens would be provided to the rear. The floor level of the properties is to be set at 12.80m AOD, approximately 0.8m above ground level.

4.0 RELEVANT PLANNING HISTORY

4.1 App. No: 21/00403/FUL
Butlers Arms Farm
Proposed replacement dwelling (variation of condition 2 (plans) on planning application 18/01184/FUL to amend the orientation and appearance of the dwelling) (part retrospective)
Approved

4.2 App. No: 20/00835/FUL
Erection of 3 detached dwellings (following demolition of former light industrial buildings)
Refused

4.3 App. No: 20/00074/COUPA
Notification for prior approval for change of use of premises from Class B1(c) (light industry) to 3 dwellings (Class C3) under Schedule 2, Part 3, Class PA
Prior approval 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
- CDMP1 Environmental protection
- CDMP2 Flood risk and surface water management
- CDMP3 Design
- CDMP4 Environmental assets
- CDMP5 Historic environment

- CDMP6 Accessibility and transport
- HP1 Housing land supply

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 5. Delivering a sufficient supply of homes
- Section 9. Promoting sustainable transport
- Section 11. Making effective use of land
- Section 12. Achieving well-designed places
- Section 14. Meeting the challenge of climate change, flooding and coastal change
- Section 15. Conserving and enhancing the natural environment

5.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §74, 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 Housing Implementation Strategy (published 30 September 2021) which demonstrates a deliverable housing land supply position of 6.4 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

OTHER MATERIAL CONSIDERATIONS

5.3 NPPG sections on climate change, flood risk, contamination, noise and design

5.4 SPG4 Spacing guidance for new housing layouts

5.5 SPD Extending Your Home

5.6 Wyre Council Flood Risk Sequential Test – Advice for applicants (Guidance v1.2).

6.0 CONSULTATION RESPONSES

6.1 KIRKLAND PARISH COUNCIL

6.1.1 Object on grounds of traffic and pedestrian safety, flood risk, building accessibility, set a precedence for other applications.

6.2 LANCASHIRE ARCHAEOLOGY

6.2.1 The former smithy building, as a non-designated heritage asset, merited recording prior to its demolition, and that such work should be secured by means a condition.

6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 No objections. Recommend a condition on parking and turning.

6.4 THE ENVIRONMENT AGENCY

6.4.1 No objection.

6.5 UNITED UTILITIES

6.5.1 Comments on drainage, water supply and United Utilities assets.

6.6 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.6.1 No objection

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

6.7.1 Requires a condition for a desk-study.

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

6.8.1 Based on proposed mitigation for noise and odour, no objection.

7.0 REPRESENTATIONS

7.1 10 letters of objection, points raised:

- traffic
- dangerous for pedestrians
- flooding
- inappropriate setting in relation to farm
- loss of turning area for waste, fire and rescue, delivery vehicles and haulage wagons
- danger of working farm
- livestock worrying
- obstruct access to farm
- asbestos in existing building
- loss of historic smithy building

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Revised plans 12/1/22 (latest)

8.2 Submitted flooding evacuation plan (14/12/21)

8.3 Noise assessment addendum (22/3/21)

8.4 Submitted noise assessment (18/2/21)

8.5 Submitted Flood Risk Assessment (14/1/21)

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Visual Impact/Design/Impact on the street scene
- Impact on Residential Amenity
- Impact on Highway/Parking
- Flood Risk and Drainage
- Ecology

Principle of development

9.2 The site is in the countryside, outside of a settlement boundary. Policy SP1 of the Adopted Local Plan directs development to within the settlement boundaries and strictly limits development outside settlements. Policy SP4 of the Adopted Local Plan sets out limited types of development that are acceptable in the countryside. New build market dwellings are not acceptable development in the countryside under Policy SP4. The proposal for 3 new build market dwellings, is therefore unacceptable in principle.

9.3 The planning statement submitted with the application sets out that the site benefits from prior approval for 3 dwellings (App. No: 20/00074/COUPA). The statement says this creates 'a realistic fall-back position' and 'the case of Mansell v Tonbridge and Malling BC (2017) EWCA Civ 1314 establishes that consideration of such Permitted Development fall-back is legally compliant'. The development permitted under application no. 20/00074/COUPA is for the change of use of the existing industrial building to 3 dwellings only, with no physical alterations to the building approved. It is subject to the condition that it must be completed by 30/4/23. Although planning permission would likely be required to be obtained for physical alterations to the building to make it habitable, such as the insertion of windows, the Class PA approval is considered to be a realistic fall-back position for the provision of 3 dwellings at the site.

9.4 National and Local Policies support re-use of existing buildings, including those in the countryside. Certain Permitted Development rights allowed for the change of use of industrial buildings under Class PA. Conversion of existing buildings can generally result in minimal visual alterations to the building or landscape, and make use of an existing building. In this case, the appellant has not sought to suggest that the existing building is not capable of conversion, but instead suggests that the current proposal would reduce the built form and improve residential amenity over the conversion under Class PA. The visual and residential amenity impacts are assessed below. There is no detailed comparison of the two schemes in terms of their resource use, so it has not been demonstrated that the proposal would be significantly more resource efficient than the approved scheme. Consequently, this does not weigh in favour of the proposal. The detailed comparison of the proposal against the fall-back position is set out in each section below. Overall, there is a realistic fall-back position which would result in the same amount of housing (3 dwellings) being delivered in the same location. Albeit, the Class PA approval was for

the change of use of existing buildings and therefore is not directly comparable to the proposal.

9.5 Policy SP2 of the Adopted Local Plan requires sustainable development. Relevant matters to this application are, ensuring housing provision to meet the needs of all sections of the community, maximise the use of previously developed land, ensure accessible places and minimise the need to travel by car, reduce and manage flood risk, and protect biodiversity, and landscape assets. The proposal would provide housing. This is not to meet a specific social need but would be of the smaller (2 bedroom) house types evidenced to be most needed in Wyre. The proposal would make use of previously developed land, being on land which accommodates industrial buildings. In relation to accessibility, there is a bus-stop, shop/fuel station, school, village hall, employment area all within around 500m of the site. However, there is no pedestrian footpath on the application site side of the road and a busy A Class road would need to be crossed to access the specified services. Therefore, the pedestrian accessibility and access to public transport is considered to be poor, therefore the proposal would not minimise the need to travel by car. As mentioned above, there exists the fall-back position of the change of use of the existing buildings to 3 dwellings under Class PA. Class PA did not allow for consideration of the accessibility of the location of the site. Nevertheless, both the current proposal and the approved scheme would result in 3 dwellings in the same poorly accessible location and therefore the two schemes would have the same impact in respect of this matter. The site is in Flood Zone 3. The matter of flooding is discussed below and the proposal is considered to propose suitable flood risk management that is a betterment over the previous approval. Ecology impacts are discussed below and are considered to be acceptable. The landscape impacts are discussed below and the proposal is considered to be visually acceptable.

9.6 Policy SP2 also requires a proposal to demonstrate a response to climate change. There is the potential for tree planting in the gardens and on the wider field to the rear. The flood risk management proposed is considered acceptable. A condition can be imposed requiring an electric car charging scheme to be agreed in accordance with Policy CDMP6 of the Adopted Local Plan. This would be a gain over the approved Class PA application. Overall, this is considered to meet the requirements on climate change for this part of Policy SP2.

Visual Impact / Design / Impact on the street scene

9.7 There is an existing industrial building on part of the application site that would be demolished as part of this application. The site is in the countryside. Policy SP4 of the Adopted Local Plan states that development which adversely impacts on the open and rural character of the countryside will not be permitted unless it is demonstrated that the harm is necessary to achieved substantial public benefits. Overall, it is assessed that the proposal would not be harmful to the open and rural character of the countryside. A condition would be required that the existing buildings be fully demolished, as the proposal would not cover the entire footprint of the existing buildings. The specific impacts are assessed below.

9.8 Scale – the dwellings would be two-storey with an eaves height of 4.75m and ridge of 6.6m. The existing maximum ridge height is 6.6m. The total volume would be 885m³ compared to an existing of 1833m³, and the total footprint 178.5m² compared to an existing of 374m². A comparison elevation of the existing and proposed has been provided, which shows that the proposal would match the eaves and ridge height of the highest existing building, which ties in with that of the existing adjacent cottages. The proposed site plan shows the existing footprint compared to

that proposed. Compared to the existing situation, bulk and mass will be lost from the rear and north of the site. There be a significant reduction in the amount of built form at the site, which would have potential visual benefits, particularly the view of the rear of the building from the A6 and wider fields. The benefits are not considered to be significant, as the current building is not overly obtrusive in the wider countryside being well screened from the A6 by trees and other buildings, and is of a similar scale to the adjacent buildings. However, the scale of development proposed is visually acceptable.

9.9 The dwellings would have gardens that would extend the residential use out into the wider field to the rear of the existing building by around 6m beyond the rear elevation of the existing building. It is not considered that this would be detrimental to the character and appearance of the wider countryside, as it would not extend out further than the existing dwelling to the north. This is a reduction in the size of gardens than proposed under refused application no. 20/00835/FUL. Although the previous Class PA approval did not include the provision of gardens, it considered reasonable that dwellings in a rural location require some outdoor amenity space.

9.10 Design – the dwellings would be of a simple style with pitched roofs. The floor levels would need to be substantially raised to provide the required flood mitigation. The dwellings are therefore proposed to be accessed with steps at the front and rear. This would be visually acceptable. The materials proposed are; coursed rubble sandstone walls, white painted render above, slate roofing, grey UPVC window frames and black rainwater goods. These would generally be appropriate, however, a condition would be required for the full specification to be agreed.

9.11 Layout – the dwellings would be staggered and set behind the front building line of the cottage to the southern side. This would in part be forwards of the footprint of the existing industrial building, but given the relationship with the existing dwellings to either side of the application site, it is not considered that this layout would be obtrusive. The semi-detached dwellings would have driveways to each side, which would visually break up the areas of parking. The detached dwelling would have parking to the front. As there is an existing area of hardstanding to the front of the building, this amount of front parking is considered to be visually acceptable. The dwellings would have sufficient space between each other and from the existing dwellings, compliant with the spacing standards in SPD4. Comparing the layout of the proposal with that of the existing building, it is considered that the proposal would have be similar in visual impact.

9.12 Levels – an existing topographic survey has been provided. This shows the land levels to the outer boundary of the site and some within it. This shows land to the adjacent properties and wider field no lower than approximately 12.0m AOD. The access road to the front is 11.5m AOD. The proposed site plan shows rear garden levels of 12.4m at the highest point. The drives and side garden are shown at 11.85m and the front gardens 11.7m. The finished floor levels of the dwellings would be 12.8m, raised 0.8m over the ground level at the front and accessible by steps. Overall, it is considered reasonable that the proposal can be carried out without significant land level changes and would be visually acceptable. The land levels can be conditioned to be implemented.

9.13 Boundaries – detailed boundary details have not been provided, therefore these will need to be conditioned to be agreed. It may be possible that a post and rail/wire fence with hedgerow could be provided along part of the rear boundary of the site, which may be most appropriate being onto the wider countryside. 2m

acoustic fencing would be required to the boundary of the plot closest to the road, which for this small length of boundary would be visually acceptable. 2m high acoustic fencing would be required to the southern boundary. As there is already a 2m high timber fence to this boundary, this would not be visually harmful.

9.14 Landscaping – a detailed landscaping scheme has not been provided, however, the general arrangement between grassed and paved areas would be acceptable. There is potential for tree planting in the rear gardens and wider field to the rear. A condition would be required for a detailed landscape scheme to be submitted and agreed. Compared to the existing situation and the approval for the change of use of the buildings, there would be some benefit from the current application over these, as it would enable some additional planting to be achieved.

9.15 Waste – bins can be stored down the side of each property, which will be visually acceptable.

Impact on Residential Amenity

9.16 Light – there is a farm opposite the front of the site and some residential barn conversions. The barn conversions would be over 30m away from the proposal which would be adequate separation to prevent an unacceptable impact on light. The dwellings would project beyond the rear elevation of the cottage to the south. The council's SPG on housing spacing standards does not provide specific guidance for such layout arrangements, however, the principles from the council's SPD used in the assessment of house extensions can be applied. Normally, a two-storey rear extension set off the boundary can project beyond the rear elevation of the main rear wall of the adjoining property by no more than half the set off distance plus 1.5m. In this case, the set off distance between the properties is 3.8m, therefore allowing for a rearwards projection of 3.4m. The projection will be 7.6m, therefore exceeding this distance by 4.2m. However, it has to be noted that the proposed dwellings would project out around 8.3m less than the existing building. So overall, it is assessed that there would be an improvement over the existing situation, in particular in relation to the mass and dominance of built form to the neighbouring cottage's rear windows and garden. The application site is to the north of the cottage, so the changes to direct sunlight will be minimal, with a slight improvement. A dwelling is situated to the north of the application site, with its frontage at an angle towards the application site. The distance from this will be approximately 11m at the closest point increasing to 17m. Normally, the council's SPG requires a spacing of 13m between two-storey dwellings where there is a front to side relationship. The proposal would be 2m less than this in part, however, the dwellings would be at an angle to each other, where the required separation distances would be exceeded in the most part. Therefore, it is not considered that there would be an unacceptable impact on light or sense of overbearing to the neighbour to this side. There are no properties to the rear to be impacted on.

9.17 Overlooking – the above mentioned separation distance would be adequate from the barn conversions opposite to prevent unacceptable overlooking. No windows are proposed in the sides of the dwellings. The cottage to the south has a small secondary window in the side. Given that this is already immediately onto the forecourt of the business and it is a secondary window, it is not considered that there would be an overlooking impact that would be greater than the existing situation to result in unacceptable amenity. The windows in the rear of the closet property to the neighbour to the north, will be at sufficient angle to avoid unacceptable overlooking. There are no properties to the rear to be overlooked.

9.18 Noise/disturbance – the proposed residential use would be compatible with the adjacent dwellings, and there is the potential for an improvement to residential amenity on this matter, with the removal of the industrial use.

9.19 Amenity of proposed occupants – the rear gardens of the properties will be of sufficient length to provide adequate outdoor amenity space for the proposed dwellings, exceeding 10.5m. Each main room in the proposed dwellings would have a window to provide outlook and light. The relationship between the proposed dwellings, and with existing buildings, would be acceptable so as to avoid unacceptable impacts on light and overlooking to the proposed occupants. The council's environmental health department have been consulted on the application and based on submitted noise and odour assessments, have no objections provided that mitigation is installed in the proposed dwellings, to protect against farm noise and odours, and road noise. This would require double glazing with trickle vents, a 2m high acoustic fence to the rear garden and a passive input ventilation system. With this mitigation it is assessed that there would not be an unacceptable impact on the amenity of the occupants from the adjacent farm. The dwellings will have their own enclosed curtilages, so there would be clear separation between them and the adjacent farm activity. They would front onto a shared access rather than onto a farm yard. Overall, a conflict between the residential and agricultural uses would be avoided.

9.20 When comparing the current proposal to the fall-back position, it would bring amenity benefits to the neighbours with a reduction in built form, and therefore less bulk and mass to the shared boundaries. The amenity of the occupants of the proposed 3 dwellings would be improved with the provision of noise and odour mitigation through a condition, and the provision of outdoor amenity space.

Impact on Highway / Parking

9.21 There is an existing access onto the A6 serving the industrial buildings. Lancashire County Council as the local highways authority have been consulted on the application and have no objections based on traffic generation or highway safety. Concerns have been raised by the Parish Council and neighbours about highway and pedestrian safety, however, based on the professional advice from LCC Highways it is assessed that the proposal will be acceptable in relation to highway safety. LCC highways have commented that 'any future development being accessed from the access road serving the site would require highways improvements and/or better protection of the sightlines onto the A6...', however, this refers to future development and has not been requested on this planning application. It should be noted that the approved Class PA application if implemented, would result in the same number of dwellings at the site, and therefore likely similar number of traffic movements. Additionally, the footprint of the existing industrial building is 374m². Under the Adopted Local Plan parking standards an industrial use of this size would have a parking requirement of 8 car spaces, which is greater than proposed in association with this current application, where 6 car spaces are proposed. This provides an indication that the current industrial use could have greater parking requirements and therefore associated traffic movements than the proposed dwellings.

9.22 Comments have been raised by LCC Highways that the parking for the proposed semi-detached dwellings is to be 'stacked' and 'as such only one parking space is easily accessible. It is LCC Highways opinion therefore that only one parking space is being provided for the two-semi-detached dwellings'. The plans show two parking spaces for the semi-detached dwellings on a drive arrangement.

This is considered a typical parking arrangement for a residential dwelling, therefore is considered by the planning officer to provide adequate parking provision. A condition can be used for the parking to be provided and retained as shown.

9.23 Some neighbour comments have been received raising concerns about the loss of turning on the forecourt of the site, including for waste collection vehicles and deliveries. This is private land, owned by the applicant, therefore it is not part of a public space available for turning. Additionally, it could currently be used by the industrial use for parking. No objections have been raised by LCC Highways on turning for larger vehicles. On the previously refused application no. 20/00835/FUL the council's waste department had no objections to a similar site arrangement. It is therefore concluded that there is suitable provision for waste collection vehicles to access the site. A neighbour has commented about obstruction of the access, however, right of access would be a private legal matter on the private road.

Flood Risk and drainage

9.24 The application site is in Flood Zone 3. A Flood Risk Assessment (FRA) has been provided with the application and The Environment Agency and council's drainage engineer consulted on this. The Environment Agency have no objections to the proposal, provided that the FRA is conditioned to be implemented. This shows finished floor levels of 12.8m AOD. The Environment Agency have confirmed that there would be a flood benefit from the newly constructed dwellings under this application over the Class PA approval, as they can provide higher floor levels. They state, 'the future occupants of the approved conversions (20/00074/COUPA) would be more reliant on managing flood risk and flood proofing measures (deploying barriers, evacuating if required, dealing with the aftermath/internal damage), compared with the proposed new houses because the constraints of the existing buildings mean the FFLs cannot be raised as high'. The floor levels on application 20/00074/COUPA were approved at 11.85m AOD for one building and 12.3m AOD for the main workshop building. Therefore, the current proposal would reduce flood risk as a result of the increase in levels by 0.95m and 0.5m respectively. Based on the advice from The Environment Agency, it is considered that this would bring a significant flood risk benefit of the current proposed dwellings, over those granted approval under the Class PA.

9.25 As the proposal is for new build development in Flood Zone 3, a sequential test on flooding is required to be passed to meet the requirements of the NPPF and Policy CDMP2 of the Adopted Local Plan. The submitted FRA includes a sequential test. This states 'the development is proposed to provide an alternative to an extant permission which evidently fixes the development location. Thus, only land in this specific location, that falls within the client's ownership can serve the need for the dwellings. Adjacent to the site, any undeveloped land which is at a lower flood zone is land that does not lie within the ownership of the applicant. The applicant must therefore look to land within the existing site boundary, which is all classified as being in Flood Zone 3 defended'. This is an incorrect application of the sequential test, which requires sites that are reasonably available for the development at a lower risk of flooding be used. Although, there is a Class PA approval for the change of use of the existing industrial buildings to 3 dwellings, the current proposal is for new built dwellings, which could be provided on land at a lower risk of flooding. For sequential test purposes this land is not required to be under the ownership of the applicant. The council's advice for applicants on the flood risk sequential test (v1.2) sets out that the geographical area of search is the whole borough. 'The council views residential development of all sizes – whether for market or affordable housing - as a strategic matter which will normally be considered on a whole-borough basis...'. As a

sequential test has not been carried out on this basis, the proposal fails the sequential test, contrary to the NPPF and Policy CDMP2 of the Local Plan. The fall-back position would allow for 3 dwellings at the site, however, that approval was for a change of use under Class PA, where a sequential test was not a policy requirement or controllable by the Local Authority, and as an existing building was being utilised could not be expected to be provided in another location. However, as the current application is for new build dwellings in flood zone 3, it is a National and Local policy requirement that a sequential test be provided, and so reasonable that alternative sites at a lower risk of flooding are considered. This has not been done.

9.26 Only when the sequential test is passed should the exceptions test be applied. Notwithstanding the failure to pass the sequential test the exceptions test will be considered for clarity. As the proposal is for 'more vulnerable' development in Flood Zone 3, it is required that the exceptions test be passed. The exceptions test part 1 requires the proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk. This has been not provided with the application and therefore this test is not passed. The exceptions test part 2 requires development to be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. As the FRA is considered to be acceptable by The Environment Agency and council's drainage engineer, this part of the test is passed.

9.27 The council's drainage engineer has been consulted on the application. United Utilities have commented that the sustainable drainage hierarchy should be followed. A condition can be used to require foul and surface water details to be agreed, to ensure that the most sustainable drainage option is used. An informative could also be added to any permission granted, about United Utilities assets and water supply.

Ecology

9.28 An ecology survey has been submitted with the application. This was carried out on 3/6/2019 by a suitably qualified ecologist. Although the survey is not up-to-date, as at that time it was concluded the building/s had a low potential for bats, it is not considered that there would have been significant changes in this time. However, as a precaution an informative can be used to make them aware of legislation relevant to protected species. Also, a condition can be used to ensure that demolition of the existing building/s is not carried out during the nesting bird season. As the buildings have previously provided nesting sites for birds, a condition can be used to require habitat enhancements, including bird box provision. The mitigation in the report can be conditioned to be implemented. An additional survey found Himalayan Balsam on the site. A condition could be added for the removal and management of this invasive plant. The site falls in an SSSI impact zone, however, for this type of development in this location, there are no concerns about impacts on protected habitats nor a requirement to consult Natural England. The ecological impacts for this application are considered similar to the fall-back position.

Other Issues

9.29 The council's environmental protection department have commented on the application and require a desk-study on contamination. If planning permission is granted, this can be conditioned to be provided. So as to protect the environment and human health. A neighbour comment has been raised about asbestos on the site. This should be addressed in the desk-study, but would nonetheless be subject to separate legislation.

9.30 The Parish Council raise concerns about the accessibility of the proposed dwellings. It is acknowledged that they will require stepped access due to the raised floor levels. There is no Adopted Local Plan Policy requirement that the dwellings on a housing development of this scale be required to meet accessibility standards. However, this may be a requirement of separate legislation, such as building regulations. The requirements that may or may not be required under separate legislation is not a material planning consideration.

9.31 Due to the historic nature of the Smithy, Lancashire Archaeology require a condition for building recording. This is appropriate in order to suitably record the asset in accordance with Policy CDMP5 of the Adopted Local Plan. The approval for the change of use of the buildings would have ensured the retention of the smithy building, however, as Lancashire Archaeology have no objections to the removal of the building, it is not considered that there would be unacceptable harm to heritage assets from the current proposal.

9.32 An objection has been raised about potential livestock worrying from the proposal. This would be the dog owner's responsibility and subject to separate legislation.

9.33 The site falls in a mineral safeguarding area. It is not considered that the development of the area of land proposed which is already mainly built on, would have an unacceptable impact on the use of the mineral asset.

9.34 United Utilities comment about their assets. There is a public sewer in the vicinity of the site. An informative could be added about this.

10.0 CONCLUSION

10.1 The current proposal directly conflicts with the Local Plan in principle, as it is for market dwellings in the countryside and is in a poorly accessible location in terms of access by sustainable means. Additionally, it does not pass the sequential and exception tests on flooding, as assessed under the flood risk section of this report. A previous planning application for the erection of 3 detached dwellings (application no. 20/00835/FUL) was refused for reasons including being unacceptable development in the countryside and failing the sequential test on flooding. These factors weigh against the development. There is, however, a fall-back position under extant Prior Approval application 20/00074/COUPA, which means that the existing buildings can be changed in use to 3 dwellings. Although for new build dwellings and therefore not directly comparable, the current proposal would result in the same number of dwellings at this site. In this report it is assessed that the current proposal would deliver significant benefits compared to the Prior Approval fall-back position, specifically in relation to flood risk management, with significantly higher floor levels. The Environment Agency advise that the new build dwellings would bring flood risk management improvements for the occupants. There would also be some visual and neighbouring amenity improvements with a reduction in built form and removal of an industrial use. There are other gains, including that this current proposal will allow for the requirement of landscaping, noise and odour mitigation for the new dwellings, and provision of car charging facilities, which could not be achieved through the Prior Approval application. Although the development plan (Local Plan) is the starting point for decision-making, the NPPF states 'local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that a plan should not be followed'. In this case, as 3 dwellings could currently realistically be provided at the site under the fall-back

position of the Class PA approval, and the current proposal would bring a betterment over that scheme, especially with the flood risk management gains, these material considerations are considered to outweigh the conflict with the development plan in this instance.

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 planning permission subject to conditions

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 3/12/20 including the following plans/documents:

- Site location plan GA3214-PL03-01G
- Site layout as proposed GA3214-PL03-03G
- Plans as proposed GA3214-PL03-05G
- Proposed elevations GA3214-PL03-06G
- Existing and proposed strip elevations GA3214-PL03-07G

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

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

3. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details 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. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

4. No development shall take place until, a plan indicating the positions, design, materials and type of boundary treatment 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 dwelling(s) 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/neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

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

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

6. No development, clearance, demolition, site preparation or other works shall take place on the original stone-built portion of the building complex until the applicant or their agent or successors in title has secured the implementation of a programme of building recording, analysis and reporting work. 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 the creation of a record of the building to level 2-3 as set out in "Understanding Historic Buildings" (Historic England 2016). It should include a

full description of the building, inside and out, drawn plans, elevations and at least one section (which drawings may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. The work must be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. A copy of this record shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record before any dwelling hereby approved is first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy CDMP5 of the Adopted Local Plan, and the NPPF.

7. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be 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, 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.

8. 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

- Bird Boxes

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

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

9. Prior to the commencement of the works on the dwellings hereby approved, the existing buildings at the application site, as shown on the approved site plan shall be entirely demolished, and any leftover materials removed from the site.

Reason: To protect visual amenity in accordance with Policies SP4 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved, the agreed method statement for the control of Himalayan Balsam [Envirotech letter 13/6/2019] shall be implemented in full, unless carried out in accordance with an alternative timetable for implementation submitted to and approved in writing by the Local Planning Authority.

Reason: 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.

11. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling(s) (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).

12. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [GA3214; published on the LPA website on 14 January 2021] and flood emergency plan [published on the LPA website on 14 December 2021], and the following mitigation measures detailed within the FRA:

1. The floor level of the properties is to be set at 12.80m AOD
2. Flood proofing measures are to be incorporated into the building designs including:
 - Forming the ground bearing slab in solid concrete
 - Incorporate a non-return valve on the drainage system
 - Connect incoming services at high level on the face of the building
 - Locating all fittings, fixtures and services above design floor level
 - Using UPVC skirting / architraves and flood resistant linings internally
 - Using storm dry additives to mortar and masonry cream application to limit penetrating water to external masonry

- Used closed cell insulation to walls and floors
- Provide movable flood barriers for door openings

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

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

13. The ground and finished floor levels shall be constructed and completed in accordance with the approved details [Site layout as proposed GA3214-PL03-03G].

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).

14. No dwelling hereby approved shall be first occupied until the parking shown on the approved plan [Site layout as proposed GA3214-PL03-03G] as relating to that dwelling has been laid out, surfaced and drained. The parking areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

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

15. Prior to the first occupation of the development hereby approved, the noise mitigation and control of odour measures set out in the supporting assessment submitted with the application [Acoustic and Odour Assessment January 2021 Report No: 2039-1] shall be implemented, and the following mitigation measures detailed within the assessment:

- 6/12/6 double glazing unit that provide a sound reduction, $R_w(C;Ctr)$, of 33(-1;-3) for all the windows in the dwellings.
- The installation of an alternative ventilation system incorporating acoustic trickle ventilators for all windows to habitable rooms to the dwellings.
- The erection of a 2.0m high close boarded fence of at least 12Kg/m³ around the garden area
- Installation of positive input ventilation (PIV) system, with an additional carbon filter to remove odour and particulates, located within the roof space of the dwellings.

The approved noise and control of odour mitigation measures shall thereafter be retained and maintained.

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

16. An electric vehicle recharging (EVCP) scheme shall be submitted to and agreed in writing by the Local Planning Authority for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the agreed electric vehicle recharging point scheme 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).

17. No demolition, 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.

18. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application [Envirotech report reference 5347] including all the mitigation measures set out in that report.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

Notes: -

1. Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org>. 'Understanding Historic Buildings' can be accessed online at <https://historicengland.org.uk/images-books/publications/understanding-historic-buildings/>

2. Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. Should this planning application be approved, the applicant should contact United Utilities by telephoning 03456 723 723 or writing to Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

3. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities' offer a fully supported mapping service and recommend the applicant contact the Property Searches Team by telephoning 0870 751 0101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

4. The site falls in

5. Flood Zone 3. It is therefore recommended that flood proofing measures are considered by the applicant and incorporated into the development where appropriate.

Further details are available on the GOV.UK website:-

- Improving the flood performance of new buildings: flood resilient construction (<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>)
- Prepare your property for flooding (<https://www.gov.uk/government/publications/prepare-your-property-for-flooding>)

Further Preparing for Floods guidance is also available on the Planning Portal website at

<http://www.planningportal.gov.uk/buildingregulations/goodpractice/preparingforfloods>

6. The future occupants can phone Flood line on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

By getting an advanced warning it will allow protection measures to be implemented as well as evacuating people off site. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-forflooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood> .

For advice on what do after a flood, visit <https://www.gov.uk/after-flood> .

6. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.

7. If any part of the proposed development encroaches onto neighbouring property the approval of the adjoining owners should be obtained before the development is commenced.

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Planning Committee



20/01209/FUL - Former Kirkland Smithy Garstang by pass Road Churchtown



Scale : 1:1636

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	13 January 2022
SLA Number	100018720

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