

Planning Committee Minutes

The minutes of the Planning Committee meeting of Wyre Borough Council held on Wednesday, 2 March 2022 at the Council Chamber - Civic Centre, Poulton-le-Fylde.

Planning Committee members present:

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

Apologies for absence:

Councillors R Amos

Other councillors present:

Councillors Baxter, Bowen and Kay

Officers present:

Daphne Courtenage, Assistant Democratic Services Officer
Karl Glover, Acting Planning Development Manager
David Thow, Head of Planning Services
Steve Smith, Planning Policy and Economic Development Manager
Carmel White, Solicitor
Ryan Arrell, Tree and Woodland Officer

Four members of the public attended the meeting.

PA.63 Declarations of interest

None.

PA.64 Confirmation of minutes

The minutes of the meeting of the Planning Committee held on 02 February 2022 were **approved** as a correct record.

PA.65 Appeals

The committee noted the Schedule of Appeals lodged and decided between 15 January 2022 – 15 February 2022, as set out on pages 3-26 of the agenda pack. Any member requiring any further details or clarification on any appeal was invited to contact the relevant Case Officer.

PA.66 Planning applications

The Committee agreed to change the order in which items were considered at the meeting. Item 5(c) on the agenda was taken as the next item to enable Councillor Kay to address the Committee and attend a mayoral engagement.

PA.67 Application C - 135 West Drive, Thornton-Cleveleys, Lancashire, FY5 2EG (21/01327/FUL)

This application was brought before the committee for determination at the request of Councillor Kay.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and photographs taken by the Case Officer.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The committee considered the update sheet, which contained an additional observation from Paul Maynard MP, asking the committee to consider the impact on the neighbours' amenity.

Wyre Borough Councillor for Pheasants Wood Ward, Andrea Kay, spoke in objection to the application.

Chris Homer, the agent, spoke in favour of the application.

Members raised concerns on the following issues:

- Planning permission for the demolition of the previous dwelling
- The balcony and its obscure glazing
- Height and floor levels
- The previously submitted plans and their contents

The Head of Planning Services responded to these concerns. He stated that the demolition of the previous dwelling and the commencement of the current development were technically in breach of planning control. However as an application had been submitted and in all the circumstances, no enforcement action had been considered appropriate pending its determination. He clarified to members that the floor levels of the balcony were lower than base of the blue screen shown on the plans displayed and that the screen heights would be complying with building regulations.

In relation to the impact on neighbours and overlooking, he explained to members that in urban situations, there was an expectation for a degree of overlooking, due to the lack of space between dwellings and gardens. Officers did not consider that there would be an adverse effect on amenity, and if committee members were of the view that there would be an adverse effect, officers could ask the agent to submit revised plans as a pre-requisite for approval.

Following discussion, it was proposed by Councillor Le Marinel, and seconded by Councillor I Amos, that the application be **approved** in principle,

subject to the submission of a revised plan showing amendment to side balcony to comprise an extension of the obscure glazing by extending it round the corner for 1m and with a complete squared off side and to the conditions the report(as amended to refer to the revised plan) and to that following the submission of the revised plans to the satisfaction of the Head of Planning Services the Head of Planning Services be authorised to determine the application.

PA.68 Application A - Land East of Carr End Lane, Stalmine-with-Staynall, Lancashire (20/00773/FULMAJ)

The application was brought before committee for determination at the request of Councillor Bowen. The application site also fell within an allocated site in the Wyre Local Plan and was of strategic importance.

A site visit occurred to enable members to understand the proposal beyond the plans submitted and the photographs taken by the Case Officer.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The committee considered the update sheet, which contained an updated consultation response from the Education Authority requesting a financial contribution towards primary and secondary school places; there was also an amendment to report para 9.30, as well as amendments to conditions 2, 4, 9, and 18 with revised plans having been received.

Letters of representation had been received from Wyre Borough Councillor for Hambleton and Stalmine Ward, Julie Robinson, and Lancashire County Councillor John Shedwick.

Katie Delaney, the agent, spoke in favour of the application. The developer's drainage consultant, Richard Nicholas, was in attendance and responded to questions from the committee.

Members raised significant concerns about the increased number of dwellings on the development as well as the flood risks from this, noting the lack of a detailed drainage plan. There were also concerns over the interconnectivity of the site with the other phases of the development.

The Head of Planning Services responded to the concerns raised by members. He told members that the application site had already been granted planning permission for 65 dwellings, which had included on-site green infrastructure (GI). The application before members included both an on-site local area of play as well as an off-site contribution.

He explained to members the issues relating to the interconnectivity of the two development sites, as there was a strip of land between them, however officers did not believe that this caused a significant issue to development. In relation to the flood risk raised by members, the Head of Planning Services said that the developer was not under any obligation to improve the current

situation, just to ensure the proposed development did not cause more harm. Relevant authorities have powers to require that landowners repair and maintain their drainage systems should there be any issues.

Following discussion, it was proposed by Councillor Ballard, and seconded by Councillor I Amos, that the application be **approved**, as per officer recommendation, subject to the following conditions and a Section 106 Legal Agreement to secure education, health, travel plan, and green infrastructure contributions, and provision of 30% on site affordable housing. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 legal agreement.

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 20.08.2020 including the following plans/documents:

- Drawing No. 00 Site Location Plan
- Drawing No. 01 Rev P12 Proposed Site Layout received 21st February 2022
- Drawing No. ET-P1 Eton House Type (Floor Plans)
- Drawing No. ET-P2 Eton House Type (Elevations)
- Drawing No. OX-P1 Oxford House Type
- Drawing No. STE-P1 Stephenson House Type (Floor Plans)
- Drawing No. STE-P2 Stephenson House Type (Elevations)
- Drawing No. SHA-P1 Shakespeare House Type
- Drawing No. NT-P1 Newton House Type
- Drawing No. JEN-P1 Jenner House Type (Floor Plans)
- Drawing No. JEN- P2 Jenner House Type (Elevations)
- Drawing No. WRE-P1 Wren House Type
- Drawing No. WREB-P1 Wrenbury House Type
- Drawing No. 3.352/P/BU/L10 300 Rev # Shackleton House Type
- Drawing No. TRE-P1 Trevithick House Type
- Drawing No. BRD-P1 Baird House Type
- Drawing No. BL-P1 Bell House Type
- Drawing No. CHIN-P1 Chinley House Type (Types A, Type B and Type C) Floor Plans and Elevations

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. Prior express planning permission from the Local Planning Authority no development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of any dwelling and garage (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.

For the avoidance of doubt and brick walls to the gardens of the properties should match any brick used to construct the host dwelling and carried out in accordance with the approved details.

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

4. The development shall take place in accordance with the submitted Drawing No. 04 Rev B (Boundary Treatment Layout) and the following plans:

- Drawing No. FD-001 Rev P1 (1.8m Screen Wall/Fence)
- Drawing No. FD-004 Rev P1 (1.8m Feather Edged Fence)
- Drawing No. FD-007 Rev P1 (0.45m Knee Rail)
- Drawing No. FD-008 (0.9m Post & Rail Fence)
- Drawing No. FD-009 (1.8m Hit & Miss Fence)

For the avoidance of doubt, the boundary screening walls and entrance feature walls shall be constructed in brick to match the proposed brick to the walls of the associated host property.

The approved boundary treatment to all individual dwellings and apartment blocks shall be completed before the associated dwelling is first occupied; the boundary treatments to the site entrance shall be installed prior to first occupation of any dwelling hereby approved; and the boundary treatments to the play area and shall be installed prior to their first use. 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 Adopted Wyre Borough Local Plan (WLP31).

5. 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 the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards.

The scheme details shall include, as a minimum:

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

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

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policy CDMP2 of the Adopted Wyre Borough Local Plan (WLP31) 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.

6. 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.

7. No development shall commence until details of how surface water and pollution prevention will be managed during construction have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

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

8. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Report (FRA) [Ref: HYD538_CARR.END.LANE_FRA&DMS Rev 1.0 Dated 10/09/2020] prepared by Betts Hydro and the following mitigation measures detailed, including those within section 4.8 of the FRA:

1. No surface water from the site shall discharge to the public foul system, either directly or indirectly
2. All existing watercourses are to remain open with 5m easement for access. No existing watercourse shall be culverted.
3. Finished floor levels of the buildings set 150mm above existing ground levels
4. No build offset of between 6m and 8m expected to be required to the watercourse parallel the western site boundary
5. Any overland flows generated by the development to be carefully controlled.
6. Surface water run-off generated by the proposals to be managed effectively with the peak rates of run-off being restricted to the pre-development greenfield situation
7. Onsite surface water drainage system sized to contain the 1 in 30yr return period event below ground with exceedance from storm events up to and including the 1 in 100yr return period storm event with a 40% allowance for climate change being contained onsite
8. Any drainage systems not be offered for adoption to either United Utilities, an appropriate maintenance regime should be scheduled with a suitably qualified management company for these private drainage systems

The mitigation measures shall be fully implemented prior to first occupation of the respective dwellings 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.

9. The development shall take place in strict accordance with the levels and road levels on approved Drawing No's 05 (Site Sections) received 14th February 2022 and Drawing No. 01 Rev P12 (Proposed Site Layout) received

21st February 2022, unless alternative ground and finished floor levels are submitted and approved in writing by the Local Planning Authority prior to such change taking place. The ground levels shall be constructed and completed in accordance with the approved details.

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

10. Prior to first occupation of any dwelling hereby approved the following off-site works of highway improvement shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority, in which case the off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation: -

- a) Site access including provision of tactile paving
- b) Off-site works to include a zebra crossing and upgrade two bus stops on A588 Mill Lane near the junction of Smithy Lane, and provision of a 2m footpath, street lighting and changes to kerb line on Carr End Lane.

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

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

- (a) dust and dirt mitigation measures during the 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 construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of 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 construction period
- (f) arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing

facilities, power wash, and road sweeping) including details of how, when and where the facilities are to be used;

- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable, and periods when plant and materials trips should not be made to and from the site (developer to identify times when trips of this nature should not be made)
- (h) external lighting of the site during the 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 construction work
- (k) measures to protect watercourses against spillage incidents and pollution
- (l) measures to ensure that construction and delivery vehicles do not impede access to adjoining or nearby properties

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

Reason: Such details were not submitted with the application and need to be in place throughout the construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

12. The visibility splays of 2.4 metres by 49 metres in a northerly direction and 2.4 metres by 53m in a southerly direction from the site access (as shown on submitted drawing no. A117134-P001 Rev A) measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Carr End Lane, shall be provided prior to commencement of any part of the development (other than works necessary to form the site access and associated visibility splays), and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

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

13. 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).

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

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

15. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved Drawing No. 01 Rev P12 (Proposed Site Layout), has been laid out, surfaced

and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

For the avoidance of doubt the two parking spaces incorrectly labelled as 19 on this plan shall be used as two parking spaces to serve plot 18.

Reason: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Adopted Wyre Borough Local Plan (WLP31).

16. 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. In the event that remediation measures are necessary, validation of the approved measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works.

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

17. 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).

18. No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the hard surfaced areas and materials (type, colour and finish, bound or porous), and shall show how account has been taken of any underground services.

The soft landscaping works for the development shall be carried out in full accordance with the approved soft landscaping details as shown on Landscape Proposal drawing no.s 5090.05 Rev A and 5090.06 Rev A received 28th February 2022, prior to first use of any dwelling, 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.

19. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a suitably qualified ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority before any vegetation is cleared.

Reason: In order to ensure that nesting birds are not unacceptably affected, in accordance with the National Planning Policy Framework, and Policy CDMP4 of the Adopted Wyre Local Plan 2011-2031.

20. Notwithstanding the submitted Arboricultural Impact Assessment and Appendices, prior to the commencement of development a Tree Protection Plan for TPO/179 (oak tree on Land East of Carr End Lane) and the extent of hedgerow to remain adjacent to the tree, shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate. All other retained trees and hedgerows on and adjacent to the site shall be protected in accordance with the measures set out in the submitted Arboricultural Impact Assessment and Appendices.

Such measures, including the Tree Protection Plan for TPO/179, 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 the Tree Preservation Order and adjacent hedgerow and all trees and hedgerows identified as being retained from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981. The details are required to be approved prior to commencement of development to ensure timely tree protection measures are in place, in particular for the Protected Tree.

21. (A) Prior to commencement of development, a method statement shall be submitted giving details of measures to be taken to avoid any harm to amphibians during the course of construction works. Once agreed, the method statement must be implemented in full.

(B) If any of the trees identified in the Ecology Survey and Assessment report as having the potential to support roosting bats need to be removed they must first be inspected for the possible presence of bats by a suitably qualified person. If bats are found a method statement must be prepared and submitted to the Local Planning Authority for written approval, giving details of measures to be taken to avoid or mitigate any possible harm to bats. Those approved mitigation measures shall then be implemented.

Reason: To prevent possible harm to ecology if the development were commenced without the necessary mitigation measures in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

22. Prior to the commencement of development a Scheme of ecological enhancement (otherwise referred to as a Landscape and Habitat Creation and Management Plan), 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):

- Bird nesting boxes
- Bat boxes
- Introduction of nectar and fruit bearing plants
- Porous boundaries (where possible)

Reason: To ensure the long term management and maintenance of open space within the site in the interests of ecology, in accordance with Policy CDMP4 of the Wyre Local Plan (2011-31).

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

impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

24. 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, and any EVCP should be a minimum of Mode 3. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

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

25. The development hereby approved shall be carried out in full accordance with Drawing No. 01 Rev P12 (Proposed Site Layout) showing plots 4, 12, 16, 17, 30, 32-34 (inclusive), 38, 39, 56, 61, 62, 67 and 68 (15no. units) as the adaptable plots along with wider parking space provision. These plots shall be provided to M4(2) standard of the Building Regulations as set out in the submitted Accessible Housing Statement (House Types - Adaptable Dwellings) by Anwyll Homes, and retained and maintained at all times thereafter as accessible and adaptable homes.

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

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

- 50dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas, daytime
- 35dB LAeq 16 hours (07.00 to 23.00) - indoors, daytime
- 30dB LAeq 8 hours (23.00-07.00) - indoors, night-time
- 45dB LAFmax (23.00-07.00) - indoors, night-time
- 60 dB LAFmax 8 hours-(23.00-07.00) façade level night time
- 60 dB LAFmax 4 hours-(19.00-23.00) façade level night time

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).

27. Prior to the construction of any dwelling on the site full details of the local area of play (LAP) shown on Drawing No. 01 Rev P12 (Proposed Site Layout) shall be submitted and agreed, and this play area shall be installed in accordance with the approved details and available for use prior to first occupation of the 35th dwelling, unless an alternative timetable is first agreed in writing with the Local Planning Authority.

Reason: To ensure there is sufficient provision for play for all occupants of the site in a timely manner in accordance with Policy HP9 of the Adopted Local Plan 2011-312 (WLP31).

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 any dwelling 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).

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order):

(a) no fences, gates or walls other than those shown on approved Drawing No. 01 P11 (Proposed Site Layout), shall be erected along the front or side boundaries of any dwellinghouse forward of the main front elevation or side elevation of that dwellinghouse; and

(b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking.

Reason: The development has been designed with an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development. The loss of front landscaping areas would also seriously detract from the overall streetscene which would become dominated by car parking. This would be contrary to Policy CDMP3 of the Wyre Borough Local Plan (WLP31) and the provisions section 12 of the NPPF.

30. Notwithstanding the provisions of Schedule 2 Part 1 Classes A-D 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), the dwellings on plots 35-37 and 49-51 inclusive, hereby approved shall not be altered or extended, without express planning permission.

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

31. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) hereby approved for plots 17, 32, 33, 38, 56, 61, and 62, shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose without prior express planning permission from the Local Planning Authority.

Reason: To ensure that there is sufficient off-highway parking for these three bedroom units which require two parking spaces and which without the garages would only have one external parking space, to ensure the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon, and in the interest of the amenity of the street scene, in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

PA.69 Application B - Land at Norcross Lane, Thornton-Cleveleys, Lancashire, FY5 3TZ (21/01089/FULMAJ)

The application was brought before committee for determination at the request of Councillor Baxter. The application site also fell within an allocated site in the Wyre Local Plan and was of strategic importance.

A site visit occurred to enable Members to understand the proposal beyond the plans submitted and the photographs taken by the Case Officer.

An update sheet with additional information was published on the council's website, this information only having become available after the original agenda was published. The committee considered the update sheet, which included the consultation response from the Local Education Authority, in which they stated they objected to the application. It also contained amendments to conditions 2 and 23.

The Head of Planning Services addressed the committee further on the issues surrounding the sought school land contribution including noting lack in the methodology for calculating such contributions and advising that any such contribution was required to be commensurate with the level of need and

fairly and reasonably related to a proposed development.

Wyre Borough Councillor for Victoria and Norcross Ward, Callum Baxter, spoke and asked for clarification on concerns raised by residents.

Graham Love, the agent, spoke in favour of the application.

Members asked questions on the proposed housing mix and traffic concerns in the area. They also expressed disappointment that the previous application for the site to be developed into a retail park had not gone through.

The Head of Planning Services responded to questions from members. He told members that Lancashire County Council as Highway Authority, were happy that the road itself and any imposed speed limits were safe for both vehicles and cycles, and had not identified any risks in terms of traffic or vehicle speed.

In terms of the housing mix, he confirmed that the percentages of housing mix identified were set out in the housing market assessment that was completed before the Local Plan had been adopted, and was a borough-wide analysis. The policy acknowledged that the mix should be assessed by a further assessment to provide an appropriate mix to meet identified housing needs and local market demand. He told members that the developer had been asked to provide an assessment and a justification for this, and officers were happy that this provided an appropriate mix of houses based on size, type and tenure.

Following discussion, it was proposed by Councillor Le Marinel, and seconded by Councillor I Amos, that the application be **approved**, as per officer recommendations, subject to receipt of a revised site plan (removing tenures) the conditions set out below, and a Section 106 legal agreement to secure on-site affordable housing (10%) and green infrastructure and financial contributions towards health care and Travel Planning. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the Section 106 agreement.

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 1st September 2021 including the following plans/documents:

Plans:

- Site Location Plan Drg No.19053_00, received 22nd September 2021;

- Site Layout (Phase 4) Drg No. M102/PL/05C, received 18th February 2022;
- Off-site highway works Drg No.3433-F02;
- Drainage Strategy Drg No.17027/100/1 Rev A received 10th February 2022;
- P.O.S Layout & Sections, received 10th February 2022;
- Boundary Treatment Drg No. M102/BT/05a, received 8th February 2022;
- S278 Schematic Plan Drg No.3433 F02;
- External Works Phase 4 Sheet 10 of 10 Drg No.EW 2.10, received 18th February 2022;
- External Works Phase 4 Sheet 11 of 11 Drg No.EW 2.11, received 18th February 2022.

House Types:

- Drg No. Gar 1.7 Grasmoor (Brick)
- Drg No. Gar 1.71 Grasmoor (Brick Render)
- Drg No. Bou 1.7 (Boulsworth Brick)
- Drg No. Bro 1.71 (Boulsworth Brick Render)
- Drg No. Bro 1.7 (Bromley Brick)
- Drg No. Bro 1.7 (Bromley Brick Render)
- Drg No. She 1.7 C (Sherbourne)
- Drg No. Arni 1.7 (Arnison)
- Drg No. Ash 1.7 (Ashdown)
- Drg No. Ash 1.71 (Ashdown render)
- Drg No. Cha 1.7 (Chatham)
- Drg No. Hea 1.7 (Healey Brick I)
- Drg No. Hea 1.7 (Healey Brick II)
- Drg No. Mai 1.7 (Maidstone)
- Drg No. Oak 1.7 (Oakshurst)
- Drg No. Wel 1.7 (Welland)
- Drg No. Whern 1.7 (Whernside)

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

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

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

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

4. The development hereby permitted shall be carried out in accordance with the letter by REFA Consulting Engineers (response to LLFA dated 4th October 2021) and the approved Flood Risk Assessment (FRA) by KRS Environmental (Ref: KRS.0571.001.R.001.A) and the following mitigation measures detailed within Chapter 8.6 of the FRA:

- Properties should be located above the back of the footway of the adjacent car park by 150mm to enable the full capacity of any secondary flood conveyance to be utilised.

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

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

5. No dwelling shall be first occupied until the drainage works have been completed in accordance with the approved details shown on Drainage Strategy Drg No.17027/100/1 Rev A. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

6. No development shall commence until details of how surface water will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include as a minimum measures taken to ensure surface water flows are retained on-site during construction phases and, if surface water flows are to be discharged they are done so at a restricted rate. The development shall be constructed in accordance with the approved details.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere to ensure compliance with policy CDMP2 of the Wyre Local Plan.

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

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

8. Prior to commencement of the development hereby approved, a scheme for the Biodiversity Enhancement Measures, as set out in section 5 of

the Ecological Survey And Assessment by ERAP (Consultant Ecologists) Ltd (ref: 2021-240) dated August 2021, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

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.

9. Prior to first occupation of any dwelling, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

10. 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.

11. 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).

12. Prior to the commencement of development details of the location and appearance of cycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any part of the approved development and thereafter maintained and retained.

Reason: In the interests of the appearance of the site and locality, in accordance with policy CDMP3 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

13. Prior to first occupation of the development hereby approved, details of the location, type and charging speed of electric vehicle charging points for all dwellings with parking provision shall be submitted to and approved in writing by the local planning authority 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).

14. Prior to first occupation of any dwelling hereby approved the off-site works shown on Drg No.3433-F02 of highway improvement, namely:-

- provision of the site access to Norcross Lane; and
- provision of the shared footway / cycle lane to the Norcross Lane frontage of the development

shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

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

15. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan Drg No. M102/PL/05b as relating to that dwelling has been laid out, surfaced and drained. The parking / turning area(s) shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

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

16. (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 / for a distance of 10 metres into the site from the highway before any other development takes place within the site.

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

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

in accordance with the approved details.

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

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

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

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

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

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

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

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

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

20. No part of the development shall be commenced until details of the refuse storage provision (including location, design and materials of construction) have been submitted to and approved in writing by the Local Planning Authority. The refuse storage area(s) shall be provided in accordance with the approved details prior to first occupation or first use of the development and shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31). The details are required prior to the commencement of the development because they were not submitted with the application.

21. The approved boundary treatment shall be completed in accordance with Drg No. M102/BT/05a, received 8th February 2022, before the dwelling to which the boundary relates 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 [DELETE AS APPROPRIATE] in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

22. The development hereby approved shall be carried out in full accordance with Drg No. M102/PL/05b and Drg No. Whern 1.7 and plots 241, 242, 276, 277, 278, 279, 280, 281, 282, 283, 285, 286, 289, 290, 303, 304, 327, 328 and 329 shall be provided to M4(2) standard of the Building Regulations, and retained and maintained at all times thereafter as accessible and adaptable lifetime homes.

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

23. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details shown on Drg No.EW 2.10 and Drg No.EW 2.11, received 18th February 2022.

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

24. Prior to the first occupation of the dwellings listed below of the development hereby approved, the windows specified below shall be:

i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and

ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

- First floor window serving the en-suite in the side elevation of House Types Boulsworth 1.7 / Boulsworth Brick Render 1.71 - Plot 321;
- First floor windows serving landing and bathroom in rear elevation of House Types Bromley 1.7 / Bromley Brick Render 1.7 - Plots 243, 318;
- First floor window serving landing in side elevation of House Type Sherbourne 1.7 - Plots 219;
- First floor window serving landing in side elevation of House Types Ashdown 1.7 / Ashdown Render 1.71 - Plots 257, 259, 266, 294, 302, 306, 316, 324;
- First floor windows serving landing and en-suite in side elevations of House Type Maidstone 1.7 - Plots 254, 263, 298, 301, 312;
- First floor windows serving landing and bathroom in side elevations

of House Type Oakhurst 1.7 - Plots 269, 292, 307, 308, 323;

- First floor windows serving landing and bathroom in side elevations of House Type Welland 1.7 - Plots 245, 246, 250, 260, 264, 270, 271, 272, 273, 275, 291, 305, 325.

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

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

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings on Plots 276, 277, 282, 283, 327, 328 shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without planning permission.

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

26. The area of public open space shall be developed and completed in accordance with the approved sections and levels details shown on Drg No.POS/P4/02 prior to first use of the development hereby approved.

Reason: To ensure that the development has a satisfactory visual impact and the public open space would be practical for all users in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

After consideration of this item Councillor Ballard left the meeting.

PA.70 Application D - Land South of A586 and North West of Copp Lane, Great Eccleston, Lancashire (19/00860/OULMAJ)

The application was brought before the committee for a third time. It had been initially presented to the committee on the 28 April 2021, and subsequently on the 1 September 2021 to seek approval for an amended condition (Condition 4). The committee had resolved to grant outline planning permission subject to the satisfactory completion of the section 106 legal agreement.

The Head of Planning Services explained to members that the reason the application was before them for a third time was due to the section 106 agreement and the issues surrounding this. He told members that they were being asked to authorise a bilateral agreement and a unilateral agreement running parallel to each other, contrary to the original approval. The officers were also asking for modification to the conditions, with condition 6 requiring an amendment to ensure an internal link road from the site was secured from the main spine road to the adjacent land to the east within the allocation in

accordance with the approved Masterplan, which would allow the land to the east to be served by a suitable access. There was also a need for a new condition, requiring the community hub and the provision of land for the community hall and school to be identified at an earlier stage for development.

He also told members that officers had received a further response from Lancashire County Council as Local Education Authority that the calculated contributions for primary and secondary places had changed, with a greater contribution having been identified, but as this was an outline application the calculation for this was to be done at a later stage. They had also identified that as the developer was not providing a contribution to the value for the school land, they were now raising an objection in this respect. The Head of Planning Services revisited the issues surrounding school land values including the considered insufficiencies in the relevant methodology and confirmed that the legislative tests were also not considered to be met in this case.

Following discussion, it was proposed by Councillor Le Marinel, and seconded by Councillor I Amos, that the application be **approved**, as per officer recommendations subject to the following conditions and a S106 Legal Agreement and s106 Unilateral Obligation to secure 30% on-site affordable housing provision, delivery of the link road between the A586 and Copp Lane, and financial contributions towards health care, community hall, education, public right of way improvements and travel plan support. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement and unilateral obligation.

Conditions:-

1. In the case of any reserved matter, namely access, appearance, landscaping, layout and scale of the buildings, application for approval must be made before the expiration of three years beginning with the date of this permission; and that the development hereby permitted shall be begun not later than:

the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This condition is required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 20.08.2019 including the following plans/documents:

- Drawing No. MA/GE/LP/01 Rev B - Site Location Plan

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

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

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

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

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

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

(d) The total amount of floor area to be provided for the retail (convenience) store specified within (c) above shall not exceed 400m² (gross).

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

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

Reason: To ensure the development delivers appropriate housing and employment growth whilst ensuring the uses are provided in the right location on the site and will not undermine the vitality and viability of nearby centres in accordance with Policies SP1, SP2, HP1, EP1, EP5 and SA1 of the Wyre

Local Plan (2011-2031) and the approved Great Ecclestone Master Plan.

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

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

5. Prior to any reserved matters submission a phasing programme for the whole of the application site to include the approved residential, green infrastructure, employment land and community hub together with timescales for the completion of a serviced plot in respect of the Medical Centre, School and Community Hall sites and availability of the Medical Centre and Community Hall service plots for Wyre Borough Council or Council Nominee (as defined in the S106) to make a transfer request, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing programme unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority or in respect of the transfer of the serviced plots, unless it is confirmed in writing by the Local Planning Authority that there is no longer an intent to acquire.

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

6. Prior to, or simultaneously with the submission of any reserved matters application(s) relating to layout, a scheme and programme for the construction, and subsequent offer to the local highway authority for adoption, of the internal spine road between the A586 and Copp Lane, together with the access roads to the 1ha of employment land and to the 2.43ha Community Hub, and the access road from the main spine road to the adjoining land to the east within the allocation (the spur road), as identified on the approved - Drawing No. MA/GE/PP/01 Rev A - Parameters Plan and the approved Great Ecclestone Masterplan Part 1, shall be submitted to and be subject to the approval, in writing, of the local planning authority. These internal roads shall be constructed in accordance with the approved scheme(s) and programme(s) to an adoptable standard and, in respect of the spur road, shall be constructed up to the eastern site boundary with the adjacent land forming part of the site allocation (SA3/3) and offered to the local highway authority for adoption. All these internal roads shall thereafter be maintained and remain open and unobstructed at all times unless and until they have been adopted

by the local highway authority.

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

7. As part of the first reserved matters application where layout is applied for, the site size, location and boundaries for the areas of land within the community hub, including for the new community hall (site area 0.25 Ha), Health centre (site area 0.49 Ha) and school (site area 1.36 Ha), shall be submitted for approval and shall be in accordance with the general locations and type shown on the approved Drawing No. MA/GE/PP/01 Rev A - Parameters Plan and any Masterplan approved by the Local Planning Authority for the site.

Reason: In order to ensure the timely identification of land for the provision of essential infrastructure in accordance with the provisions of Policy SP7 of the Wyre Borough Local Plan.

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

- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel

washing facilities)

- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

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

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

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

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

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

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

Reason: In order to ensure the timely delivery of the necessary off-site

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

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

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

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

The scheme details shall include, as a minimum:

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

surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

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

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

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

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

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

13. Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing

by the Local Planning Authority. As a minimum, this shall include:

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

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

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

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

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

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

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

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

condition of water bodies.

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

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

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

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

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

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

18. Prior to the commencement of each approved residential phase of development, a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

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

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

Reason: In order to ensure that communal areas of open space and planting are managed in such a way as to safeguard their public access and usability and/or ecological benefits in the interests of health and wellbeing and biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policies SP8, CDMP3, CDMP4 and HP9 of the Wyre Local Plan 2011-2031. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To ensure compliance with the Wildlife and Countryside Act 1981

and section 15 of the National Planning Policy Framework.

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

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

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

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

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

Reason: To protect and prevent unnecessary disturbance of protected species, and to ensure provision of biodiversity enhancement, in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of

the National Planning Policy Framework, and in accordance with Policy CDMP4 of the Adopted Wyre Local Plan 2011-31.

26. Prior to the commencement of each approved development phase a re-survey of the site and adjoining land / ditches (within a 30metre buffer of the site) shall be undertaken for the presence of badgers and water voles together with proposals for mitigation/compensation, if required, shall be submitted to and approved in writing by the Local Planning Authority. Those approved mitigation measures shall then be implemented.

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

27. Prior to the commencement of each approved development phase a re-survey of the trees (to be removed and pruned) for potential bat roost features, including aerial inspection and/or activity surveys, to be carried out by a suitably qualified ecologist, shall be submitted to and agreed in writing by the Local Planning Authority. If bats are found to be present by the ecology survey then it shall also be accompanied by a Method Statement giving details of measures to be taken to avoid any possible harm to bats during tree works. If required, the approved Method Statement must be implemented in full.

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

28. The measures contained within the approved Tree Survey and Arboricultural Impact Assessment, (Tree Survey (BS5837: 2012) and Arboricultural Impact Assessment by Cameron S Crook & ASSOCIATES Dated June 2019 Version: 1.1, received 28th August 2019) with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

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

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

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

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

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

Reason: The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, and to ensure the appearance of the development is acceptable in accordance with Policy CDMP3 of the Wyre Local Plan 2011-2031.

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

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

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

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

- LAeq 55 dB 16 hours - gardens and outside living areas, daytime (07.00-23.00)

- LAeq 35 dB 16 hours - indoors, daytime (07.00-23.00)
- LAeq 30 dB 8 hours - indoors, night-time (23.00-07.00)
- LAFmax 45 dB 8 hours - indoors night-time (23.00-07.00)
- LAFmax 45 dB 4 hours - indoors evening (19.00-23.00)*

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

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

(B) Where noise mitigation measures are required to ensure compliance with the noise levels specified above e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted in the first reserved matters application(s) relating to layout or appearance, demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

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

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

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

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

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

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

PA.71 Wyre Council Tree Preservation Order No 14 of 2021: Land at Westfield Farm, Garstang By-Pass Road, Claughton-on-Brock, PR3 0PU

The Corporate Director Environment submitted a report to the committee for them to consider an objection made to the making of Wyre Council Tree Preservation Order No 14 of 2021: Land at Westfield Farm, Garstang By-Pass Road, Claughton-on-Brock, PR3 0PU.

Following discussion, it was proposed by Councillor I Amos, and seconded by Councillor Lady D Atkins, that the Wyre Council Tree Preservation Order No 14 of 2021: Land at Westfield Farm, Garstang By-Pass Road, Claughton-on-Brock, PR3 0PU, be **confirmed** for the reasons set out in the report.

The meeting started at 2.00 pm and finished at 4.14 pm.

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