



Planning Committee Agenda

Wyre Borough Council
Date of Publication: 29/10/2019
Please ask for : Emma Keany
Democratic Services Officer
Tel: 01253 887476

**Planning Committee meeting on Wednesday, 6 November 2019 at 2 pm
in the Council Chamber, Civic Centre, Poulton-le-Fylde**

1. Apologies for Absence

2. Declarations of Interest

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

3. Confirmation of Minutes

To confirm as a correct record the minutes of the meeting of the Planning Committee held on 2 October 2019 (already circulated by email).

4. Appeals

(Pages 1 - 2)

The Schedule of Appeals lodged and decided between 15 September 2019 - 15 October 2019, is attached.

5. Planning Applications

Background Papers:

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

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

- the reports
8. Any additional information specifically referred to in each report.

These Background Documents are available either on line, or for inspection by request at Planning Services, Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU

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

- (a) Application A- Land Off Rosemount Avenue, Preesall, FY6 0EY (18/00414/FULMAJ) (Pages 3 - 30)

Application Number: 18/00414/FULMAJ

Land Off Rosemount Avenue, Preesall, FY6 0EY
Residential development comprising of the erection of 46 dwellings with associated access and parking.

- (b) Application B- Land At Arthurs Lane, Hambleton, FY6 9AT (19/00167/FULMAJ) (Pages 31 - 66)

Application Number: 19/00167/FULMAJ

Land At Arthurs Lane, Hambleton, FY6 9AT.
Erection of 45 dwellings (net increase of 36 plots over and above the outline planning permission and subsequent reserved matters and 9 plot substitutions (1, 2, 44, 49, 68, 152, 153, 164 and 165)) and associated works including electricity sub-station and pumping station.

- (c) Application C- Blueberry Stables, Lancaster Road, Preesall, Poulton Le Fylde, FY6 0HN (19/00800/FUL) (Pages 67 - 78)

Application Number: 19/00800/FUL

Blueberry Stables, Lancaster Road, Preesall, FY6 0HN.
Extensions and alterations to existing stable building to provide two additional stables.

PLEASE NOTE:

Transport for the members of the committee will leave the Civic Centre, for the three Site Visits, at 10:15am.

APPEALS LODGED AND DECIDED

Appeals Lodged between – 15th September – 15th October 2019

Application Number	Location	Proposal	Com/Del decision	Appeal Type	Date Lodged
17/00951/OUTMAJ	Land On The East Side Of Lambs Road Thornton Cleveleys Lancashire	Outline application for the erection of up to 66 dwellings and a convenience store (up to 280sqm net sales area) with access applied for off Lambs Road (all other matters reserved)	Delegated	Public Inquiry	14 th October 2019

Appeals Decided between – 15th September – 15th October 2019

Application Number	Location	Proposal	Com/Del decision	Decision	Date Decided
No Decisions					

This page is intentionally left blank

Committee Report**Date: 06.11.2019****Item Number 01****Application Number 18/00414/FULMAJ****Proposal Residential development comprising of the erection of 46 dwellings with associated access and parking****Location Land Off Rosemount Avenue Preesall FY6 0EY****Applicant Gleeson Homes****Correspondence Address c/o Mr Matt Smith
Gleeson Homes 5 Europa Court Sheffield Business Park Sheffield
S9 1XE****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

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

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this planning application relates to a 1.188 hectare (2.93 acres) parcel of undeveloped greenfield land located to the north of Rosemount Avenue and east of Meadow Avenue in Preesall. The site is flat and rectangular in character with a coppice of mature trees located to the north eastern corner. The eastern boundary is defined solely by a field drain separating the site from the adjacent fields which also remain free from development. Access is currently achieved via a gated entrance on the western boundary at the head of the cul-de-sac on Meadow Avenue. The site sits on a slightly lower level to that of Meadow Avenue with the culverted entrance sloping down approximately 0.5m to that of the highway. There is also an overgrown field dyke which runs along the western boundary.

2.2 The surrounding area is predominantly residential in character. To the north and backing on to the site are four large detached dwellings and a pair of semi-detached dwellings which are located on Pilling Lane, to the south are a mixture of modern two storey residential properties on Rosemount Avenue and Meadow Close which adjoins on to Pinewood Avenue which comprises predominantly of semi-detached bungalows. Meadow Avenue to the west is also made up of residential bungalows.

2.3 The application site is located within the Settlement Boundary of Preesall as identified in the Wyre Local Plan (2011-2031). There is a Public Right of Way (PROW FP58) which adjoins Meadow Avenue to the west and runs north connecting to Pilling Lane. The site is also identified within the Agricultural Land Classification (ALC) as a mixture of grade 3 (good to moderate quality) and grade 2 (very good quality) agricultural land.

3.0 THE PROPOSAL

3.1 The application seeks full planning permission for the erection of 46 detached and semi-detached residential dwellings with associated access from Rosemount Avenue and pedestrian access onto Meadow Avenue. The proposed dwellings comprise of 26 x 3 bed 4 x 4 bed and 16 x 2 bed units and will all be two storey in height and benefit from 2 off street parking spaces some of which also have detached and integral garages. The materials proposed for the dwellings comprise of contrasting bricks, Forterra Honeygold and Lindum Cottage Red Multi as the main body brick with Rufford Buff Multi being provided as a contrasting brick by reason of decorative corner quoin detailing and brick heads and sills and corbelling at eaves level. Grey concrete tiles are proposed for the pitched roofs.

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

- Arboricultural Impact Assessment
- Planning Statement
- Design and Access Statement
- Extended Phase 1 Habitat Survey
- Flood Risk and Drainage Strategy
- Flood Risk Sequential and Exceptions Test (updated)
- Transport and Highways Statement
- Proposed Site Layout
- Proposed Street Scene
- Boundary Treatment Plan
- Topographical Survey
- Detailed Elevation and Floor Plans
- Viability Assessment
- Stage 2 Ground Investigation Report

4.0 RELEVANT PLANNING HISTORY

4.1 The application site has the following planning history:

4.2 16/00010/OUTMAJ - Outline application for the erection of 44 dwellings with detailed approval for access only (all other matters reserved) - Approved subject to conditions and Section 106 Legal Agreement - 13.07.2017

4.3 87/00199 - Outline application for residential development - Refused due to conflict with planning policy at the time and the proposal being premature due to emerging planning policy. - 02/04/1987

4.4 86/00286 - Outline application for residential development - Refused due to conflict with planning policy at the time and the proposal being premature due to emerging planning policy. - 07/05/1986

4.5 Whilst not directly related to this application site it is considered that other relevant planning history referenced in this report is brought to the attention of Members. This includes the following:

4.6 19/00156/FULMAJ - Land South Of Rosslyn Avenue Preesall - Erection of 39 affordable residential dwellings with associated infrastructure including new pedestrian and vehicular access off Rosslyn Avenue (resubmission of 18/00734/FULMAJ) - Permitted subject to conditions and Section 106 agreement (Planning Committee 5/6/2019) Decision issued on 1/08/2019.

4.7 09/00937/FULMAJ - Land south of Rosemount Avenue - Erection of 27 Affordable dwellings - Permitted 18/01/2010

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- Policy SP1 Development Strategy
- Policy SP2 Sustainable Development
- Policy SP6 Viability
- Policy SP7 Infrastructure Provision and Developer Contributions
- Policy SP8 Health and Wellbeing
- Policy CDMP1 Environmental Protection
- Policy CDMP2 Flood Risk and Surface Water Management
- Policy CDMP3 Design
- Policy CDMP4 Environmental Assets
- Policy CDMP6 Accessibility and Transport
- Policy HP1 Housing Land Supply
- Policy HP2 Housing Mix
- Policy HP3 Affordable Housing
- Policy HP9 Green Infrastructure
- Policy EP8 Rural Economy

5.1.3 The WLP31 identifies a Local Plan housing requirement of 9,200 dwellings or 460 dwellings per annum. Against this figure, the 5 year land supply including 20% buffer, is calculated as 5.19 years. This reflects the most up-to date housing supply position based on the 31 March 2018 figures. Paragraphs 73(b) and 74 of the NPPF and footnote 38 make it clear that where a local authority has a 'recently adopted plan', it is able to demonstrate a 5 year Housing Land Supply (HLS) for the purposes of the NPPF. Footnote 38 would operate in the present case to maintain the WLP31 status as a 'recently adopted plan' until 31st October 2019. The Inspector's Report into the WLP31 confirms that on adoption the Council will be able to demonstrate a deliverable supply of housing land. This finding is predicated upon the application of

a 20% buffer. The effect of the above is that during the period to 31st October 2019 the Council is deemed to be able to demonstrate a deliverable HLS.

5.2 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019

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

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

- Section 2 - Achieving sustainable development
- Section 9 - Promoting sustainable transport
- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 7 - Ensuring vitality of town Centres
- Section 8 - Promoting healthy and safe communities
- Section 12 - Achieving well - designed places
- Section 15 - Conserving and enhancing the natural environment

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

5.4 THE RURAL HOUSING NEEDS ASSESSMENT 2010

5.5 THE RURAL AFFORDABLE HOUSING NEEDS SURVEY PUBLISHED 2016

6.0 CONSULTATION RESPONSES

6.1 PREESALL TOWN COUNCIL

6.1.1 Objects - The primary reasons for objection relates to the following matters:

- Flooding - Site is situated in an area where flooding is experienced during heavy rain fall
- Sewage disposal - sewers in the area are at capacity
- Access - Impacts on existing properties due to vehicular journeys
- No provision for affordable housing
- Neighbouring impacts - Overbearing impacts and overshadowing

6.2 ENVIRONMENT AGENCY

6.2.1 No objection - Advised that the EA are satisfied that the development will be safe in the design flood with an allowance for climate change and that the development will not be at unacceptable risk of flooding or exacerbate flood risk

elsewhere. The proposed development must proceed in strict accordance with the submitted FRA.

6.3 UNITED UTILITIES

6.3.1 Requests conditions requiring foul and surface water to be drained on separate systems. Following a review of the submitted FRA UU confirm that the proposals are acceptable in principle.

6.4 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.4.1 No objections subject to conditions relating to biodiversity enhancements, lighting design strategy for the purpose of foraging bats and the protection of breeding birds.

6.5 NATURAL ENGLAND

6.5.1 No objections

6.6 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.6.1 No objections subject to the delivery of highway and sustainable travel improvements secured through conditions and Section 106 legal agreement. LCC Highways are of the opinion that the proposed 46 dwellings will not have a severe impact on highway capacity, safety or congestion in the immediate vicinity of the site. A junction table should be provided to assist in reducing the speed limit within the site. £150,000 contribution has been requested to contribute towards sustainable transport (2C bus service). A number of planning conditions have been requested.

6.7 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.7.1 No observations received at the time of compiling this report.

6.8 LANCASHIRE COUNTY COUNCIL (EDUCATION AUTHORITY)

6.8.1 A contribution towards education provision is required towards secondary education (3 school places) at St Aidans C of E High School. This is currently calculated at £72,555.48. There is no requirement for any primary education contributions. This response is based on a reassessment at the time of compiling the committee report (09/10/2019). A further re assessment will be undertaken and provided by way of update prior to committee.

6.9 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY)

6.9.1 No observations received at the time of compiling this report

6.10 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATED LAND)

6.10.1 No objections subject to the standard contaminated land desk study condition being attached. Whilst a Phase 2 Ground investigation has been undertaken no desk study has been provided. Additional information in relation to ground gas has also been requested.

6.11 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (DUST AND NOISE)

6.11.1 No objections subject to a condition for a Construction Environmental Management Plan (CEMP) to be submitted to prevent impacts arising from noise, dust and light pollution.

6.12 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.12.1 No objections in principle. Surface water should discharge to existing watercourse network. Watercourses adjacent to the east and west of the site to be reinstated by the Developer. Downstream lengths shall be maintained by riparian owners.

6.13 WBC PARKS AND OPEN SPACES MANAGER (OPENSOURCE/GREEN INFRASTRUCTURE)

6.13.1 No objections subject to a financial contribution towards off site Green Infrastructure of £62,890. The site is within close proximity of Preesall Playing Fields which is being developed as a park and has in recent years had a range of sports and play equipment installed. There is a masterplan for Preesall Playing fields and the off-site contribution would go towards further delivery of the scheme to create a park there including a perimeter pathway, outdoor exercise equipment and skate half pipe.

6.14 WBC PARKS AND OPEN SPACES MANAGER (TREES)

6.14.1 No objections subject to conditions relating to tree protection measures and tree protection plan. A detailed landscape plan should be provided

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there have been 23 letters of objection received including photographic images. The primary planning related concerns raised are:

- Increase in traffic along Rosemount Avenue
- Pedestrian safety concerns
- Flooding during heavy rainfall
- Site is within Flood Zone 3
- Existing infrastructure is at capacity
- Poor highways conditions
- Lack of Employment
- Impact upon Trees
- Queries relating to the ownership of the existing ditch along the western boundary (inaccurate plan)
- Ecological impacts
- Impacts upon climate change
- Access for emergency transport
- Noise pollution
- Surface water run off
- Access of Meadow Avenue would be preferable
- Unlikely that the ditches will be managed and maintained
- Sequentially preferable sites available

- Sewers at capacity

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Ongoing dialogue has been maintained with the applicant throughout the application in relation to matters including flood risk and flood risk sequential test, viability, landownership and clarification over the site's red edge along with discussions and negotiations over planning obligations. An extension of time has also been agreed until the 6th November 2019. All pre commencement conditions have also been discussed and agreed with the applicant.

9.0 ISSUES

9.1 The main considerations in the assessment of this application are as follows:

- Principle of development and policy compliance
- Visual Impact, design, scale and layout
- Impact on residential amenity
- Impact on the transport network / highway safety / parking
- Flood risk and drainage
- Ecology, nature conservation and trees
- Contamination
- Planning obligations and viability

Principle of Development and Policy Compliance

9.2 The application site comprises of a 1.188 hectare (2.93 acres) of undeveloped agricultural land within a predominantly built up area of Preesall. The site is located within the settlement boundary for Preesall and Knott End and currently benefits from an extant outline planning consent for the erection of up to 44 dwellings. Policy SP1 (Development Strategy) of the Wyre Local Plan seeks to deliver new development in line with the settlement hierarchy, with Knott End/Preesall listed as a Rural Service Centre within the hierarchy where 18.5% of housing growth is expected during the plan period 2011 to 2031. The proposed development of 46 new dwellings would be compliant and in accordance with the development strategy set out within Policy SP1.

9.3 Policy SP2 of the Local Plan sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the National Planning Policy Framework. In this respect the application site is predominantly located adjacent to existing residential properties with Meadow Avenue to the west, Pilling Lane to the north and Rosemount/Pinewood Avenue to the south. The site lies in close proximity to an array of community services and facilities along with employment opportunities and public transport links.

9.4 Approximately 0.5 miles east of the site along Pilling Lane is Carters Charity Primary School which can be accessed directly via pedestrian footpaths and 0.4 miles south of the site is Preesall Recreational Ground which comprises of football fields and pavilion, playground, Indoor sports hall and Community Youth Centre. Immediately to the south adjacent to Sandy Lane is Bethel United Reformed Church and further east along Sandy Lane (0.6 miles from the application site) is a village convenience store and hot food takeaway. The relatively new Co-op retail store adjacent to the Fire station is located 0.5 miles from the site and 300m from the site

towards the south west is the Over Wyre Medical Centre south of which is St Oswald's Church. All of these facilities can be safely accessed by pedestrians either by utilising the footpaths and/or the cycle network. In terms of proximity to public transport there are a number of bus stops close to the site, the nearest being located 60m to the north on Pilling Lane which can be accessed via a public right of way at the north western corner of the site.

9.5 Geographically and locationally the application site is considered to be in a sustainable location and well related to the village services and facilities and the surrounding built residential environment. It is considered that provision of 46 new dwellings as proposed in this application would socially and economically support/sustain the retention and development of existing services within Preesall and assist in the growth of the rural economy which is fully supported within the NPPF. The proposal would comply and satisfy Policy SP2 of the Wyre Local Plan.

9.6 In principle the proposed development is considered to be acceptable. As set out later on in the report Officers have negotiated with the developer a number of financial planning obligations/contributions to mitigate against the impact of the development including contributions towards Green Infrastructure, Sustainable Transport provisions and also Affordable Housing. The location of the site within the settlement boundary and the benefits of the development weigh significantly in favour of the proposal. However this has to be balanced against the impacts of the development including matters such as Flood risk and drainage, ecological impacts, design and visual impacts along with other planning matters. These issues are all assessed and set out accordingly within the assessment of this report.

Visual Impact, Design, Scale and Layout

9.7 Policy CDMP3 of the Wyre Local Plan places emphasis on high quality design and requires all new development to be designed to respect or enhance the character of the area and provide a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment. At National level the National Planning Policy Framework (NPPF) also puts a strong emphasis on design. Paragraph 124 states 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking account of any local design standards or style guides in plans or SPDs.

9.8 At present the application site is characterised as a flat rectangular parcel of greenfield land which does provide a visual break from development. There are existing detached two storey residential dwellings located to the north along Pilling Lane, these properties benefit from large rear gardens and are set in from the application boundary by approximately 20m. Towards the south are the recently constructed two storey red brick dwellings which make up Rosemount Avenue and Meadow Close, these properties were approved under application 09/00937/FULMAJ and comprise of 27 affordable dwellings. The proposed access forms a continuation from the existing turning head of Rosemount Avenue where at present there is a 2m high close boarded timber panel fence in situ. Set in approximately 18m from the western boundary of the site are a number of semi-detached bungalows which are located on and make up the street scene along Meadow Avenue. These bungalows vary in design and scale with some properties benefiting from living accommodation

in the roof space. Construction materials vary within the surrounding built environment including render and red brick finishes under concrete tiled roofs. Beyond the east of the site are two parcels of land which are currently overgrown and made up of sporadically located mature trees and overgrown vegetation.

9.9 During the application process a number of amendments have been requested to improve the site layout and deliver improved pedestrian connections. Other amendments requested to the site layout included alterations to parking to ensure each dwelling has a minimum of 2 parking spaces at least one of which is to the side or behind the building line where possible. Officers requested that the proposed garages were amended internally to comply with the Councils internal standards of 6m x 3m however the applicant advised that this was not possible and that the sole use of the garages was not just for motor vehicles. As the internal garage standards fail to meet internal standard they cannot be treated as a car parking space, however 2 off road parking spaces are still provided to comply with Appendix B of the Local Plan. Plots 4-5, 6-7 and 8-9 have been amended and re orientated to front on to the new main spine road and improve the visual appearance and spacing between properties on the main road into the site. Following the final revised site layout (Revision R) it is considered that the interface and spacing standards are acceptable and would comply with the guidance set out within Supplementary Planning Guidance 4. The site layout provides a spacious development with good visual breaks between dwellings and is generally open in character. As a result of the spacing the development will allow views through from public vantage points and from within the site. In terms of spacing and layout the development is considered acceptable and would comply with Policy CDMP3 of the Local Plan and SPG4.

9.10 Like the majority of largescale developments in both rural and urban areas, developers predominantly use standard house types/models along with a customary pallet of materials. In this instance Gleeson's model is considered to be a low cost market dwelling and as such this is reflected in the visual appearance of the properties. The dwellings are not considered to have significantly high architectural integrity or detail however they are not seen to result in any visual harm to the character of the area. As set out in the submitted Design and Access Statement the dwellings within the locality vary significantly in scale, appearance and use of materials so in this instance it is considered that on balance given the high level of spacing between units and having taken into consideration the built form to the north, south and west the proposed appearance of the dwellings is considered to be acceptable in this location. The materials proposed comprise of a main body facing brick (Honey Gold and Cottage Red Multi) which is used to contrast each other by reason of decorative corner and window detailing under a flat profile slate grey concrete roof tile. Other examples of the Gleeson's house types which have been built out in various locations within the country using the same materials proposed in this application are seen to be acceptable. The materials are to be conditioned accordingly in accordance with the specifications submitted as part of the application.

9.11 To reduce the risk of flooding to the proposed development, the Environment Agency has requested that the finished floor levels are no lower than 5.75m above the external ground level. This will require the raising of levels within the site. However, as the application site is already in parts set lower than the existing highway of Meadow Avenue to the west the increase in level is not seen to be so significant that it would lead to an adverse visual impact within the street scene or lead to disproportionate ridge heights of the proposed dwellings compared to surrounding properties.

Impact on Residential Amenity

9.12 Policy CDMP3 of the Wyre Local Plan states that proposals for new development must not have an unacceptable adverse impact on the amenity of occupants and users of surrounding or nearby properties and must provide a good standard of amenity for the occupants and users of the development itself. Supplementary Planning Guidance 4 also provides guidance in relation to separation distances between existing and new properties.

9.13 As set out above in paragraph 9.1.6 the layout of the scheme is well spaced out and as such the interface distances are on the whole complied with (both within the site and in relation to neighbouring properties). As such Officers are satisfied that the proposed development would not have a significantly detrimental impact on residential amenity with regards to loss of light, overlooking or overbearing impacts. Plots 1 - 13 have rear gardens approximately 11m in depth resulting in an acceptable relationship with the properties which back/side on to the site from Meadow Avenue. Amendments were received to improve the spacing and relationship between plots 43- 46 and that of numbers 1-5 Meadow Close. Following the submission of the revised plans there is now approximately 25m from rear to rear of the properties which exceeds the 21m set out in SPG4. As a whole the proposal is not seen to adversely impact on neighbouring amenity and would comply with the provisions of Policy CDMP3.

Impact on the Transport Network / Highway Safety / Parking

9.14 The application has been accompanied by a Transport Statement (TS) which has been assessed by Lancashire County Council Highways. Rosemount Avenue is an adopted highway with a speed restriction of 20mph along its full length with a 2m wide pedestrian footpath on both sides and benefits from street lighting for its full length. Lancashire County Council's five year data base for personal injury accidents indicates that there has not been any reported incidents along Rosemount Avenue or at the junction with Rosemount and Pilling Lane. Lancashire County Highways have advised that they are of the opinion that the proposed 46 dwellings will not have a severe impact on highway capacity, safety or congestion in the immediate vicinity of the site. It is acknowledged that the Local Plan highways evidence suggested an Over Wyre housing cap of 250 units. At the time this was considered there was a committed development for 44 units on this site and so this scheme would only result in a net increase of 2 units over that previously assessed. Consequently it is considered no unacceptable impact would occur on the highway network.

9.15 The proposed access to the site is to be a continuation of Rosemount Avenue into the site extending the highway by approximately 200m. LCC Highways have advised that as good visibility would be available, vehicle speeds are likely to be higher than the good design practice of keeping vehicle speeds below 20mph which would have a detrimental impact on highway and pedestrian safety. A Junction table at the first junction would be appropriate and would assist in deflecting speed. The applicant has noted these observations and amended the submitted site plan accordingly to show the junction table. This can be conditioned accordingly as part of the highway works.

9.16 To improve sustainable links a footpath has been shown to connect to the existing Public Right of Way (FP 58) between plots 11 and 12 towards the north western corner of the site. Whilst no observations have been received from the Public Rights of Way Officer, the Highways Officer has advised that this pedestrian

link would be suitable for adoption under section 38 of the Highways Act. Where this proposed footpath meets the head of the cul-de-sac on Meadow Avenue there is a slim strip of land which does not appear to fall within the applicant's ownership and is not adopted by LCC Highways. The Land Registry search also fails to determine an owner for this small section of land. As this strip is outside of the applicant's ownership it is not included within the application site boundary. As such whilst the applicant can provide a new pedestrian access / footpath right up to the site boundary, there is a low risk that access across this strip may be prevented in future. That said, this strip has not resulted in the current site access from Meadow Avenue being unable to be used as a vehicle access for the landowner, and so it is envisaged that that it would not prevent future residents being able to cross and connect to the wider pedestrian highway network.

9.17 LCC Highways have requested a number of amendments to ensure the development provides sufficient off street parking. Whilst the internal garage dimensions fall short of the required standards each plot provides 2 off street parking spaces behind or to the side of the building line which would comply with SPG4.

9.18 To make the development acceptable LCC Highways consider it necessary and appropriate for contributions to be sought from the developer for sustainable transport improvements, to reduce car dependency and to ensure sustainable travel remains an option for the occupiers of the site. Monies would be used for the continuation/ reinstatement of bus services and or enhancing existing services providing peak hour improvements and/or provide evening and weekend services wherever possible, specifically an evening and Sunday/ Bank Holiday 2c bus service which runs from Knott End - Poulton - Blackpool. Whilst these monies requested are not sufficient to provide a comprehensive public transport improvement, LCC note that other large developments in the Over Wyre area have been met with similar requests and Section 106 agreements have been entered into.

9.19 LCC have set out and requested that to enhance the existing services along the current bus route and providing extending evening service Monday to Saturday (currently the 2C service) and introducing an hourly Sunday Service the cost would be £30,000 annum for a minimum of 5 years (overall total of £150,000). The applicant has agreed to pay this contribution which is to be secured via an agreed Section 106 Legal agreement.

Flood Risk and Drainage

9.20 The application site is located within Flood Zone 3 which is defined as having a high probability of flooding in the NPPG. Following the submission of the revised site specific FRA the Environment Agency, Wyre Council's Drainage Engineer and United Utilities have no objection to the development subject to conditions. No response has been received from the Lead Local Flood Authority. Significant levels of concern have been raised by members of the public and the Town Council as to the potential flood risks associated with the proposed development and written objections along with photographic images have been provided showing the existing field ditch along the western boundary overflowing into the field during heavy periods of rain fall. All of the concerns received have been acknowledged and discussed with the Council's Drainage Engineer and have been given significant weight in assessing the potential of flood risk. Within the ownership of the applicant (discussed later in this report in paragraph 9.1.36) against the eastern, southern and western boundaries are visible field drains which are clearly overgrown and appear to have been left unmaintained for a considerable amount of time. These drains connect via a piped culvert under Rosemount Avenue and run

due east behind the properties located on the northern side of Pinewood Avenue and discharge further east into the Wheel Foot Watercourse. In this instance the submitted FRA sets out that surface water will be drained and connected to this existing ditch system/watercourse network with a controlled discharge rate to be agreed. Policy CDMP2 sets out that Major category development will be expected to include proposals for and implement Sustainable Drainage Systems (SUDS) utilising lower lying land within the site and existing natural water features and outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy.

9.21 In this instance and as set out in the FRA the applicant has advised that percolation tests confirmed that the site would be unsuitable for the use of soakaways, however permeable paving will be used where appropriate throughout the development. This has been agreed by the Drainage Engineer and connecting to the existing watercourse is considered to be the most sustainable method of site drainage for surface water. The proposal would also comply with Policy CDMP2 of the Local Plan.

9.22 In addressing the concerns of residents it is agreed that the existing water course is in a poor condition, especially at the point of the culvert which flows beneath Rosemount Avenue where during heavy rainfall it appears to block up. The Council's Drainage Engineer has advised that after notice were served on riparian owners outside of the site the majority of the watercourse leading to Wheelfoot has been cleared and the wider system has been significantly improved. It is only the ditches within the application site that remain blocked up and unmaintained. As the applicant has demonstrated that the ditches falls within the ownership of the developer then a planning condition requiring this water course to be managed and maintained can be reasonably attached as it is necessary to ensure the most sustainable method of discharging surface water from the development site. The submitted FRA sets out that foul drainage will be connected to the combined sewer which crosses the application site. Officers are satisfied that drainage of the site can be adequately covered by condition with final technical details being required to be submitted.

9.23 Given the position of the site within Flood Zone 3, a flood risk sequential test is required for the proposed new dwellings. The NPPF (Para 157-159) states that a sequential test must be applied with the aim of steering development to areas with the lowest risk of flooding, and where necessary, the Exceptions Test should be applied. Paragraph 162 states that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. As this site is not allocated in the Local Plan, a sequential test is required. Policy CDMP2 of the Local Plan is in accordance with this stating 'where development is proposed in areas at risk of flooding, unless specifically proposed in this Local Plan, it must be demonstrated the at the Sequential Test has been applied and there are no reasonable available alternative sites at lower risk, considering the nature of the flooding and vulnerability of the development.

9.24 A sequential test has been submitted by the applicant covering the whole borough in terms of area for comparator sites. The Council's guidance on such sequential tests advises that 'for residential schemes, this may be based on site area or capacity. For lower density developments, for instance large detached houses, the site capacity should normally be used. For residential development, in some cases, the Council may wish to apply both site capacity and site size parameters'. In this instance the comparator threshold area is 1.12ha - 1.37 ha and all sites with a

capacity of 39-49 dwellings are to be considered. In assessing reasonably available sites the applicant has used the following sources as set out within the ST Guidance note:

- Wyre Local Plan 2011-31
- Strategic Housing Land Availability Assessment (SHLAA)
- Housing Land Monitoring Report
- Internet based searches and contact with Local Estate Agents

9.25 A number of queries have been raised in relation to some of the listed discounted sites and further clarification has been provided by reason of a Revised Sequential test to evidence a number of sites as not being reasonably available alternatives. However a number of potentially alternative sites have been discounted because they do not fall in a lower flood risk area, or because they are not considered "reasonably available" using the criteria outlined in the Council's guidance. The applicant has also provided sufficient evidence (following further requests) from local agents that there is no other comparable sites available. This is considered to be a robust assessment which demonstrates there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding and therefore in this instance the application is considered to pass the Sequential Test.

9.26 In accordance with the NPPF where the sequential test has been passed the exception test applies to sites classified as more vulnerable development. For the exception test to be passed it should be demonstrated that the development would provide wider sustainability benefits to the community that outweigh flood risk and the development must be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere. The exception test submitted outlines the wider sustainability benefits available to the local community which outweigh the flood risk. This includes Gleasons model which provides 2 bed entry-level family homes and low cost homeownership. The exception test also sets out the economic benefits that the additional 46 units would deliver by enhancing and maintaining the current local businesses close to the site along with the social benefits associated with the new housing. Having considered and agreed with the majority of the points put across by the applicant it is considered that these benefits are considered to outweigh any flood risk harm subject to a satisfactory site-specific Flood Risk Assessment (FRA) being provided. It is the role of the Environment Agency to consider whether or not the proposals satisfy the requirements of part of the Exception Test. They have advised (as set out above) that based on the revised FRA the applicant has demonstrated that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce the flood risk overall. As such the second part of the ET is considered to be passed.

Ecology, Nature Conservation and Trees

9.27 The application has been accompanied by an Ecological Appraisal. This appraisal has been assessed by Greater Manchester Ecological Unit (GMEU) who has advised that the report does not make reference to the previous ecology survey undertaken on the site for application 16/00010/OUTMAJ. GMEU have considered the findings of both reports and have concluded that the application site is of largely low ecological value, with the majority of the site supporting agriculturally improved grassland. GMEU have advised that the habitats present on site do have potential to support breeding birds and as such have recommended that a condition to prevent

any removal of trees, shrubs or vegetation between the main bird breeding season of the 1st March and 31st July is attached.

9.28 The previous survey considered the site to have potential bat habitat features to be used for foraging bats. Suggestions for appropriate lighting for the site were put forward. The survey submitted as part of this application considers the site to have poor foraging and commuting opportunities for bats. Given the conflicting views GMEU have advised that a precautionary approach is required and recommended that any lighting scheme be designed to prevent disturbance to bats, to be secured by reason of condition. Natural England have advised that the proposal is unlikely to have significant impacts on the natural environment including statutory protected sites or landscapes. Based on the submitted Ecological assessment and the professional comments received by GMEU and Natural England the proposal would comply with Policy CDMP4.

9.29 The Council's Tree Officer has advised that there are no objections to the proposal however a tree protection condition is required to be attached as the submitted tree constraints and tree protection plan is annotated as preliminary. A detailed landscaping plan has been submitted which is considered to be acceptable. The proposal will introduce new tree planting and grassed areas to the front of properties and retain all existing on site/off site trees.

Contamination

9.30 The application has been accompanied by a Stage 2 Ground Investigation report however no desk study has been submitted to assess the site potential for contamination. The Councils Environmental Health Team (Pollution Control) have advised that there are no objections to the proposal however a condition is recommended requiring a desk study is to be provided to allow a full assessment for the risk of potential on site contamination.

Planning Obligations and Viability

9.31 The original supporting Planning statement submitted with the application sets out that due to the combined abnormal costs associated with developing the site and the planning obligations requested towards education provisions, sustainable transport, affordable housing and green infrastructure it would result in an unviable development. The application was subsequently accompanied by a Viability Assessment and an Economic Benefits Report which was assessed by the Councils independent financial viability advisors Keppie Massie. Keppie Massie advised that they generally agree that based on the amount of contributions being sought and the land value demonstrated that it would be unlikely for the development to be financially viable.

9.32 It is acknowledged that viability is a material planning consideration in the overall planning balance and Policy SP6 of the Local Plan allows for the consideration of viability issues to ensure an appropriate balance between securing deliverable development and meeting various policy requirements. However in this instance as the proposed scheme was not providing any contributions to mitigate against the impacts arising from the proposed 46 dwellings the applicant was advised that the resultant harm caused would outweigh the identified benefits and as such it was likely that the application would be refused on this basis. This approach was consistent with the reason for refusal on application 19/00156/FULMAJ at Rosslyn Avenue for the proposal of 39 Affordable dwellings where Members refused consent on similar grounds.

9.33 Following negotiations with Officers the applicant has reconsidered the planning obligations being sought and has advised that they agree to providing the contributions towards education provision, sustainable transport, Green Infrastructure (off site contribution) and some affordable housing. Affordable Housing is discussed/assessed in more detail below along with the assessment of the other matters requiring financial contributions.

Other matters

Housing Mix

9.34 Policy HP2 of the Local Plan requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA) which in this case is the May 2018 Addendum 3 Supplementary Note setting out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units. Out of the 46 units proposed, 16 (35%) are 2 beds, 26 (57%) are 3 beds and 4 (9%) 4+ beds. Whilst this proposed mix is not fully in accordance with the SHMA it is skewed towards smaller units which is supported by the housing need evidence. Also within Policy HP2 it sets out that to help meet the needs of an aging population and people with restricted mobility at least 20% of dwellings should be of a design suitable or adaptable for older people and people with restricted mobility. In this instance the development of 46 dwellings should provide 9 suitable or adaptable units. In this instance it has not been demonstrated how the dwellings would be adaptable and as such it is considered that a condition is necessary to require this information be submitted and subsequently provided.

Education Contributions

9.35 To ensure the proposal secures the necessary infrastructure to mitigate the impacts of the development Lancashire County Council Education have been consulted. Based on the 2019 School census and resulting projections and taking into account all the approved applications LCC will be seeking contributions towards 3 Secondary School Places at St Aidans C of E High school, Preesall, which is identified as the school closest to the site with the space to expand. Based on current calculations this contribution equates to £72,555.48. There is no requirement for any contributions towards primary school provision. This contribution has been agreed by the applicant and would be secured via a Section 106 legal agreement.

Green Infrastructure (GI)

9.36 Policy HP9 of the Local Plan requires development which results in a net gain of 11 units to make appropriate provision of green infrastructure on site. Where appropriate the Council will accept a financial contribution towards improving the quality and accessibility of nearby existing green infrastructure. In this instance the submitted plan does not provide any on site provisions for Green Infrastructure / open space. The Council's Parks and Open Spaces Officer has advised that as the site is in close proximity to Preesall Playing fields which has defined projects identified in a Master Plan then it would be preferable in this case for an off-site financial contribution to be provided to the sum of £62,890 (based on 16 x 2 beds, 26 x 3 and 4 x 4 beds) which would go towards Preesall Playing field Masterplan and improvements to the existing facilities. The applicant has agreed to provide this contribution which would be secured via a section 106 agreement.

Affordable Housing and Affordable Housing Need

9.37 Within the planning statement submitted by the applicant, there is detail given regarding the 'Gleeson Development Model' which highlights that although this development is not technically 'affordable housing', it is low cost housing and is aimed at people who would otherwise be unable to afford to buy a home. Since the application was submitted the NPPF was revised in February 2019. In the Annex 2: Glossary Affordable Housing is defined within 4 separate categories. The fourth option (d) sets out that 'Other affordable routes to home ownership' shall be considered. It defines this category as:

'Housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below market value) and rent to buy. Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government of the relevant authority.'

9.38 Officers have considered the information and details submitted by Gleesons. It is not considered that the model and information submitted demonstrates that the proposal would fully comply with the definition in the NPPF. However the Council recognises that the applicant has since agreed to pay all of the other financial contributions and has advised that they can viably secure 4 on site affordable units. This is 10 on site units less than what Policy HP3 would require for this development (14 in total), plots 17, 18, 39 and 40 have been identified as the affordable units. The applicant has since provided further evidence and justification to set out that the 'Gleeson model' would satisfy the Affordable Housing definition criteria D as set out in the NPPF. As set out in paragraph 9.1.26 the applicant has also submitted a financial viability appraisal as part of the application in order to demonstrate to the Council that they are unable to provide traditional affordable housing as part of the scheme due to viability of the site.

9.39 Turning to affordable housing need as part of this application it is considered appropriate to demonstrate the current affordable housing need position for Preesall/Knott End. As part of the neighbour representations it is repeated that there is no need for affordable housing in the locality and given the recently approved 100% affordable scheme for 39 dwellings off Rosslyn Avenue it is necessary to provide an up-to-date position.

9.40 Within the Rural Housing Needs Assessment (2010) it states that there was an annual affordable requirement for 6 dwellings. The Rural Affordable Housing Needs Survey published in 2016 stated that there was an annual affordable requirement of 10 dwellings. In total this would amount to a requirement of 66 affordable dwellings between 2010 and 2019. Since 2010 there have been 27 Affordable dwellings built in the Knott End/Preesall area on Pinewood Avenue (09/00937/FULMAJ) and currently the 39 affordable dwellings with planning permission on the land south of Rosslyn Avenue. In total this amounts to 66 affordable dwellings, which coincidentally is the same figure as the calculated need. In this instance the proposal is offering 4 on site units. Another 4 units on this application site would help to meet projected need in 2019/20. This situation in addition to the benefits and viability evidence means that undersupply of Affordable Housing is not in itself considered to be a reason to refuse the application. On balance the benefits that will be provided have been given appropriate weight in the

overall planning balance. To this extent the proposal will be providing 4 onsite identified affordable units which are to be secured and delivered by reason of Section 106 agreement. The model demonstrated will provide a good quality low cost family housing to Preesall and Knott End. On this basis Officers are satisfied that the provisions of Policy HP3 of the Local plan has been satisfied through the provision of the low cost housing on this site with the inclusion of a Section 106 agreement.

Landownership and Boundary Dispute Issues

9.41 During the process of assessing the application it has been brought to Officers attention by residents from Meadow Avenue that the red edge along the western boundary may be incorrectly plotted. As submitted the red edge includes the existing watercourse/ditch which backs on to properties of Meadow Avenue. Officers have seen the deeds of one of the residents which does show the red edge of that property including a section of the ditch. Whilst boundary and landownership issues is not a matter for the planning process and is a civil/legal matter, to ensure the correct landownership certificate had been submitted with the application this issue was put to the applicant who has since provided an up-to-date Land Registry title plan which does coincide with the submitted site location plan and shows the ditch contained within the application site.

10.0 CONCLUSION

10.1 In assessing this application, the policies of the Wyre Local Plan and other relevant local and national policy considerations have been taken into account. Officers consider that the proposal does represent sustainable development (environmental, economic and social aspects) which satisfy the provisions of Policies SP1 and SP2 of the Local Plan. It is considered that the applicant has adequately addressed the concerns relating to flood risk including demonstrating that there is a sustainable technical solution to the discharging of surface water and has demonstrated through the flood risk sequential test that there are no comparable sites reasonably available which are in a lower risk of flooding within the borough. The site layout is considered acceptable and will not result in any adverse or detrimental impacts upon neighbouring amenity due to a good level of separation and interface distance. Members are advised that given the site's location within the settlement boundary and the benefits arising from the scheme including the delivery of low cost market housing, contributions towards education and sustainable transport along with a contribution towards improvements to Preesall playing fields. Despite the shortfall in Affordable Housing which is justified on viability reasons, the application can be supported subject to conditions and the signing of an agreed Section 106 legal agreement.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant full planning permission subject to conditions and subject to a section 106 legal agreement to secure an appropriate financial contribution towards secondary education, green infrastructure, sustainable transport and 4 affordable

housing units. Authorise the Head of Planning Services to issue planning permission upon satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 7/06/2018 including the following plans/documents:

- Site layout plan: 2883-1-001 Revision R
- Site layout plan with OS plan: 2883-1-001 Revision R
- Site layout plan with Topo: 2883-1-001 Revision R
- Site location plan: 2883-1-000 C

House type drawings:

- 201 type - 201/1G
- 202 type - 202/1F
- 313 type - 313/1
- 301 type - 301/1H
- 303 type - 303/1E
- 304 type - 304/1E
- 307 type - 307/1B
- 309 type - 309/1E
- 311 type - 311/1B
- 401 type - 401/1G

Other Drawings:

- SD100E - 1800mm Timber Fence.
- SD103B - 600mm Post and Wire fence.
- SD700B - Single Garage.
- SD701C - Double Garage.

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

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

3. 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.

4. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy outlined in Policy CDMP2 of the Wyre Local Plan 2011-31.

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 (unless otherwise agreed in writing with the Local Planning Authority);

- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

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

5. 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 development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. 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).

7. Prior to the commencement of development an estate street phasing and completion plan shall be submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the standards to which estate streets serving each phase of the development will be completed. No dwelling within each phase shall be occupied until the estate street(s) affording access to these dwellings has been completed in accordance with the approved phasing plan.

Reason: - To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

8. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved plan 2883-1-001 Rev

R) 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.

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 Wyre Local Plan (2011-31).

9. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets and other non-highway related combined footways/ cycleway within the development, including details of a private management and Maintenance Company to be established if applicable, have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that all highways will be delivered to adoptable standards, to ensure that highways safety is not compromised and to ensure that all highways footways and cycleways will be maintained by either LCC as Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

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

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

11. The Soft landscaping works shall be carried out in accordance with the approved details [Drawing Number 3542/1 RevB) 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 5 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.

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.

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.

12. Prior to occupation of any of the dwellings hereby approved full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of hard surfaced areas and materials (i.e. driveways, paths, structures, furniture, play equipment, benches lighting and the footpath link to Meadow Avenue).

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.

Reason: The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development and for the purpose of safety and effective use of public areas.

13. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details (as shown on plan drawing number proposed site layout 2883-1-001 Rev R)

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

14. Prior to the commencement of development, including any demolition or tree works, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan for the retained tree(s) shall be submitted to and approved in writing by the Local Planning Authority. This shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing and details of any specialist demolition or construction methods if appropriate.

The tree protection shall be carried out in accordance with the approved details prior to any development commencing and shall remain in place during construction

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

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

15. 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 .

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

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

17. Prior to the first occupation of the dwelling(s) hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the use hereby permitted is first commenced, or before the dwelling(s) is first occupied. The approved details shall thereafter be maintained and retained.

Reason: The details are required prior to the commencement of the development because they were not submitted with the application

18. The development shall be carried out strictly using those materials specified on the supporting E-mail from the applicant dated 16th April 2019 unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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

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

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

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

(a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwellinghouse forward of the main front elevation or side elevation 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, without planning permission.

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

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

22. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) [Ref NO/2018/110742/04-L01) and the mitigation measures detailed within Section 7 of the FRA shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

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

23. Prior to first occupation of the dwellings hereby approved, a "lighting design strategy for biodiversity" for areas within the development to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the approved specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and section 11 of the National Planning Policy Framework (March 2012).

24. Prior to the commencement of development a Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- Native tree and shrub planting
- Hedgerow planting
- Bolstering of existing hedgerows
- Bat bricks and/or tubes within the new development
- Bird Boxes
- Bat Boxes
- Creation of ponds

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

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

25. Prior to the commencement of development, 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.

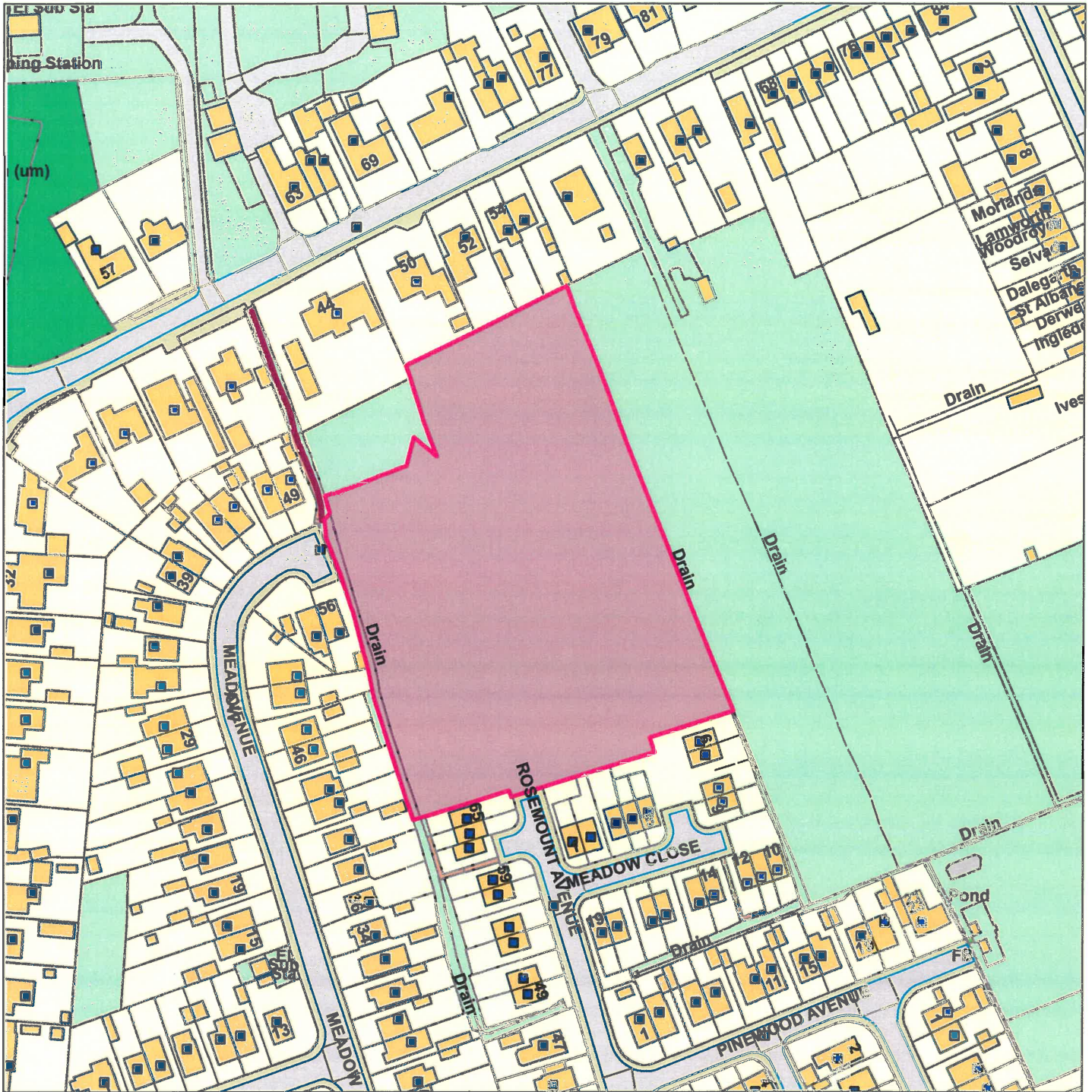
Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

26. Prior to first occupation of any dwelling hereby approved the new pedestrian footpath link (shown on Site Layout plan Rev R) connecting to Meadow Avenue to the western boundary shall be fully constructed and available for use.

Reason: To ensure satisfactory pedestrian access is provided and available for the occupants of the dwellings

Notes: -

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



Scale : 1:1726

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	22 October 2019
SLA Number	100018720

This page is intentionally left blank

Committee Report

Date: 06.11.2019

Item Number 02

Application Number 19/00167/FULMAJ

Proposal **Erection of 45 dwellings (net increase of 36 plots over and above the outline planning permission and subsequent reserved matters and 9 plot substitutions (1, 2, 44, 49, 68, 152, 153, 164 and 165)) and associated works including electricity sub-station and pumping station**

Location **Land At Arthurs Lane Hambleton FY6 9AT**

Applicant **Wainhomes (NW) Ltd**

Correspondence Address **c/o Maybern Planning & Development
FAO Miss Katie Delaney Beehive Lofts Beehive Mill Jersey Street
Manchester M4 6JG**

Recommendation **Permit**

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Miss Lucy Embery

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration at the request of Councillor Robinson. Furthermore the development of this site, which forms part of an allocated site in the Wyre Local Plan, is of strategic importance. Members will have the benefit of a site visit in advance of the public meeting because the nature of the area cannot be adequately conveyed through photographs.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is an existing 10.78 hectare greenfield site located on the east side of Arthurs Lane, Hambleton. The site is allocated for housing in the Adopted Wyre Borough Local Plan 2011-2031 as site SA1/10.

2.2 The site was granted outline planning permission for a residential development of up to 165 no. dwellings with associated access from Arthurs Lane (ref: 16/00217/OULMAJ). The access (with two access roads) into the site off Arthurs Lane was approved by the outline permission. The site also benefits from reserved matters approval relating to the appearance, landscaping, layout and scale of 165 dwellings (ref: 18/00395/RELMAJ).

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the erection of 45no. dwellings on the site, 9no. of the dwellings represent plot substitutions to 9 of the

dwellings previously approved by reserved matters consent 18/00395/RELMAJ. 36no. additional plots are proposed on the site beyond the previous permissions granted.

3.2 As originally submitted the application proposed the erection of 49no. dwellings with 40 additional plots and 9 plot substitutions, however through amendments the number of additional units proposed has been reduced to 36.

3.3 The proposed 36 no. additional plots are scattered across the site, around the dwellings originally approved by the reserved matters consent for 165 dwellings. The additional plots would be in the following locations:

- Main grouping of 18 no. additional plots on the northern extent of the site, shown on the submitted plans as plots 172-189.
- Grouping of 12 no. additional plots on the north western portion of the site adjacent to the existing access track and public right of way outside the site, shown as plots 190-201 on the submitted plans.
- 2 no. additional plots would be to the south of the southernmost access road into the site (plots 166 and 167) meaning that the previously approved plots 1 and 2 would be shunted further westwards to accommodate them.
- 2 no. additional plots in the south east part of the site (south of the proposed ponds) as plots 168 and 169.
- 2 no. additional plots in the north east part of the site (plots 170 and 171).

3.4 The 9no. plot substitutions which would change the house types and positions previously approved by the reserved matters application would be plots 1 and 2, 152, 153, 164 and 165 which are along the site frontage, plots 44 and 49 on the south eastern part of the site adjacent to the pond, and plot 66 in the north east part of the site adjacent to the open space.

3.5 Through the amendments submitted the application now also proposes an electricity sub-station and associated landscaping on the western side of the site, north of the access roads into the site, and opposite plot 199. A pumping station is also proposed in the north east corner of the site at the head of internal private access road.

4.0 RELEVANT PLANNING HISTORY

4.1 19/00349/FUL - Proposed erection of Substation in most southern corner of approved development (Application: 16/00217/OULMAJ). Current application pending consideration following deferment by Members at 3rd July Planning Committee.

4.2 18/01200/REM - Reserved matters application (for matters relating to appearance, landscaping, layout and scale) for the erection of 4 dwellings (plots 152, 153, 164 and 165) and associated works following outline planning permission 16/00217/OULMAJ. Application permitted.

4.3 18/00395/RELMAJ - Reserved matters application (for matters relating to appearance, landscaping, layout and scale) for the erection of 165 dwellings,

landscaping and associated works following outline planning permission 16/00217/OULMAJ. Application permitted.

4.4 16/00217/OULMAJ - Outline application with all matters other than access reserved for a residential development of up to 165 dwellings with access taken from Arthurs Lane. Application Permitted subject to S106 Agreement.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Well-Being
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk and Surface Water Treatment
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP5 - Historic Environment
- CDMP6 - Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments
- SA1 - Residential Development
- SA1/10 - Land at Arthur's Lane, Hambleton

5.1.3 The WLP31 identifies a Local Plan housing requirement of 9,200 dwellings or 460 dwellings per annum. Against this figure, the 5 year land supply including 20% buffer, is calculated as 5.19 years. This reflects the most up-to date housing supply position based on the 31 March 2018 figures. Paragraphs 73(b) and 74 of the NPPF and footnote 38 make it clear that where a local authority has a 'recently adopted plan', it is able to demonstrate a 5 year Housing Land Supply (HLS) for the purposes of the NPPF. Footnote 38 would operate in the present case to maintain the WLP31 status as a 'recently adopted plan' until 31st October 2019. The Inspector's Report into the WLP31 confirms that on adoption the Council will be able to demonstrate a deliverable supply of housing land. This finding is predicated upon the application of a 20% buffer. The effect of the above is that during the period to 31st October 2019 the Council is deemed to be able to demonstrate a deliverable HLS.

OTHER MATERIAL CONSIDERATIONS

5.2 NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019

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

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

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

5.3 WBC'S SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

- SPG2 - Trees and development
- SPG4 - Spacing Guidance for New Housing Layouts

6.0 CONSULTATION RESPONSES

6.1 HAMBLETON PARISH COUNCIL

6.1.1 Objects to the application for the following reasons:

- When the original Outline Planning Permission was granted, the Council detailed 26 conditions that must be applied to this development. Many of these conditions had to be completed prior to the commencement of any development. None of these have been addressed by the developer. The Parish Council would like the Council to ensure that these are applied to any proposed development, and that the important conditions 11, 13, 14, 16, 17, 25 and 26 on the outline consent be addressed before any development takes place.
- Arthurs Lane is only narrow and it is impossible to move plant or materials around school time, or any time of day if cars park opposite each other.
- The pavements around the school are very narrow in some parts and there have already been accidents on this road at school times. These issues that must be addressed and the Parish Council should have the opportunity to comment prior to any development. These points also affect surrounding roads including Marsh Lane, Church Lane, and Market Street.
- The proposed extra 40 plots is in excess of the 165 houses on the Local Plan which is therefore in excess of the housing needs.
- Most of the additional extra plots are to be situated on land originally earmarked for either public open space, drainage basins, recreational footpaths,

seating areas and at the expense of proposed tree planting. This contravenes most of the conditions on the outline permission.

- There does not appear to be a proposed drainage plan for this site.
- The drainage report is limited in considering the impact of flooding on the site only and does not reflect anticipated extensions to surrounding, higher risk, flood zone areas due to this development.
- The proposed additional pond near Arthurs Lane could be a health and safety issue and future maintenance could be a problem.
- A further ecological survey should be carried out as the original was conducted in February.
- Hambleton already has problems with transport links, reduced bus service, flooding/drainage problems, oversubscribed schools, doctors and dentists. These extra houses will exacerbate these problems.

The Parish Council has reiterated these points above in their letter of objection following re-consultation.

6.2 HIGHWAYS ENGLAND:

6.2.1 First response:

No objections, and recommends that conditions should be attached to any planning permission that may be granted.

The site is located at Hambleton, which is accessible from the A585 (T) Shard junction along the A588. Highways England is not of the view that the additional traffic generated by these proposals would, in isolation, generate a traffic impact upon the operation of the A585 that could be considered severe within the context of the governing Department for Transport Policy Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'.

Highways England anticipates a development of this scale would generate in the region of 17 to 18 additional vehicle trips on the A585(T) during the AM and PM weekday peak hour periods, amounting to one additional vehicle using the Shard junction every three minutes, which cannot be considered severe. Highways England therefore has no objection to the proposals. However in the interests of ensuring the traffic impacts of the development are minimised with the already approved 165 dwellings a condition is recommended requiring a Travel Plan to be agreed and be in place and operational from the point of occupation of the first dwelling.

6.2.2 Second response following re-consultation maintains this position.

6.3 LANCASHIRE COUNTY COUNCIL (LCC) as LOCAL HIGHWAY AUTHORITY:

6.3.1 No objections subject to the developer entering into a s106 securing £6000 for a Travel Plan and £250,000 for sustainable transport initiatives (to improve bus services), and a number of planning conditions including a S278 agreement for site access works, a construction traffic management plan, and a Travel Plan.

The site is allocated in the Local Plan. During the Local Plan examination LCC recommended a cap on the scale of development served off the A588 corridor due to the constraints on the A585 trunk road that Highways England highlighted. However,

since the adoption of the Local Plan Highways England have identified the A585 Windy Harbour to Skippool improvement scheme.

- Transport Statement

A number of off-site highway improvements have been secured through a planning condition on the outline consent (A588 / Bull Park Lane - highway improvement / safety scheme; Arthurs Lane - traffic calming / pedestrian improvement; Church Lane - pedestrian improvements; Public Transport - £250,000 to improve bus services; Travel Plan - £12,000 for travel planning support).

The developer has produced a Transport Statement (TS). Although the contents of the TS are not entirely accurate or agreed upon, no additional work from the developer is required for LCC to form an opinion on this application. The TA provided with the consented site included capacity analysis at Church Lane / Arthurs Lane and A588 / Marsh Lane which showed that these junctions would operate with significant levels of reserved capacity. The additional traffic from this proposal would not have a significant impact on junction capacity. No capacity improvements were required as a result of the consented development (165 dwellings), and none are required if this development were to come forward in isolation.

- Road Safety

Access to the development site has already been agreed through the consented application. LCC considers that the traffic from this development proposal would impact on highway safety at various locations on the local highway network and mitigation measures are considered necessary. However the mitigation measures from the consented scheme are sufficient to mitigate the impact of the approved scheme and the proposed scheme combined.

However should this proposal come forward before the 165 dwellings already consented, the traffic from this proposal would have an unacceptable impact on highway safety unless mitigation was provided. Mitigation would then be required in the form of traffic calming / pedestrian improvement on Arthur's Lane, and pedestrian improvements on Church Lane (as were required from the consented scheme). It is not considered necessary for this development to provide the safety improvements that the consented development is required to provide on the A588 / Bull Park Lane roundabout.

- Travel Plan

Although the scale of this development is below the normal threshold for a Travel Plan it forms part of a larger site where a Travel Plan is a requirement and as such this proposal requires a suitable planning condition. In the event that this proposal came forward before the consented development then this development should be responsible for commencing the travel planning process for the whole site. As this would require the production of a Framework Travel Plan LCC would expect to see a Travel Plan contribution of £6,000. These monies are not in addition to the £12,000 sought on the consented application.

- Sustainable Travel

LCC considers it appropriate for a developer contribution to be sought due to the scale of the development. The consented development has a requirement, secured

through a s106, to pay £50,000 per annum for 5 years for improvements to public transport services, which LCC considers to be sufficient to cover the public transport needs of this proposal. However, as with other measures and contributions these monies should be secured on this development should this development come forward prior to the consented development. These are not additional monies to those sought on the consented development.

- Internal Layout

The proposed layout is acceptable in general, but the following points should be addressed;-

- Plots 185 - 194 the car parking spaces outside these plot vary in width with those towards the easterly end being shorter than 4.8m (minimum requirement). Unless resolved it will lead to vehicles overhanging the footway to the detriment of pedestrian safety.
- Plot 194 the private footpath behind the car parking bays should be extended into the access way for plots 133-136 to provide greater and safer pedestrian connectivity.
- Plots 153, 154, 164 & 165 advise bollards to prevent use as a through route - as previously raised.

6.4 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.4.1 Originally objected to the application on the grounds that the construction of units 168-171 will reduce the amount of terrestrial habitat close to one of the ponds will significantly impede connectivity with the wider landscape to the east, thereby reducing the ecological value of the retained pond. The proposal to increase the number of dwellings on the site will reduce the amount of semi-natural habitat, and landscape connectivity will be detrimentally affected by the additions.

The updated Ecology report states that the additional dwellings provide scope for further bat and bird boxes to be installed at the site, and this should not be taken as a net gain.

6.4.2 Response following re-consultation on amended plans: There are no overall objections to amended plan Rev I. A separate response has also been received advising that the ecological mitigation area for pink footed geese (south of Church Lane) that was required for the previous outline consent for 165 dwellings is required for this proposal.

6.5 NATURAL ENGLAND:

6.5.1 First response received: As submitted, the application could have potential significant effects on The Wyre Estuary Site of Special Scientific Interest (SSSI), Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and the Morecambe Bay Ramsar. Further information, in the form of a Habitats Regulations Assessment (HRA) and Consideration of Recreational Disturbance, is required to determine the significance of these impacts and the scope for mitigation, as without this Natural England may need to object to the proposal.

6.5.2 Second response received following HRA: Following submission of the HRA it is expected mitigation will be in line with the original outline application. Therefore it is recommended that there is:

- Provision of new owner packs
- Assurance that original commuted sum for signage is sufficient to cover the increase in disturbance from increased dwellings
- Confirmation that the additional dwellings do not result in a loss of public open space as detailed in the original permission and whether that was sufficient to accommodate increase of population from additional dwellings

6.6 UNITED UTILITIES:

6.6.1 Following review of the submitted Drainage Strategy the proposal is acceptable in principle to United Utilities subject to conditions requiring the development to be carried out in accordance with the submitted foul and surface water drainage strategy, and requiring foul and surface water to be drained on separate systems.

6.7 LANCASHIRE COUNTY COUNCIL ARCHAEOLOGY ADVISORY SERVICE (LAAS):

6.7.1 The archaeological condition attached to the original outline consent for 165 dwellings on this site and requiring a written scheme of investigation is also relevant to this full application and should be attached to this application for the same reasons.

6.8 LANCASHIRE COUNTY COUNCIL (LCC) as EDUCATION AUTHORITY:

6.8.1 The most up to date response received is summarised as follows:
Based on current approvals in the area a primary education contribution is not required from this proposal.

Based upon the latest assessment, taking into account all approved applications, a contribution is required of £72,555.48 towards three secondary school places from this development.

6.9 LANCASHIRE FIRE AND RESCUE:

6.9.1 Recommends that the development should meet all the requirements of Building Regulations in relation to access and water provision.

6.10 WBC PARKS AND OPEN SPACES MANAGER (LANDSCAPE):

6.10.1 Comments that the proposals provide amenity and semi natural infrastructure. A path links much of the site and passes through proposed areas of grass, meadow, tree and shrub planting, and this feature is welcomed and will provide opportunities for residents to enjoy passive and active recreation. The open space at the entrance to the development will also include a pleasant range of fruiting trees and provide a green and attractive approach. The eastern boundary of the site will be softened by the shrub and tree planting and means that the houses and gardens are set further back in the site. Housing near open space is positioned so that it overlooks front the front of the properties, which can help dissuade misuse of the spaces. The existing hedge has to some extent been integrated within the design of the landscape having a path which runs alongside.

6.10.2 The proposals should be looked on favourably as they meet expectations for the provision of green infrastructure in this instance.

6.11 WBC HEAD OF PARKS AND OPEN SPACES MANAGER (TREES):

6.11.1 Confirms that the details provided regarding new tree planting are fully appropriate.

6.11.2 Response following re-consultation: The revised site layout Rev I shows the proposed location of the substation as outside influencing distance of existing trees. It is noted that the fencing would be flanked by hedging, presumably to assist screening. Details of hedgerow in terms of species and schedule for planting would be welcomed.

6.12 WBC's HEAD OF ENGINEERING (DRAINAGE):

6.12.1 No objection in principle subject to conditions requiring full details of surface water drainage, including details of revised on-site attenuation, and that the applicant proves the route from the site to the culvert off Church Lane to ensure flooding of Church Lane does not occur, or provides an alternative connection. The southern drain adjacent to Daytona is not considered suitable for surface water discharge from the site.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH (CONTAMINATION):

6.13.1 It is recommended that the same conditions attached to the original outline application on this site, which required a Phase 1 desk study, and a site investigation and remediation strategy if the desk study found potential for contamination, and a watching brief, are relevant to this proposal and should be attached.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH (AMENITY):

6.14.1 Comments that conditions should be attached requiring a construction management plan including hours of work and control of noise and vibration, and dust management, to be submitted and agreed.

7.0 REPRESENTATIONS

7.1 Ninety-four letters of objections have been received to the original consultation on this application. This issues raised can be summarised as follows:

Policy

- National Planning Policy is being ignored.
- The proposal goes beyond the 165 dwellings earmarked in the Council's local plan.

Planning History

- This application is for 25% more dwellings than were approved at outline planning and reserved matters stages.
- The application should be submitted as a full application for 205 houses because of all the impacts to consider. Therefore the application should be invalidated.
- An increase in dwellings renders reports previously submitted by statutory consultees as null and void. The recommendations of previous reports were based upon a maximum of 165 properties.

- The proposal goes against condition 26 of the outline permission which required no building in public open space adjacent to Arthur's Lane, and therefore also against the policies of the Council's Local Plan.
- Plots 1, 2, 152, 153, 164, 165, 168 -173 inclusive, plots 174-194 inclusive, and plots 196-205 inclusive are located in an area of public open space.
- The previous plans spaced the housing, the green areas, was more sympathetic in design, and the public open space and tree screening protected the neighbours.

Character of the village/area

- The development is a threat to the character of Hambleton as it will become a town not a village.
- Hambleton will lose its sense of community.
- If there are more houses they should fit into the rural landscape, not result in urban sprawl.
- Overdevelopment.
- Crime and anti-social behaviour in Hambleton will increase.
- Lack of facilities and utilities
- The infrastructure of the area (roads, school, dentist, and doctor's surgeries, and refuse services) would be unable to cope and is already oversubscribed
- There are no employment opportunities for the new residents, and no creation of additional employment from the development.
- Basic utilities (water and electricity) are already stretched, and there is no reinforcement of utilities proposed.

Schools and school places

- There is no information about contributions to the extra school places required, beyond the 165 houses initially agreed.
- Hambleton School is already full and would have to increase in size by 2/3rds to accommodate the children from the development.
- Hambleton School does not have any area to expand.
- St. Aiden's Secondary School is full.

Public transport, highway safety and capacity, access

- There is less public transport in Hambleton to support more housing.
- Existing bus services are unreliable and inadequate.
- More traffic on the roads from the site.
- There is no planned road development/ infrastructure around the estate or further afield to neighbouring villages and towns.
- It is not safe for adults and children cycling to work or school along Mains Lane or Shard Lane.
- With more traffic from the development there will be an increased risk of road accidents near the primary school, and this will be dangerous for children.
- The amount of traffic at pick up and drop off times at the school will increase, and there is already congestion there at these times.
- Internal roads will become rat runs.
- Existing roads are too narrow for passage of many vehicles including emergency vehicles, and in a state of disrepair with potholes (including Arthur's Lane and Church Lane).

- Traffic from this development will use Arthurs Lane and Market Street, not Church Lane and Marsh Lane.
- During construction lorries will have to use existing roads not built wide enough for large vehicles or volumes of traffic.
- Crossing roads as a pedestrian is already a problem in the village, and this development will only worsen this.

Drainage

- The drainage for the original scheme has yet to be approved.
- This proposal beyond the 165 dwellings approved will add a further burden to existing drainage and sewerage problems in Hambleton as there is continued flooding in the winter months.
- Plots 168, 169, 170, 171, 172 and 173 appear to be located in the area where the proposed detention basins for surface water drainage are.
- The application includes a pond with no further information as to why this is necessary.

Ecology and trees

- Loss of wildlife.
- Reduced natural habitat and trees on site.
- The fields (green space) on the plans support flocks of Pink Footed Geese on their migration.
- The ecology survey was conducted in February when many species are likely to be in leaf.
- The proposal must respect the extant Tree Preservation Order that is on the site.

Green Infrastructure

- There is now less green space and more building in its place.
- The pumping station is within the green area stipulated in the outline permission.

Housing Need

- There is no guarantee the 165 dwellings already approved will be sold.
- There is not a shortage of housing in the area.
- The additional 40 dwellings is likely to result in a potential over supply when measured against housing need.
- The proposal will simply increase the number of empty homes.
- Hambleton is already overcrowded.
- Hambleton has already taken its fair share of new builds with over 100 dwellings already being built in the village.

Right of Way

- This application for the site has significantly more properties abutting the Public Right of Way where an environmental buffer should be in place to mitigate the incursion into the countryside.
- Plots 196-205 are located over an existing right-of-way.
- Pollution, Waste and Noise
- There will be an increase in traffic pollution, noise and congestion.

- The proposal will result in an increase in waste.
- Health and safety
- The proposed access and egress to and from the site and through the village will result in health and safety issues.
- Neighbouring amenity
- If the houses are built they will overlook the back of existing properties.

Other matters

Matters raised which are not material planning considerations:

- Impact of value of existing properties
- Impact on council tax
- Suitability of alternative
- Loss of rural outlook

Developer Profit

7.2 Following re-consultation a further six letters of objection have been received (therefore 100 objections have been received in total). These letters raise many of the same concerns as those listed above, but also raise the following additional concerns:

- A reduction of 4no. plots on the site does not make any difference to the objections raised, and there will be a lot of empty plots on the site.
- The United Utilities response says the drainage strategy is acceptable in principle and the pumping station on Kiln Lane should cope with the surface water in principle. It will not and does not as evidenced by recent flooding.
- The sub-station encroaches into an area that should be green space, and Arthur's Lane residents will have to look at it.
- The pumping station should be in place before any development is started.
- The trip rates for the consent site are a gross underestimation.
- The Highway Authority have asked for a S106 to include pedestrian improvements. There would be no room to provide footpaths on Church Lane east of Hambleton Primary School without decreasing the road width to a single lane which would be dangerous, costly, and disruptive during construction.

7.3 A letter of objection has been received from the Diocese of Blackburn Over-Wyre Group of Parishes. The issues raised can be summarised as follows:

- Increased risk of flooding to the church and the churchyard. The church cellar floods and pumps have had to be installed to deal with flooding during times of high rainfall, and the churchyard is subject to water-run off from the school site.
- The original scheme had plenty of open spaces, which would have helped with the natural drainage to this site and most of these have disappeared in the revised plan.
- There would be an increase in hard standings.
- There will be an increased risk of flooding due to this proposal irrespective of the drainage schemes included in this development.
- There is a high risk that increase in flooding could make the churchyard and graveyard unusable, and that it could also lead to deterioration to the fabric of the church.

- This proposal represents an over-development of the site in that the majority of paths, open spaces, seating, recreation area, flood basins, tree planting and hedgerows have been removed. This is not in keeping with the rural area and the natural environment.
- The additional dwellings will increase the traffic on Arthurs Lane, which is fairly narrow.
- The proposal could increase the risk of accidents, particularly at school times as the pavements are narrow.
- The doctors, dentist, schools etc. are already oversubscribed and there is only a limited public transport system.
- Traffic congestion already exists at peak times and these extra houses will only add to this.
- Wyre Council's Local Plan provides for 165 houses on this site; this development is contrary to this plan. The plan should be adhered to preserve the rural character of the village.
- Extensive new developments have already taken place or taking place both in Hambleton and the neighbouring communities, and it is therefore considered that the need for any additional housing has already been met.
- If permission is granted the developer should make S106 contributions to construct additional field drains on the southern boundary, provide a more frequent bus route, make additional classroom space at Hambleton Academy and St. Aiden's high school.

7.4 A letter of objection has been received from Ben Wallace MP. This letter raises many of the same points as those listed above, and are therefore summarised as follows;

- The proposal removes the green spaces which would have surrounded the development and provided a buffer to the surrounding area.
- The proposal is contrary to the Local Plan which states the site capacity is for 165 dwellings, and therefore challenges the Council's policies.
- The Local Plan should be upheld.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 Various, including updates on the progress of this application, receipt of amended plans, and agreement of time extensions.

9.0 ISSUES

9.1 The main planning issues are:

- Principle of development and Policy compliance
- Housing Land Supply
- Affordable Housing
- Housing Mix and Adaptable Housing
- Visual Impact
- Design and Scale
- Proposed Layout
- Impact on residential Amenity
- Impact on Highway / Parking
- Flood Risk
- Education
- Green Infrastructure

- Ecology / Trees

Principle of development and Policy compliance

9.2 The application site falls within the site allocation for housing development SA1/10 - Land at Arthur's Lane, Hambleton, within the Adopted Wyre Local Plan 2011-31. Outline planning permission was granted (ref: 16/00217/OULMAJ) for a residential development of up to 165 no. dwellings with associated access from Arthurs Lane. Reserved matters consent then followed for appearance, landscaping, layout, and scale for 165 dwellings (ref: 18/00395/RELMAJ).

9.3 The principle of developing the site for housing was therefore established through the site allocation and the subsequent planning permissions. The site allocation sets a site capacity of 165 dwellings for the whole of the Arthur's Lane site allocation. The Local Plan explains that the housing requirement in the Adopted Local Plan is a minimum figure, and therefore the site capacity for site allocations which contribute to the overall housing requirement are also minimum figures. In this regard, the site has a minimum site capacity of 165 dwellings, however this does not prevent development of this allocated site, or any other allocated site for housing in the Local Plan, beyond the figures referenced in the site allocation subject to all other Policy requirements being met. Therefore whilst the proposal would result in additional dwellings beyond the 165 approved by the previous outline and reserved matters consents, the proposal would not be contrary to the housing land supply Policy HP1 or site allocation Policy SA1/10. Therefore the principle of the proposed development is considered to be acceptable. As the proposed is on land allocated for housing in the Adopted Local Plan the site is also considered to be in a sustainable location to support further development and therefore Policy SP2 is satisfied.

Housing Land Supply

9.4 The Adopted Local Plan has been found sound with a robust five year land supply. This was protected until October 2019. The Council has submitted an Annual Position Statement to the Planning Inspectorate for consideration, which demonstrates a five year supply is maintained beyond October.

9.5 The 5 year supply does not rely on the 36 additional dwellings from this proposal, however any additional housing permissions can only help to confirm a healthy 5 year supply particularly where the position statement confirms no more than a 5.7 year supply. Site SA1/10 Arthurs Lane, Hambleton contributes 90 dwellings from the 165 dwellings already granted permission on the site to the five year housing land supply with the first completions estimated to be in 2020/21. The remaining 75 dwellings out of the 165 already approved contribute to the years 6-10 supply.

Affordable Housing

9.6 At the time of the reserved matters application the Wyre Affordable Housing Viability Study (October 2010) identified that the level of viability for residential developments across the Borough could sustain a maximum of 30% affordable dwellings, and this was also the requirement of Policy H14 of the Adopted Local Plan. The approved applications proposed 50 affordable houses equating to 30% on-site affordable housing provision. Therefore the approved applications were Policy compliant.

9.7 As this application seeks full planning permission for 36 additional plots, and 9 plot substitutions, the additional 36 plots need to be considered against the affordable housing requirements. Adopted Local Plan Policy HP3 requires this development to include 30% affordable housing provision on site, meaning that 30% of the 36 plots proposed must be affordable to comply with Policy. The plots substitutions are not considered in the calculations as they do not represent additional plots beyond the previous 165 approved on the site. This application proposes 12 affordable houses. This would equate to 33% affordable housing for the additional plots proposed. The proposal would therefore be Policy compliant providing beyond the 30% affordable housing provision required. The provision of affordable housing, including the number, type and tenure, and occupation criteria, would be secured by a Section 106 Agreement.

9.8 The clustering of the affordable housing is considered acceptable having regard to appeal decisions nationally which have allowed clustering in a similar manner to the scheme proposed and provided affordable housing is not located in only one part of site. It is clear from these decisions that affordable housing must not be segregated or clustered in large groupings in one area of the site. The affordable housing is in one area of the development proposed for this specific application, but it is immediately adjacent to both open market properties, and this proposed development is highly unlikely to come forward as a stand-alone development given that the additional plots are reliant on the permissions granted for 165 dwellings and added around the development already granted permission. Furthermore the additional units proposed, including the 12 affordable dwellings would be accessed through the open market properties already approved by the outline and reserved matters permissions. On the site allocation as a whole the affordable units proposed would not result in single cluster on the site, as there were three areas of affordable housing across the already approved development of 165 dwellings.

Housing Mix and Adaptable Housing

9.9 Policy HP2 of the Wyre Local Plan requires that developments provide an appropriate mix in terms of size, type and tenure of housing to meet the identified need in the borough and local market demand to accord with the most recent Strategic Housing Market Assessment (SHMA) (Addendum 3).

9.10 As originally submitted the application did not accord with the required housing mix set out in SHMA Addendum 3 and therefore was not compliant with Policy HP2. The applicant has been advised that the housing mix was not considered to be acceptable and had submitted amended plans and proposals which have also amended the housing mix. The proposal now seeks a mix of 33.33% 1 and 2 bedroom properties, 44.44% 3 bedroom properties, and 22.22% 4 and 5 bed properties. This is in line with the housing mix requirements of the SHMA which requires a greater proportion of three bedroom properties, and smaller properties than larger dwellings. The proposed housing mix is now considered to be acceptable and to accord with the most recent SHMA and Policy HP2. It is considered the proposed plans, which in turn show the mix of dwellings applied for, can be secured by condition.

9.11 Policy HP2 also requires that for developments of over 20 dwellings a minimum of 20% of properties on a development must be able to be adaptable for older persons or people with limited mobility. This proposal would provide 15 dwellings able to be adapted which would equate to 41.6% of the 36 additional dwellings proposed by this application. The adaptable properties would be 2 and 3 bedroom bungalows (Milton 1 ½ storey house type, and Torrington single story

house type), and 2 bedroom affordable properties (2B4P House Type). The proposal would therefore far exceed Policy requirements. It is considered the provision of adaptable properties can be secured by condition.

Visual Impact

9.12 The application proposal, and approved 165 dwellings, is part of site allocation SA1/10. All of the proposed additional dwellings, and plot substitutions would be within the boundary of the site. Therefore the proposal would not result in a projection into the countryside area, or beyond the allocation for which the principle of built development on the site has been established.

9.13 The countryside area surrounding the site is to the east, south-east, and to the north of the site. The periphery of the site is currently surrounded by hedgerows. There is also an existing hedgerow running east to west through the centre of the site (delineating the boundary between the two fields comprising the site). At the current entrance of the site off Arthur's Lane there is a group of small trees. The application proposes the boundaries of the site would remain as the existing perimeter hedgerows, with the exception of where the hedgerow would be removed to provide the accesses already approved by the previous applications. Therefore from wider views outside the site looking towards the dwellings, the site would have soft boundary features which is considered appropriate to the setting of the site.

9.14 The site allocation Policy SA1/10 contains a number of key development considerations (KDCs) that must be satisfied. KDC2 requires the development to include areas of open space between existing and new development to avoid creating extensive built areas. KDC3 states the design of the development should provide an organic extension to the village and should utilise important key vistas and provide a rural transition zone between the development and the wider countryside. It is considered that the proposal would still retain the key vista with the site frontage to Arthur's Lane still being retained as an open frontage with the building line set back away from Arthur's Lane itself. From Arthur's Lane the views would still firstly be of the green infrastructure at the site entrance with the built form set behind. It is considered that on the whole the addition of further plots beyond the 165 dwellings would maintain a rural transition zone as there would be a soft edge and large swathe of green infrastructure on the eastern side of the site and the south east corner where the site boundary adjoins the wider countryside beyond the site. The built form would be set in from these boundaries.

9.15 The majority of the northern edge of the site to the countryside would also have an expanse of green infrastructure running along it between the proposed buildings and northern boundaries of the site. The proposal would however add further housing up to the north western edge of the site with the introduction of plots 172-189. The proposal would bring the built form towards the site edge in this part of the site, however this would be for a short stretch of the boundary only. Therefore it is considered that in principle the development of these parcels within the site would not result in significant harm to the rural character of the surrounding area provided that the design, form and layout of any proposed dwellings is appropriate.

9.16 From the original plans submitted concerns were raised about the density and layout of plots 172-189 along the northern edge. The layout was considered to be too dense and cramped. The applicant has submitted a revised plan which has pulled a row of four dwellings away from the site boundary and lengthened the gardens of the plots. It is considered that this has helped to move the built form away from the site edge, and therefore soften the site edge to some degree. The number

of additional dwellings has been reduced in this area from 22no. to 18no., and in turn this has also reduced the density of development next to the site edge.

9.17 Where plots 190-201 are proposed along the north west of the site a grassed area is proposed along the site periphery and therefore the dwellings would not be hard up to the boundary and a soft edge would be retained. These plots are also opposite existing dwellings at Aldwath Close and therefore alongside the existing built form of Hambleton. That said, the green buffer in front of these proposed plots would still prevent the development from merging with the existing built form. It is therefore considered that introducing plots into this area would not affect the rural transition of the site to the surrounding area.

9.18 The Council's Parks and Landscape Officer has been consulted and has raised no objections to the proposal commenting that the site will have an attractive approach with the planting proposed, and that eastern boundary of the site will be softened by the shrub and tree planting and means that the houses and gardens are set further back in the site. He also considers the proposals should be looked on favourably as they meet expectations for the provision of green infrastructure in this instance.

9.19 Overall on balance it is considered that a rural transition between the site and surroundings would be retained as there would only be one section of the site boundary around the whole site without a soft buffer, where plots 172-189 are proposed, and the majority of the buildings have been pulled away from the boundary in this location. Therefore it is considered that the siting of these dwellings would not cause unacceptable visual harm, or such harm to warrant refusal of the application.

Design and Scale

9.20 The proposed dwellings would be the standard Wainhomes House Types, and different house types are proposed for the additional plots and plot substitutions. The dwellings would be predominantly 2 storey in height and similar to the 165 dwellings already approved. There would be some single storey properties in the form of the Torrington House Type, which is a single storey 2-bed bungalow, and some 1½ storey properties which is the Milton house type which is essentially a dormer bungalow property. The nearest existing dwellings around the site, which are mainly to the west, are predominantly bungalows with dormers providing first floor accommodation, therefore being 1½ to 2 storey overall.

9.21 In terms of the plot substitutions, some of these plots would be 2½ storey in height. This particular house type is semi-detached, and would have the top floor of accommodation (1 bedroom) within the roof space. None of the additional plots would be more than 2 storey in height. Whilst 2½ storey properties are not prevalent in the area it is considered that having only a small number of such properties on the whole development (including the 165 already approved) and in key locations, such as plot substitutions 152 and 153 at the site frontage, as reference points throughout the site would be acceptable and would not harm the character or appearance of the area.

9.22 Existing properties to the north west of the application site around the Crooklands Gardens area, are predominantly two storey in height, as are properties to the south east of the site, east of the school and church, along Church Lane. Therefore it is considered that the proposal to provide dwellings at a scale of predominantly two storeys in height is acceptable and in keeping with the height of existing nearby dwellings.

9.23 The surrounding area comprises detached properties, with the occasional terrace, and semi-detached properties are located on Aldwath Close North West of the site. Therefore it is considered the proposed additional plots with a mixture of detached, semi-detached and terraced properties, would comply with the type of property found in the immediate surrounding area. This would also correlate with the 165 dwellings already approved. Overall the design and scale of the dwellings is considered to be acceptable. Details of the proposed materials to the dwellings and have not been provided as part of this application. It is considered these details should be required by condition.

Proposed Layout

9.24 The proposed layout has been considered against Supplementary Planning Guidance 4, and the spacing required between plots within the site. The plots substitutions and the additional plots around the site periphery were considered to be acceptable in terms of separation distances and garden sizes. However the original layout plan raised concerns again in relation to the northern grouping of dwellings on the site, not just because of the density (as mentioned previously) but because the gardens of some of the affordable houses were well below standards, and the buildings were tight up to the boundary. Where the northern grouping of dwellings is proposed, there was also a long row of two terraces of 5 dwellings with of frontage parking, which was considered to be of poor design, and visually unacceptable from within the site.

9.25 The applicant has submitted amended plans which have changed the layout of the proposed additional plots, changed the house types to achieve the required housing mix, and reduced the number of additional plots proposed. On the northern cluster of addition dwellings (plots 172-189) it is now considered that the layout has been improved and that all of the dwellings meet the required separation distances, and their garden sizes are to standard, except for plot 182. The amended plans have increased the length of the garden for this property from 7.5m as originally proposed to 8.8m. This is below the 10.5m minimum garden length set out in the guidance of SPG4, however the agent for the applicant has highlighted that it is the same length as another garden elsewhere on the approved development. Therefore on this basis one garden being below the recommended guidance is not considered significant or a reason to recommend refusal of the whole proposal.

9.26 The long row of frontage parking has also been removed in this northern cluster of dwellings, and the housing mix altered in this location. Instead of two rows of 5 terraced properties with a continuous run of parking, there are now three bungalows and a pair of semi-detached properties with side parking, and this has improved the density and resulted in a visually better street scene. Furthermore it is considered the revised layout overcomes the original comments from LCC Highways, for example as plots 185 and 186 now have minimum drive lengths of 12.8m which is sufficient, and well beyond the 4.8m minimum length requirement.

9.27 Where 4 plots were originally proposed to the east of the pond in the south west part of the site, 2 additional plots are now proposed in this part of the site and have been repositioned so that they are to the south of the pond, and tagged onto the end of a row of houses previously approved. This amended layout is considered to be acceptable, and is also considered to resolve the objection on ecological grounds (paragraphs 9.42- 9.46 of this report).

9.28 Overall it is considered the design, scale and layout of the proposed dwellings is acceptable, and that the shortfall in the length of garden for one property proposed is not a matter of such significance to warrant refusal of the application.

Impact on residential Amenity

9.29 Existing residential properties around the site are located along the west side of Arthur's Lane, to the north west of the site around the Crooklands Gardens area, and off a single track road also forming a public right of way outside the north western boundary of the site at the end of Aldwath Close. There is an existing school and church to the south as well as a small number of properties along Church Lane. There is also a residential property 90m to the east of the application site.

9.30 The proposal would bring the built development closer to the dwellings at Aldwath Close and the track forming a public right of way running around the north west and northern periphery of the site. However none of the proposed dwellings would be sited with elevations directly facing these existing properties and the separation distances would be a minimum of 23m. Whilst the proposal would bring the dwellings closer to Arthur's Lane, a distance of approximately 41m would be retained. Therefore all of the proposed properties would be located well over the required 21m distance away from the elevations of existing residential properties. It is considered that the proposed siting of the properties in terms of relationship to existing residential properties is acceptable and compliant with SPG4.

Impact on Highway / Parking

9.31 The proposed dwellings would be served by two accesses off Arthurs Lane, which were approved as the access route for the wider site. The proposal would utilise internal access roads through the already approved development to serve the additional plots and plot substitutions.

9.32 A number of objectors have raised concerns about highway matters including capacity of the highway network in the area, congestion, increase in traffic, and concerns about highway safety and the routing of traffic from the site. Highways England have been consulted on the proposal and have raised no objections stating that the additional traffic generated by the proposal would not in isolation, generate a traffic impact upon the operation of the A585 that could be considered severe. It is recommended that a condition should be attached requiring a Travel Plan should the application be approved. It is acknowledged that the Local Plan highways evidence suggested an Over Wyre housing cap of 250 units (excluding committed developments i.e. extant permissions) due to constraints with the A588 meeting up with the A585. Nonetheless the Local Plan Inspector increased the Over Wyre housing allocation to 270 (excluding committed development at Stalmine). There would be an additional 46 units to the highway network on top of the allocation, but neither LCC Highways nor Highways England object to this impact, with LCC Highways acknowledging that since the adoption of the Local Plan, Highways England have identified the A585 Windy Harbour to Skipool improvement scheme which would help to mitigate new development. Consequently it is considered no unacceptable impact would occur on the highway network.

9.33 Lancashire County Council (LCC) as the Local Highway Authority has also been consulted on this application and have raised no objections to the proposal citing that the additional traffic from this proposal would not have a significant impact on junction capacity at the junctions of Church Lane and Arthur's Lane, or the A588 and Marsh Lane. No highway capacity improvements are required as a result of the

proposal. The Highway Authority considers that in terms of highway safety, improvements would be required as a result of the proposal, however these mitigation measures are the same as those required from the approved development, in other words no further mitigation measures are required. The section 106 for this application would need to be worded so that if this application is approved and the proposal were to come forward prior to the approval for the 165no. dwellings, then the mitigation measures would still be secured from this development. In addition, LCC Highways considers that if this development was to come forward first then a financial contribution of £6000 is required towards the Travel Plan, and a financial contribution of £250,000 (£50,000 per annum over 5 years) is required towards improvements to public transport. Again this is not additional monies from those sought from the approved development, but it ensures the monies that are required from this development are secured in the event this application came forward first. These monies will need to be secured through a S106 Agreement.

9.34 LCC Highways have also suggested conditions be attached to any permission granted. These conditions would require the application to provide a scheme for off-site highways works and implemented the works in accordance with any agreed scheme, a Construction Environmental Management Plan (CEMP) including details for the construction phase of the development, including matters such as site parking, construction compounds and working hours, and submission of a Travel Plan. It is considered that these conditions are reasonable and necessary and should be attached should the application be granted. Whilst the concerns of objectors have been considered the relevant highways experts have been consulted and have raised no objections to the proposal subject to conditions. Therefore subject to these conditions it is considered the proposal would be acceptable in terms of impact upon highway safety and capacity and would comply with Policy CDMP6 of the Adopted Local Plan, and section 9 of the NPPF.

Flood Risk

9.35 The application site is within Flood Zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The applicant has submitted a Supplementary Flood Risk Assessment (FRA), and a Foul and Surface Water Drainage Strategy. The Council's Drainage Engineer has been consulted on the submitted information and has no objection in principle subject to conditions requiring full details of surface water drainage, including details of revised on-site attenuation, and that the applicant proves the route from the site to the culvert off Church Lane to ensure flooding of Church Lane does not occur, or provides an alternative connection. The southern drain adjacent to Daytona is not considered suitable for surface water discharge from the site.

9.36 United Utilities have also been consulted on the application and have raised no objections to the proposal provided that a condition is attached to any permission requiring the development to take place in accordance with the submitted Foul and Surface Water Drainage Strategy, and that the surface water run-off rate is restricted to specific rates to surrounding watercourses, and that foul and surface water are drained into separate systems with no surface water draining into the public sewer.

9.37 Whilst the Council's Drainage Engineer as the technical expert suggests that the drainage strategy is acceptable in principle, but that full details of foul and surface water drainage are required before development can commence, it is considered this condition should be attached to any permission. In addition details of drainage management and maintenance should also be conditioned. Subject to these

conditions the scheme is considered to be in accordance with saved Policies CDMP1 and CDMP2 of the Adopted Local Plan (WLP31), and the NPPF.

Education

9.38 The proposal would increase the number of dwellings beyond the 165 dwellings already approved on the site allocation. Therefore Lancashire County Council as the Local Education Authority (LEA) has been consulted for comments as to whether education contributions are required from this development. The LEA states that a primary education contribution is not required. However a contribution of £72,555.48 is required towards three secondary school places. The named school that the contribution would be towards is Cardinal Allen. The education contributions would be secured by S106 Agreement should the application be approved.

Green Infrastructure

9.39 Condition 26 of the outline permission required that there must be no built development within the area adjacent to Arthurs Lane identified as Public Open Space on the Development Framework Plan (ref. 6903-L-03 Rev T). However applicants can apply to vary permissions or submit new applications which would effectively supersede previously imposed conditions, and any new application then has to be considered on its own merit, having regard to the intent behind the original permission or condition as appropriate. The condition to retain a green buffer adjacent to Arthurs Lane was imposed for two main reasons – visual impact and to ensure the development was supported by sufficient green infrastructure. The visual impact has previously been considered in this report. In terms of green infrastructure it is necessary to ensure that an appropriate amount is provided for the approved development and this proposed development.

9.40 The green infrastructure requirement on the site for the approved 165 dwellings equated to 1.66 hectares. The approved scheme provided 4.63 hectares which far exceeded Policy requirements.

9.41 Based on the housing mix of the additional 36no. plots proposed, an additional 0.33 hectares of green infrastructure is needed beyond the 1.66 hectares previously required for the approved 165 dwellings. Therefore 1.99 hectares of green infrastructure is required in total on the site allocation for the approved and proposed development. The proposal would remove a previously approved area of open space on the northern side of the site, part of the area of previously approved open space on the western side with Arthur's Lane, and part of an area of previously approved open space on the eastern side of the site. However the remaining amount of green infrastructure would equate to 3.6 hectares, well above the 1.99 hectare requirement across the whole site for the 165 and 36 additional plots combined, and would therefore still exceed Policy requirements. Whilst unlikely, should this proposal come forward prior to the 165 dwellings, this proposal alone would provide 1 hectare of open space above the 0.33 hectare requirement. The proposal is therefore considered to comply with Policy HP9 of the Adopted Local Plan.

Ecology / Trees

9.42 The applicant has submitted an Ecological Survey and Assessment. Greater Manchester Ecology Unit (GMEU) and Natural England have been consulted on the application. Natural England advised that a Habitats Regulations Assessment (HRA) was needed, as the proposal could potentially affect the Wyre Estuary Site of Special

Scientific Interest (SSSI), Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and the Morecambe Bay Ramsar.

9.43 A HRA has been carried out and Natural England have provided comments that it is expected ecological mitigation will be in line with the original outline application. These mitigation measures include the provision of home-owner information packs and the installation of informative/interpretive signage. This signage would explain the significance of the ecological designations and species and the need for responsible recreation. In respect of pink-footed geese, the outline application provided an area of land (fields south of Church Lane) to be set aside for ecological management in order to compensate for the loss of the site as functionally linked habitat. This land was secured through a S106 legal agreement. It is recommended that in line with the previous permission on the site, a condition should be attached requiring provision of home owner information packs / interpretive signage. This is also a requirement of site allocation Policy SA1/10. Furthermore the ecological mitigation area, which is also required as mitigation for this current proposal, would need to be secured through a S106 Legal Agreement should this application be approved. Natural England were also concerned about the amount of open space being retained, which is considered in the green infrastructure section of this report above.

9.44 GMEU originally raised concerns that the additional dwellings on the site would reduce the amount of semi-natural habitat. Their primary reason for objecting was in relation to the siting of units 168-171 to the east of the pond in the south east part of the site, which would significantly impede connectivity of the pond to the wider landscape.

9.45 The applicant has submitted an amended plan which reduces the number of proposed dwellings near the pond to two, and has sited them to the south of the pond. GMEU have been re-consulted and have responded that there are no overall objections to the proposed amended plan. Therefore it is considered that the amendments have overcome GMEU's objection.

9.46 There is an existing Tree Preservation Order covering a group of trees at the front (western edge) of the application site, and 2no. individual trees. These trees are located in between the two proposed access roads into the site, and the individual TPO's to the north of the northernmost access road off Arthur's Lane. The Council's Tree Officer has been consulted and has confirmed that the location of the substation would be outside influencing distance of existing trees. Therefore the trees would not be affected by the siting of the sub-station, and would not be affected by the proposed siting of the additional dwellings, or plot substitutions.

Other Issues

Contamination

9.47 The application has been considered by the Council's Environmental Health Officer. It has been requested that a standard condition requiring a desk study, and the agreement of a scheme of investigation and any subsequent mitigation if required be attached should planning permission be granted. A condition has also been requested requiring a watching brief during the construction works. Subject to these conditions it is considered no unacceptable impacts on human health or the environment would arise from land contamination, and the proposal would comply with Policy CDMP1 of the Adopted Local Plan 2011-2031.

Pumping Station

9.48 The amended plans also include a proposed pumping station. This pumping station would be within the site and located at the north eastern corner of the site allocation at the head of a cul-de-sac. Plot 171 would be to the south east of it. The pumping station would project into an area of green space. As mentioned earlier in this report sufficient green infrastructure is being provided on the site. There would also be sufficient open space with the inclusion of the pumping station and sub-station (discussed below). Concerns were raised about the siting of the pumping station at the head of a cul-de-sac and fairly prominent from those properties near to it and from the surrounding open space. However the applicant was unwilling to amend the siting. Details of the appearance of the pumping station and of paladin green mesh fencing (often seen around playing fields) that would be around it have been supplied, however no details of landscaping around the pumping station have been submitted.

9.49 Overall, it is considered that the siting of the pumping station would result in some visual impact from immediate views of it within the application site. However it is considered that the visual impact could be mitigated with the addition of planting and landscaping around it. In terms of wider views the site boundary to the north would be retained as hedgerows, however it is considered additional soft landscaping to the north of the pumping station would be beneficial to reduce any potential wider visual impact. Any associated landscaping can be secured and agreed by condition.

Sub-station

9.50 As part of the revised plans the applicant has added a proposed sub-station to the scheme. There is also a current application pending for a sub-station on this site (ref: 19/00349/FUL) which was reported to Planning Committee several months ago and deferred due to concerns about the siting of the sub-station along the Arthurs Lane frontage. The sub-station is now included as part of this application, proposed close to the northern entrance into the site, across the private access drive to plots 199-201. Hedgerow planning is proposed around the sub-station and its access. Concerns were raised about the positioning of the sub-station in terms of bringing the built form of development further into the area of green infrastructure (open space) at the site frontage, however the applicant was unwilling to amend the plans to re-site it. As proposed, it is considered the sub-station would result in some visual impact at the site entrance. However, it is acknowledged that it would be screen by some landscaping and would be read against a backdrop of built form to the east as opposed to being isolated. Furthermore it is also considered the location would not cause harm to the open character of the site entrance, because it is further north of where existing hedgerows would be removed to provide the access roads, and therefore within a section of green infrastructure that is not wide open to views from the west as the hedgerows and planting to the west of it would be retained. For these reasons the proposed location of the sub-station is considered to be acceptable.

Air Quality

9.51 Policy CDMP6 of the Wyre Local Plan requires all new developments that includes new parking to make appropriate provision for electric vehicle charging points. The proposal would provide 36no. additional plots, and 9no. plot substitutions which were not caught by the Policy at the time of the previous applications and parking provision would be required for the properties. It is considered that if the application is approved a condition should be required to ensure that the properties

would be provided with electric vehicle charging points in accordance with Policy CDMP6.

Waste Management

9.52 The National Planning Policy for Waste (NPPW) advises that all good design and layout in new development can help to secure opportunities for sustainable waste management. Local Planning Authorities should ensure that new development makes sufficient provision for waste management and promote designs and layouts that secure the integration of waste management facilities without adverse effects on the street scene.

9.53 The application does not include information on the provision and management of waste. Therefore it is considered that these details should be required by condition to ensure all properties on the site have designated waste storage and collection points.

Heritage

9.54 Wyre's Conservation Officer comments that the proposed development site is over 600m away, and north of, the nearest listed building, Hambleton Hall. There are a number of other buildings and trees located in the intervening distance between the site and the listed building. Therefore it is considered the proposed development would have no material impact on either the appearance or setting of the listed building. The proposed development is considered to preserve the appearance and setting of the nearest listed building of Hambleton Hall and to sustain the significance of this designated heritage asset, and is therefore considered to be in conformity with S.66 of the Planning (Listed Building and Conservations Areas) Act 1990 (PLBCA), the NPPF and Policy CDMP5 of the Adopted Wyre Local Plan.

10.0 CONCLUSION

10.1 The principle of developing the site for housing has been established through the site allocation and the subsequent planning permissions. The housing requirement in the Adopted Local Plan and the site capacity for site allocations which contribute to the overall housing requirement are minimum figures. Therefore the principle of the proposal is considered to be acceptable.

10.2 Neither Highways England nor Local Highway Authority have raised objections based on sustainability, highway capacity or safety. However, should this proposal come forward before the approved development of 165 dwellings, then financial contributions would be required towards the Travel Plan and towards improvements to public transport, in order to provide mitigation for the development. These monies can be secured through a S106 Agreement. Contributions are also required towards secondary education in addition to those secured from the previous permission. In addition to these financial contributions, a s106 legal agreement will also be required to secure affordable housing provision and the ecological mitigation area to the south of Church Lane for pink footed geese which was secured under the previous permission.

10.3 All other policy matters have been considered and subject to imposing a number of conditions it is considered the development can be designed to ensure there is no risk to flooding on or off site or no adverse visual impact, and to ensure there are no contamination risks, impacts upon trees or ecology, or harm to neighbouring residential amenity.

10.4 In light of the above the proposal would comply with the relevant policies of the Adopted Local Plan and the NPPF and would present sustainable development.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

Grant full planning permission subject to conditions and a Section 106 Legal Agreement to secure education and highways (travel plan and sustainable travel) contributions, and the provision of affordable housing and an area of land for ecological mitigation. Authorise the Head of Planning Services to issue planning permission upon satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

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

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

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

- Drawing No. LP03 Rev B (Location Plan 3)
- Drawing No. 0003 Rev I (Proposed Site Layout)
- Drawing No. 2.213/P/BU/L10/300 Rev # (Bell House Type)
- Drawing No. 2.353/P/BU/L10/300 Rev # (Torrington House Type)
- Drawing No. 3.118SA/P/BU/L10/300 Rev # (Claydon SA House Type)
- Drawing No. 3.217/P(EG)/BU/L10/300 Rev # (Baird House Type)
- Drawing No. 3.317/P/BU/L10 300 Rev. # (Milton House Type)
- Drawing No. 4.201/P/BU/L10/300 Rev A (Newton House Type)
- Drawing No. 4.204/P/BU/L10 300 Rev A (Nightingale House Type)
- Drawing No. 4.309/P/BU/L10/300 Rev # (Oxford House Type)
- Drawing No. 4.342/P/BU/L10/300 Rev B (Haversham House Type)
- Drawing No. 4.343/P/BU/L10/300 Rev B (Eton House Type)
- Drawing No. 4.344/P/BU/L10 300 Rev A (Whitemoor House Type)
- Drawing No. 4.404CB/P/BU/L10 300 Rev # (Wren House Type)
- Drawing No. 4.404DACB/P/BU/L10 300 Rev # (Wren DA House Type)
- Drawing No. 5.340/P/BU/L10/300 Rev # (Cavendish House Type)
- Drawing No. X.XXXXX/P/B/L10 300 Rev # (Shackleton House Type)
- Drawing No. 4.209/P/BU/L10/300 Rev C (Jenner House Type)

- Drawing No. G/R24LH/P/B/L10 Rev - (Britten 2B4P House Type)
- Drawing No. LDG/SE/1.0/B Rev A (Large Double Garage Side to Side Ridge Elevations and Plan)
- Drawing No. LPG/SE/1.0/B Rev # (Large Paired Garage Side to Side Ridge Elevations and Plan)
- Drawing No. LPG/SE/1.0/WD Rev # (Large Paired Garage Side to Side Ridge Section and Roof)
- Drawing No. LDG/SE/1.2/B Rev A (Large Double Pyramid Roof Garage Elevations and Plan)
- Drawing No. LPG/SE/1.2/B Rev # (Large Paired Garage Pyramid Roof Elevations and Plan)
- Drawing No. LPG/SE/1.2/WD Rev # (Large Paired Garage Pyramid Roof Section and Roof)
- Drawing No. LSG/SE/1.3/B Rev # (Large Single Garage Front to Rear Ridge)
- Drawing No. LSG/SE/1.4/B Rev # (Large Single Garage Side to Side Ridge)
- Drawing No. A0/14686/C (Pumping Station Plan)
- Drawing No. PD-001 Proposed Paladin Fence Details (Pumping Station Fencing)
- Drawing No. ENDSS0021H (Sub-station 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. Prior to the commencement of above ground development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

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

4. Prior to the occupation of the first dwelling, or an alternative timescale first agreed in writing with the Local Planning Authority in consultation with the Highway Authority, a full Travel Plan shall be submitted to, and approved in writing by the Local Planning Authority in accordance with the Framework Travel Plan (WYG - A095803). 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 occupation of the first dwelling 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.

5. Prior to the commencement of development a scheme for the construction of the site access and the off-site works of highway improvement [namely Site access junctions with Arthurs Lane, Traffic Calming / Pedestrian Improvements on Arthurs Lane, and Pedestrian footway improvements on Church Lane] including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The site access and off-site works of highway improvement shall be constructed and completed in accordance with the approved scheme details.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy CDMP6 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.

6. 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 demolition / 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)
- (g) the routeing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the 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

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).

7. No development shall be commenced until an estate street phasing and completion plan has been submitted to and approved in writing by the Local Planning Authority. The estate street phasing and completion plan shall set out the development phases and the standards to which estate streets serving each phase of the development will be completed.

Reason: - To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Wyre Local Plan (2011-2031).

8. 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 from the site access up to the entrance of the site compound before any development takes place within the site and shall be further extended before any other development commences fronting the new access road. The road with all supporting infrastructure (drainage, footways, lighting and traffic calming measures) shall be completed prior to that phase of development being substantially constructed.

Reason: To ensure that satisfactory access is provided to support each phase of site construction hereby permitted in the interests of highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Wyre Local Plan (2011-31).

9. (a) No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. These details shall include a plan showing areas of road 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 stretches of road within the estate would be privately managed:

(i) details of a Road Management Plan to detail how those sections of road would be maintained in perpetuity, and

(ii) details of the surfacing of those sections of road, shall be submitted to and agreed in writing by the Local Planning Authority.

(c) The streets shall thereafter be maintained in accordance with the approved management and maintenance details as set out above or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: In order to provide certainty as to the responsibility for the roads within the development; in the interest of highway safety; to ensure a satisfactory appearance

to the highways infrastructure serving the approved development; to ensure that any areas of private road are suitable for use by refuse collection trucks; and to safeguard the visual amenities of the locality and users of the highway in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan (1999).

10. Prior to any of the dwellings hereby approved being first occupied the parking / turning area(s) shown on the approved plan Drawing No. 0003 Rev I (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.

Reason: In order to ensure that adequate off-street car parking provision is available to meet the needs of the development in the interests of visual and residential amenity and highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan (2011-31).

11. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of 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), all integral or detached garages to plots 44, 165, 167, 168, 169 and 170 as shown on submitted plan 0003 Rev I (Proposed Site Layout) 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 any of them from being used for that purpose.

Reason: Without the retention of garages these particular plots would be left with insufficient parking as there would only be two off-street parking spaces for the five bedroom Cavendish House Type on plot 167, only one off-street parking space for the three bedroom Milton house type proposed on Plot 170, and only one off-street parking space for the three bedroom Shackleton House Type. Therefore this condition is imposed to ensure that sufficient off-street vehicle parking provision is available to meet the needs of the development in the interests of residential amenity and highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Borough Local Plan 2011-31.

12. The development hereby permitted shall not commence until a programme of archaeological trial trench excavation and recording has been submitted to and agreed in writing by the Local Planning Authority. The results of this recording shall be undertaken to the standards of the Institute of Field Archaeologists and the results shall be published and made publicly available via the Lancashire Historic Environment Record. The development shall then proceed in full accordance with this agreed programme.

Reason: To safeguard and record a site of known archaeological interest in accordance with Policy CDMP5 of the Wyre Local Plan 2011-31.

13. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters (including details of revised on-site attenuation), 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 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.

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

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

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

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

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

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

16. The applicant shall undertake a watching brief 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 the Local Planning Authority for approval, prior to first occupation of the development.

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

17. 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. These details will be expected to include an area of soft landscaping around the pumping station and substation in order to provide appropriate screening.

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 5 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 of the layout have been amended during the course of the application, and the submitted landscaping plans do not reflect these amendments, therefore details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

18. A Green Infrastructure Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all areas of open space, (inclusive of ponds, detention basins, hedgerows and grassland) other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development or any phase of the development whichever is the sooner for its permitted use. The Management Plan shall be implemented in accordance with the approved details during the lifetime of the development.

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

19. No development approved by this permission shall be commenced until details of the existing and proposed ground, slab and finished floor levels have been submitted to and approved in writing by the Local Planning Authority. The development 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, has a satisfactory impact upon residential amenity and the land levels can be adequately considered against the drainage proposal required by the condition of the outline application, in accordance with Policy CDMP3 of the Wyre Borough 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.

20. Building work shall not commence on any building, until precise details of the materials to be used in the construction of the external surfaces (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 Adopted 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. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

(i) no works shall take place that would preclude the use of the driveways hereby approved for the parking of cars; and

(ii) no hard boundary treatments (fences, walls, pillars, gates, or railings) shall be erected forward of a property elevation facing a road.

Reason: To ensure that the Local Planning Authority has control over any future development in order to ensure the estate retains its open plan character in the interests of residential and visual amenity in accordance with the provisions of section 9 of the NPPF and Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

22. All the dwellings shall be provided with an electric vehicle recharging point and 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 Policies CDMP3 and CDMP6 of the Wyre Local Plan 2011-31 and the National Planning Policy Framework.

23. Prior to any of the dwellings hereby approved being first occupied, details of the appearance of any refuse storage facilities associated with that dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these approved details. The refuse storage provision agreed through this condition shall be provided before the associated dwelling(s) are first occupied and shall thereafter be retained.

Reason: In order to ensure that waste is properly managed within the site in the interests of visual and residential amenity in accordance with the provisions of section 9 of the NPPF and Policy CDMP3 of the Wyre Local Plan (2011-31).

24. Prior to the commencement of development, a scheme for the provision of home-owner information packs and information/interpretation boards/signage on and off-site shall be submitted to and agreed in writing by the Local Planning Authority and the development then proceed in full accordance with these agreed details. For the purpose of this condition the information submitted shall include the following:

- the content of the home-owner information packs which must explain the conservation value of the nearby designated areas, 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;
- a methodology for the distribution of the home-owner packs including upon resale to the extent to which that is practicable;
- a plan showing the locations of information/interpretation boards/signage
- a mechanism for the installation of information/interpretation boards/signage in off-site locations
- details of the information to be included in the information/interpretation boards/signage
- a timetable for implementation.

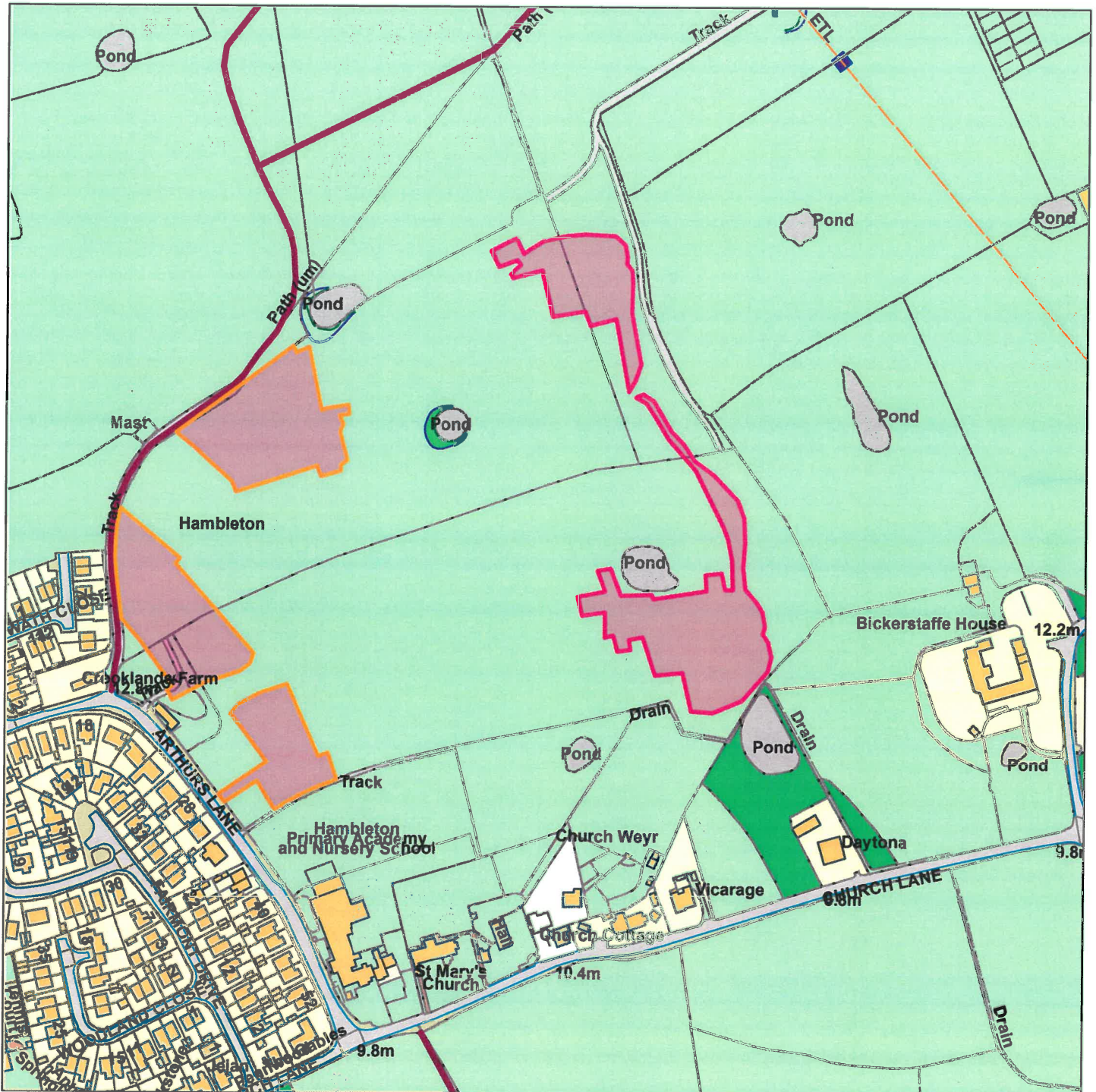
Reason: In order to safeguard biodiversity in accordance with Policy CDMP4 and SA1/10 of the Adopted Wyre Local Plan 2011-31, and the provisions of the NPPF.

Notes: -

1. Lancashire Fire and Rescue Informative:

Access: It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

Water Provision: It should be ensured that the proposal is provided with suitable provision of Fire Fighting water. Any provisions should comply with National Guidance, details of which can be found: <http://www.water.org.uk/publications/water-industry-guidance/%E2%80%A8nationalguidance-document-provision-water-fire-fighting-3rd>



Scale : 1:3453

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	23 October 2019
SLA Number	100018720

This page is intentionally left blank

Committee Report**Date: 06.11.2019****Item Number 03****Application Number 19/00800/FUL****Proposal Extensions and alterations to existing stable building to provide two additional stables****Location Blueberry Stables Lancaster Road Preesall Poulton Le Fylde FY6 0HN****Applicant Mrs K McGinley****Correspondence Address c/o Mr Luke Godden
5 Bobbin Mill Cottages Stubbins Lane Claughton on Brock
Preston PR3 0PL United Kingdom****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob McKillop****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor Orme. A site visit is recommended to enable Members to view the proposal and its setting beyond the plans submitted.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is located on the southern side of Lancaster Road in Preesall, close to the road junction with Cartgate. The application site is at the north eastern extent of the wider area of land under the applicant's ownership and relates to an existing stable building set towards the eastern boundary. The existing vehicular access to the site is from Lancaster Road. The site is in an area of countryside set out on the proposals map to the Local Plan and lies within Flood Zone 3.

3.0 THE PROPOSAL

3.1 The application proposes extensions and alterations to the existing stable building to provide two additional stables. The extensions would project 3.8m beyond the southern wall of the existing building and would measure 7.5m in width. The ridge height of this rear element would increase from 3.7m to 4.5m in overall height, with eaves to match the existing building. The building would be of a block construction with a rendered external finish, with grey roof tiles and upvc windows and doors. The extension would increase the footprint of the existing building by 35 sqm.

4.0 RELEVANT PLANNING HISTORY

- 4.1 04/00336/FUL: Extension to existing stable block to form two additional stables - Refused due to inadequate access.
- 4.2 14/00051/FUL: Proposed replacement stable block, new horse walker and new entrance gate, brick piers and walls to access - Approved and part implemented.
- 4.3 16/00686/FUL: Erection of live/work. Withdrawn.
- 4.4 17/00178/FUL: Erection of detached dwelling and change of use of domestic stables to stud and operation from site of mobile farrier business. Refused - Appeal Dismissed.
- 4.5 18/00741/OUT: Outline application for the erection of 1 detached dwelling with appearance, access and scale applied for. Withdrawn.
- 4.6 18/00835/OUT: Outline application for erection of one detached dwelling (for the occupation of one gypsy traveller family) with access, appearance and scale applied for (all other matters reserved). Withdrawn.
- 4.7 18/00946/OUT: Outline application for erection of one detached dwelling (for the occupation of one gypsy traveller family) with access, appearance and scale applied for (all other matters reserved) (resubmission of 18/00835/OUT). Refused - Appeal Pending.
- 4.8 18/01170/FUL: Erection of storage building for private equestrian use. Approved.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP4 - Countryside Areas
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP6 - Accessibility & Transport
- EP10 - Equestrian Development

5.2 NATIONAL PLANNING POLICY BFRAMEWORK (NPPF) 2019

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

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

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 12 - Achieving well-designed places
- Chapter 15 - Conserving and enhancing the natural environment

5.3 OTHER GUIDANCE

National Planning Practice Guidance (NPPG)

6.0 CONSULTATION RESPONSES

6.1 PREESALL TOWN COUNCIL

6.1.1 Raise the following points of objection:

- Previously recommended works at the site have not been carried out;
- The land is covered by ragwort (toxic to horses) and the exercise/grazing area is inadequate;
- There is no mitigation for flooding and the adjacent ditch needs clearing/managing;
- The wooden stables should be demolished;
- Toxic hardcore could cause contamination;
- A full ecology survey is required to assess impact on known local protected species;
- The applicant has not used the existing building as a stable and there is no requirement for the development and horses have not been housed in the new stable block;
- There is a narrow entry to the site without a turning circle with a safety impact to road users.

6.2 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.2.1 No objections although has advised that the watercourse to the east of the site should be brought up to standard to ensure good drainage (the applicant is responsible as Riparian owner).

7.0 REPRESENTATIONS

7.1 7 public representations have been received which raise the following points of objection:

- There is no requirement as the existing stables is not used to keep horses;
- Conditions attached to previous permissions have not been complied with;

- There are serious flooding problems which will be worsened, particularly given climate change;
- There are Great Crested Newts in the watercourse - ecological assessment is required;
- The watercourses are not maintained which is necessary to avoid flooding on Sunnyside Terrace and the hedgerows are not cut back to the site frontage;
- The existing/proposed site plans are incorrect;
- Parking spaces approved previously are not shown;
- The proposal is overdevelopment of a small site which will impact neighbours;
- To keep 6 horses would require management and staff to rotate horses/exercise etc., which would increase number of visitors to the site;
- There is ragwort on the site and the land is unsuitable for grazing;
- The upvc windows proposed are unsuitable for horses;
- The application is likely to lead to a change of use (for residential) at a later stage.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 The applicant's agent has submitted additional justification for the proposed development during the application.

9.0 ISSUES

9.1 The main planning issues are:

- Principle of development and Policy compliance
- Visual Impact / Design
- Impact on residential amenity
- Impact on Highway / Parking
- Flood Risk / Drainage
- Ecology

Principle of development and Policy compliance

9.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, is the adopted Wyre Local Plan. Equestrian related activities are considered to be an acceptable form of new development in the countryside in accordance with Policy SP4 of the Local Plan subject to compliance with Policy EP10 (Equestrian Development).

9.3 Policy EP10 of the Local Plan sets out that a sequential approach should be applied to proposed stables in the countryside, with preference given first to conversion of an existing building; and then adjacent to an existing building; and then open field. The application involves extension of an existing stable building. Whilst conversion of existing buildings is sequentially more preferable, it is acknowledged that there is a building to the east of the main stable building which is to be demolished and so there would be no net gain of built development as a result of this proposal. Permission has been recently granted for a new building to the west of the site, this was designed and proposed to store horse boxes, trailers and other equestrian paraphernalia evident on the site as opposed to the stabling of horses. The application proposes an extension to an existing building which would be relatively well screened and well related to the existing built development on site.

The intended removal of the existing smaller timber building would reduce the built development adjacent to Lancaster Road and would result in an overall visual benefit. Consequently the proposal is considered to satisfy this element of the policy.

9.4 Policy EP10 requires proposals for commercial stables to be supported by a sound business plan, however the agent for the applicant has confirmed the applicant owns 6 horses and the site is for private use. There is no requirement for a business plan in this case. It has been confirmed that the horses are not on the site at present and have not been on site over the summer months as they are currently on livery elsewhere. The agent has explained this is because until the approved equestrian development (horse walker and riding manege) is completed the site is not in a suitable state for stabling of the 6 horses. The Council does not have any guidance on what is defined as 'private' use however 6 horses would not be an unreasonable number. A condition would ensure that the proposal is not used for commercial purposes.

9.5 Policy EP10 goes on to require the landholding to be of sufficient size to support the number of stables. There is some grazing land within the site, and whilst this may be small and is currently overgrown and unsuitable for grazing, there is no reason why it could not be made into a suitable state. Guidance from the British Horse Society suggests that 1 acre of land should be available per horse. However this guidance is based on horse welfare and how the site is managed can determine the ratio of horses to land. Whilst the proposal involves a more intensive equestrian operation, the provision of a horse walker and riding arena (both have planning permission) would provide exercise for horses to overcome the constraints on the land. Furthermore the applicant's agent also refers to other grazing land rented nearby and states that it is not uncommon for horses to be turned out on land that is separate from their stables. Whilst the site area available for exercise and grazing is approximately 1 acre, it is considered that subject to suitable management and rotation of horses, the site is sufficiently sized to cater for up to 6 horses.

9.6 Policy EP10 goes on to require the development as a whole to be well screened from the surrounding countryside. This will be covered in the next section on visual impact.

9.7 It is also important to acknowledge that application 14/00051/FUL which is partially implemented granted permission for 6 stables in total on a similar footprint to what is proposed here. This application seeks to amend the design of 2 of the previously approved stables but would not result in any net increase in number of stables. Whilst it is still necessary to consider the proposal against the relevant development plan policies this approved development represents a realistic fall-back position which should be given significant weight. On the basis of the above, the principle of development is considered to be acceptable.

Visual Impact / Design

9.8 It is considered that the proposed extension including footprint and roof alteration is modest in scale and in keeping with the overall scale and appearance of the existing building. The proposal would largely be screened from Lancaster Road by the front boundary hedgerow and due to its siting away from the road. Whilst it would be visible from some positions, it would not be prominent and the siting adjacent to an existing hard surfaced area would limit the projection of development into the open countryside to the south. It is noted that there is an existing stable to the eastern part of the site which is the subject of an enforcement case relating to its demolition, as controlled by a planning condition attached to permission

14/00051/FUL. Whilst this stable provides some screening, its removal would result in a visual gain, and it is noted that the plans state an intention to remove this building. White render walls above a brick plinth and roof tiles are proposed for the extension. Subject to suitable details being agreed these would match the existing stables which would be visually acceptable. White UPVC windows and doors are also proposed which are not a traditional stable material and so a condition is recommended to agree appropriate materials such as timber which is evident on the existing stable building. Subject to suitable materials being agreed the proposal would be sympathetic to the countryside setting and result in an acceptable external appearance.

Impact on residential amenity

9.9 The building would be sited a significant distance from any residential properties and given the scale and nature of the proposed use, it would not result in any detrimental impacts on residential amenity. Furthermore, the building would not allow for any significant intensification of the current permitted use of the site given its scale. As such, the application is deemed to have an acceptable impact in terms of amenity.

Impact on Highway / Parking

9.10 The existing access would be used. The proposal would not result in an intensification in terms of the use of the site or the number of visitors and it would remain for private equestrian use. On this basis it is reasonable to conclude that no material impact on the site access or local highway network would occur, as stated by LCC Highways in their response to the 2014 application which provided for 6 stables. The 2014 application proposed that the area between the new gates and highway would be finished in tarmac although this was not conditioned. As this hard surfacing has not been provided to date then it is reasonable to condition this to be provided under this current application. It is understood that horses could be moved from the site in vehicles at present and this application would not allow for any increased movements beyond the present permissions. Overall, subject to conditions, it is deemed that the application would have an acceptable impact on highway safety.

Flood Risk / Drainage

9.11 The site is in Flood Zone 3 and the application is accompanied by a flood risk assessment which includes mitigation measures. The proposal would comprise a minor development and would not require a sequential test or exceptions test. The application form states that surface water drainage would discharge to the watercourse, details of which are shown on a proposed drainage plan. The Council's Drainage Engineer has been consulted on the application and does not raise any objections to the proposal although advises the watercourses to the site boundaries should be cleared which is the responsibility of the site owner. If this is an existing problem then it is not something that can be controlled by this development but the Council can exercise their powers under separate legislation to require this to happen if need be. A condition can be added to ensure the development drains to the watercourse as indicated. A condition would also be attached to any permission granted requiring the existing building adjacent to the eastern boundary to be removed. This would allow a greater stand-off distance from the buildings to the watercourse which would be an improvement from the existing relationship. Overall, it is therefore considered that the development would have an acceptable impact in relation to flooding and drainage.

Ecology

9.12 The building would be set away from the hedgerow and watercourse to the eastern site boundary with limited potential to impact on protected species. In relation to the removal of the existing building, an informative would be added to any permission granted to ensure the developer is aware of their responsibilities in relation to protected species. Given the scale of the proposed building and the intervening distance from the hedges and watercourse, it is considered that there would not be any significant impact in terms of ecology.

Other Issues

9.13 There are no trees within the site that would be affected. No issues have been identified in relation to land contamination.

9.14 In reference to concerns/objections raised by members of the public, any proposed conversion or use of the site for residential purposes would require separate planning permission and this application would not allow for residential use. Whilst there is potential for ragwort to be present at the site, there is no reason why the site could not be made suitable for grazing if treated properly. The submitted plans show development that has been approved but not yet constructed at the site. Given this is clearly labelled on the plans, following a case officer visit to the site, the submitted plans are deemed to be accurate for the purposes of assessing the existing and proposed development. The existing smaller timber stable adjacent to the eastern boundary should have been demolished as part of permission 14/00051/FUL. It is noted that the plans submitted for this application indicate the building will be removed. As this has not been demolished, the Council are currently undertaking an investigation into a breach of planning condition.

10.0 CONCLUSION

10.1 The proposal would be acceptable in principle and would not result in any unacceptable impacts in terms of design, amenity, highways or flooding. All other relevant material planning considerations have been assessed to be acceptable. The proposal would comply with relevant local and national policies and it is therefore recommended that the application is permitted.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant full planning permission subject to conditions.

Recommendation: Permit

Conditions: -

1. The development 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 05.08.2019 including the following plans/documents:

- Site Location Plan, received by the Local Planning Authority 5th August 2019;
- Proposed Site & Drainage Plan Drg No. LG/WM/3401, received by the Local Planning Authority 6th August 2019;
- Proposed Plans and Elevations Drg No. LG/WM/3402, received by the Local Planning Authority 6th August 2019.

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 the extension (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). Insufficient material details have been included in the application and not all of those proposed are considered to be appropriate.

4. The development hereby approved shall be used for private equestrian use only and shall not be used for any trade, business or livery use.

Reason: In the interests of the amenity of occupiers of neighbouring properties, the visual amenity of the area and highway safety.

5. Prior to first use of the development hereby approved, the part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be surfaced in tarmacadam, concrete, block pavements, or other permanent hard surfaced material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity and in the interests of visual amenity in accordance with Policies SP4, CDMP1 and CDMP3 of the Wyre Local Plan (2011-31).

7. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) submitted with the application including the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

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

8. No part of the development shall be brought into first use until the drainage works have been completed in accordance with the approved scheme details as shown on the Proposed Drainage Plan DWG NO. LG/WM/3401. 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.

Notes: -

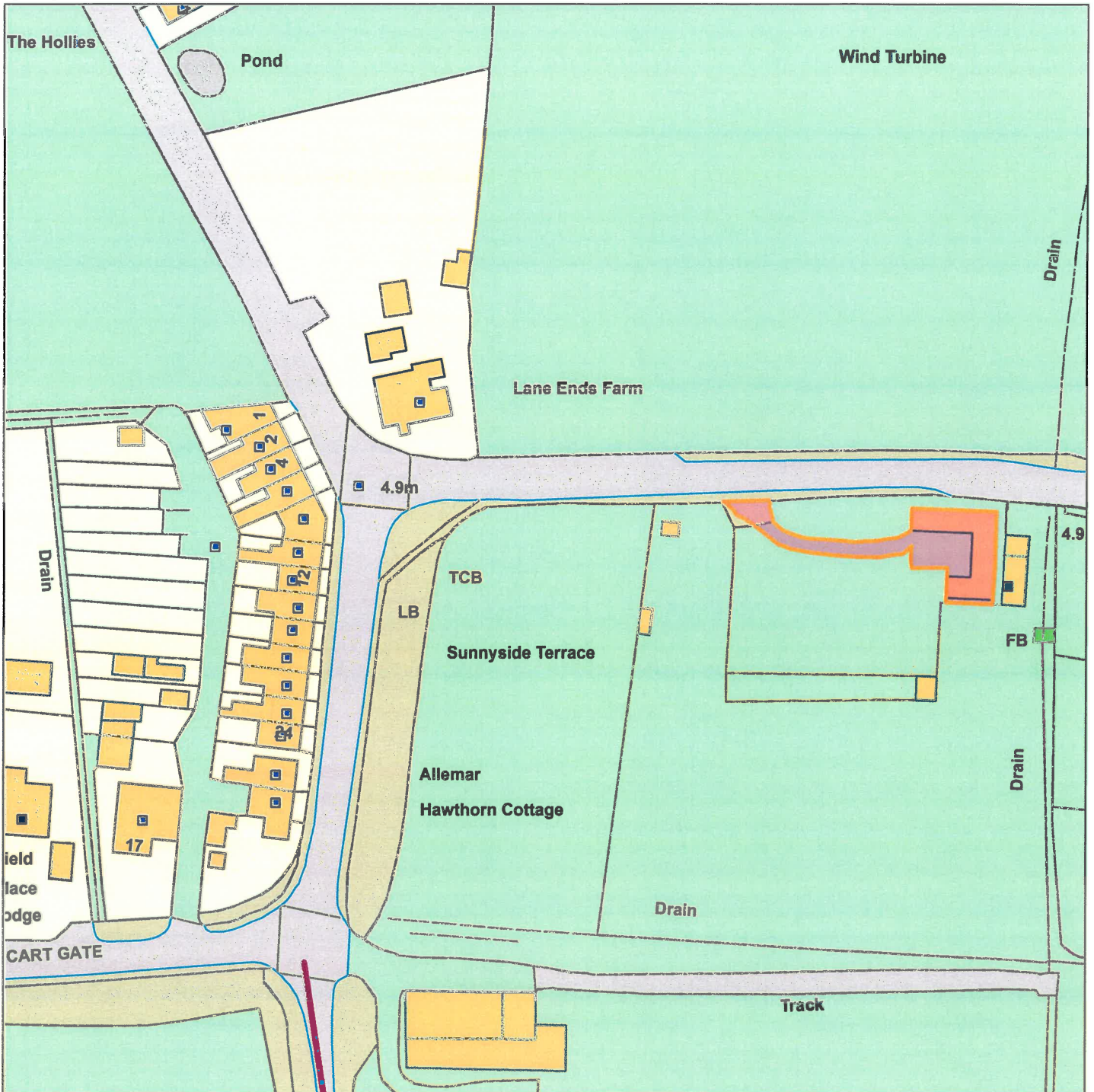
1. Watercourses to the east and south of the site are in poor condition (when last inspected by LCC/WBC). The applicant (as riparian owner) must ensure that watercourses are brought up to standard as part of any drainage plan for this development. Regular maintenance of the watercourses is required to reduce risk of flooding to Sunnyside Terrace and Lancaster Road.

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

This page is intentionally left blank

Planning Committee

19/00800/FUL - Blueberry Stables Lancaster Road Preesall



Scale : 1:1036

Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	Wyre Council
Department	Planning Department
Comments	Item 3
Date	21 October 2019
SLA Number	10001820

This page is intentionally left blank