

**Committee Report****Date: 04.11.2020****Item Number        01****Application        18/00469/OULMAJ**  
**Number****Proposal            Outline application for the erection of up to 195 dwellings, 1ha of employment, community centre and shop (Use Class A1) and associated infrastructure (following demolition of existing agricultural buildings) with access off School Lane applied for as a detailed matter (all other matters reserved)****Location            Land To The North And South Of School Lane Forton****Applicant           Hollins Strategic Land LLP****Correspondence    c/o Hollins Strategic Land LLP**  
**Address            FAO Matthew Symons Suite 4 1 King Street Manchester M2 6AW****Recommendation   Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Karl Glover**

Site Notice Date: 18/06/2018

Press Notice Date: 30/05/2018

**1.0        INTRODUCTION**

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

**2.0        SITE DESCRIPTION AND LOCATION**

2.1        The site which forms the subject of this application relates to two separate parcels of land, currently in agricultural use, located to the north and south of School Lane and west of Preston Lancaster Road (A6) in Forton. The site extends in total to approximately 10.5 hectares and lies immediately to the east of the existing settlement. The northern parcel extends over 7.3 hectares and comprises of Grade 3 (good to moderate quality) undulating agricultural land currently associated with Forton Bank Farm. Site levels increase from approximately 33m Above Ordnance Datum (AOD) in the south to 43m AOD in the north. The existing farm buildings which are sited along the eastern boundary comprise of modern pitched roof portal framed structures used for the housing of livestock and storage of agricultural equipment with associated slurry store located towards the west. Centrally located within the northern parcel is a small pond and coppice of trees with mature hedging connecting to the eastern boundary. From the north western and northern boundaries

mature vegetation also projects in to the site. The northern parcel is enclosed along each boundary by high level and well established mature mixed species hedgerows. Along the northern boundary is a designated Public Right of Way (PROW) (FP12) which crosses the site and connects Preston Lancaster Road (A6) with Wallace Lane.

2.2 The northern parcel is surrounded by a mixture of residential development and open countryside. Immediately adjacent to the western boundary are residential dwellings which back on to the site from Coronation Avenue, Troutbeck, Lakeland Close and Wallace Lane all of which vary in design and scale from two storey terrace and semi-detached dwellings to dormer bungalows and more traditional detached properties along Wallace Lane. To the north/north east is agricultural land with defining field boundary hedgerows and mature trees sporadically located within. To the east immediately adjacent to Forton Bank Farm is a cluster of residential dwellings and holiday lets which are accessed from Preston Lancaster Road (A6). This includes Forton Bank Farm House which adjoins on to one of the converted holiday lets and a detached dwelling known as Forton Bank. Forton Bank is a two storey detached dwelling with side and rear gardens which are located on a significantly lower gradient to the adjacent application site and is bound to the north by a high level stone boundary wall. Within the northern parcel there is a defined Minerals Safeguarding Area located predominantly against the western section of the site, and running in an east to west direction to the north of the site is an underground high pressure gas pipeline.

2.3 The southern parcel extends over 3.2 hectares and also comprises Grade 3 agricultural land. Site levels decrease by approximately 2m towards the centre of the site compared to levels around the site boundary which are 34m AOD. Mature hedgerows line the northern and eastern boundaries adjacent to the highway. Along the southern boundary is a mature tree belt along with a further PROW (FP2) which runs from the A6 and connects to Winder Lane to the west. Along the western boundary are trees and hedgerows. The immediate surroundings to the southern parcel are also mixed in character. A residential dwelling is located to the north-west known as Jesmond Dene with a business premises to the rear, beyond this to the west is the village bowling green and playing field. Beyond the mature tree belt which lines the southern boundary is Oakfield Nursing Home.

2.4 Both the northern and southern parcels of the application site area are located within Flood Zone 1 as identified on the Environment Agency mapping system.

2.5 Existing facilities and services within Forton comprise of Forton United Reform Church, Shirehead and Forton Cricket Club, Bowling Club and a Primary School, all of which are within walking distance to the application site. Both parcels of land benefit from existing gated field accesses. To the east of the site lies the A6. On both sides of the A6 close to the junction with School Lane are designated bus stops with bus services to Lancaster and Preston and other areas within the Borough.

### **3.0 THE PROPOSAL**

3.1 The application seeks outline planning permission for residential development of up to 195 dwellings, 1 hectare of employment, a community centre and shop (neighbourhood centre) and associated infrastructure (following demolition of existing agricultural buildings). The application includes access as a detailed matter with new vehicular access points created from School Lane into the respective northern and southern parcels. Matters of layout, scale, appearance and landscaping

are reserved for consideration at reserved matters stage. The residential development will include 30% affordable homes. The neighbourhood centre would be 0.2 hectares comprising a convenience store with a floor space of up to 500sqm (gross floor area) and a community centre with a footprint of approximately 450sqm (gross floor area). The community centre site is an alternative location should it not be provided on the Village Playing Field land.

3.2 The application has been accompanied by an Indicative Concept Masterplan. This shows the internal spine roads through the northern parcel would generally run north to south, around the existing pond and mature trees in the central area which would be the focal point. In the southern parcel it shows the spine road running south and then looping west up to the site boundary. The 1 hectare (ha) of employment land is shown located in the southern parcel adjacent to the eastern boundary and part way along the southern boundary. The 0.20 ha of land reserved for the neighbourhood centre is shown to be located in the south western corner of the northern parcel adjacent to the site access. Some 2.84 ha of green infrastructure is shown across both parcels which would also feature as ecology corridors and green pedestrian routes linking the development site to the existing PROW's along the northern and southern boundary and on to School Lane and Wallace Lane to the north. A Local Equipped Area of Play (LEAP) is indicated within the northern parcel. An on-site surface water attenuation pond is shown towards the north eastern corner of the southern parcel along with a new green space to create a new 'gateway' to the village. The majority of the existing boundary hedgerows are shown to be retained with additional planting throughout.

3.3 The two main access points going into the northern and southern parcels would be offset along School Lane. The northern access is shown to be directly opposite Jesmond Dene and the southern access, further east of the northern access, would be around 150m from the junction of School Lane and the A6. Both accesses are shown to measure approximately 20m in width tapering to 10m into the site and provide visibility splays measuring 2.4m x 43m to the east and west along School Lane.

3.4 The application has been submitted with the following supporting documents:

- Design Code Influence
- Desk Study Assessment Report
- Ecological Assessment (including Update)
- Flood Risk assessment and Drainage Strategy
- Landscape and Visual Assessment
- Noise Constraints Assessment
- Planning Statement
- Transport Assessment (Revised) and Road Safety Audit
- Tree Survey
- Utilities Statement
- Air Quality Assessment

## **4.0 RELEVANT PLANNING HISTORY**

4.1 There is no planning history associated with the application site area, however Forton Bank Farm has the following relevant planning history:

15/00477/FUL - Removal of condition 4 relating to planning permission  
01/01051/FUL to allow for personal use as residential accommodation - Refused

19/00805/FUL - Part retrospective application for the change of use of 3no  
tourist/student dwellings to 3 residential dwellings - Pending consideration

4.2 Within the immediate vicinity of the application site the following planning history is considered to be of relevance:

18/00418/OULMAJ - Land At Lancaster Road Forton - Outline application for the erection of 147 dwellings, village store and Café, public foot path provision, public open space and associated infrastructure with access applied for (all other matters reserved) - Application Refused

19/01000/OUTMAJ - Land off School Lane Forton - Outline application for up to 41 dwellings with access applied for (all other Matters Reserved) (re-submission of 17/00587) - Application refused

17/00587/OUTMAJ - Land off School Lane Forton - Outline application for up to 46 dwellings with access applied for (all other Matters Reserved) - Application refused

18/00596/OUT - The Hollies Lancaster Road Forton- Outline application for the erection of up to 9 detached dwellings, associated parking and landscaping (following demolition of existing dwelling and outbuildings) with access applied for off the A6 (all other matters reserved) - Application Permitted

## **5.0 PLANNING POLICY**

### **5.1 WYRE BOROUGH LOCAL PLAN 2011-2031**

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre alongside the Joint Lancashire Minerals and Waste Local Plan. 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 to this Section 73 application:

- SP1 -Development Strategy
- SP2 -Sustainable Development
- SP4 -Countryside Areas
- SP7 -Infrastructure Provision and Developer Contributions
- SP8 -Health and Well-Being
- CDMP1 -Environmental Protection
- CDMP2 -Flood Risk and Surface Water Management
- CDMP3- Design
- CDMP4 -Environmental Assets
- CDMP6 -Accessibility and Transport
- HP1 -Housing Land Supply
- HP2 -Housing Mix
- HP3 -Affordable Housing

- HP9 -Green Infrastructure in New Residential Developments;
- EP1 -Employment Land Supply
- SA1 -Residential Development
- SA3/4 -Forton Extension

## 5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published 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
- Section 4- Decision-making
- Section 5- Delivering a sufficient supply of homes
- Section 6- Building a strong, competitive economy
- Section 8- Promoting healthy and safe communities
- Section 9- Promoting sustainable transport
- Section 11- Making effective use of land
- Section 12- Achieving well-designed places
- Section 14- Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

5.2.3 National planning policy allows local authorities to confirm their annual five year housing land supply through the publication of an Annual Position Statement (APS). In line with the process established by National Planning Practice Guidance, the Council published the APS to the Planning Inspectorate on 31 July 2019. The Planning Inspectorate has now considered the evidence and representations submitted. The Planning Inspector's report confirms that Wyre has a 5 year housing supply of deliverable housing sites for one year, i.e. until 31 October 2020. The APS forms the most up to date position on the five year housing land supply. The Council has submitted its latest APS to the Planning Inspectorate for consideration and anticipates that it will be able to demonstrate a deliverable five year housing land supply until 31st October 2021.

## OTHER MATERIAL CONSIDERATIONS

### 5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

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

### 5.4 FORTON EXTENSION MASTERPLAN

5.4.1 The Forton Extension Masterplan was approved by the Council on 24th July 2020 and represents a significant material planning consideration to this application.

## 5.5 FURTHER RELEVANT PLANNING POLICIES/LEGISLATION

5.6 The National Planning Practice Guidance (2019)

5.7 Joint Lancashire Minerals and Waste Local Plan - M2 - Safeguarding Mineral Sites

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

5.9 The Conservation of Habitats and Species Regulations 2017 (as amended)

5.10 The Wildlife and Countryside Act 1981 (as amended)

## 6.0 CONSULTATION RESPONSES

### 6.1 FORTON PARISH COUNCIL

6.1.1 Neither object nor support the proposal however the following points are highlighted:

The principle of the development has been established as the sites are designated for development in the adopted Local Plan and has been established subject to public consultation on the Forton Masterplan. The Parish Council comments centre of access from the two sites onto School Lane and on the design of the school Lane/A6 junction. The proposal should meet the vision and objectives of the Masterplan and ensure that new highway infrastructure is designed to provide for safe movement of motorised transport and other road users. The Parish Council have highlighted the following observation:

#### Access on to School Lane

- Development will bring traffic from 195 dwellings on to School Lane so the design of the two new access points as well as the road between them will need to cope with additional traffic and also for the safety of pedestrians and cyclists
- The northern site will serve 145 dwellings with traffic using a single road to join to school Lane. The Parish Council would have a preference for a mini roundabout to control traffic flow.
- It is recognised the widening of School Lane will improve safety of pedestrians
- A cycle lane is recommended to connect to the A6 junction
- Visibility splays/sightlines potentially too short at the south site exit

#### School Lane/A6 Junction

- The Parish Council requested a dedicated left turn from School Lane onto the A6 and it is noted that the Access Plan has provided one. However this is not satisfactory because it can only accommodate a few vehicles and the great increase in traffic from this development will produce a queue waiting to turn right onto the A6 which will block the left turn lane.

- If no amendments are made it could lead to congestion and drivers using alternative countryside routes which are not suitable for high volumes of traffic and would impact upon the character of Forton
- The proposed refuge islands will leave people marooned in the middle of heavy traffic and will particularly affect children, the elderly and those with restricted mobility.
- The Parish Council also wish to see a pull in for buses going north and south which will improve traffic flow.

## 6.2 UNITED UTILITIES

6.2.1 The applicant should investigate the surface water hierarchy. In the event that infiltration is not possible then a connection to the identified watercourses should be made. No connection to the combined public sewer should be made. A discrepancy in the discharge calculation rates is noted in the submitted FRA and the submitted Sustainable Drainage Statement. The rate of discharge requires further attention. Surveys of the existing culverts should also be undertaken. In terms of foul water discharge UU recommend that the applicant liaises directly to determine the most appropriate approach to pumping foul waters and connection points. Conditions requested in relation to foul and surface water drainage and the management and maintenance of the systems.

## 6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 First response (14/3/2019) acknowledged the scope of (revised) Transport Assessment was acceptable. School Lane / A6 junction improvements are necessary along with improvements to pedestrian and cycle links and nearby bus stops. Appropriate access can be provided from School Lane into site although junction radii may need to be reduced from 10 to 6m. A masterplan is required to enable impact of development to be fully assessed.

6.3.2 Second Response (25/8/20) acknowledged the approved masterplan now in place, the proposed improvements to the School Lane / A6 junction and the revised development description. Given that the (initial) analysis showed that traffic could be accommodated on the highway network with spare capacity no further analysis is required. The A6 / School Lane junction improvement provides a right turn lane with pedestrian refuges both north and south of the junction. The southern refuges provides protection to right turning vehicles and also provides better connectivity to the southbound bus stop. The redesign of the junction will require the re-siting of the northbound and southbound bus stops. LCC are satisfied that an acceptable junction arrangement can be provided. In response to local concern about this junction LCC make the following comments:

- Two lane approach on School Lane. The capacity analysis provided by the developer shows that a single lane approach on School Lane would not create unacceptable queuing on School Lane and as such a single lane approach is acceptable to LCC. However, to appease local concern the developer has produce a plan showing a two-lane approach which is also acceptable.
- Provision of Bus Stop Lay-by. Local concern has been raised as to whether a lay-by should be provided for the northbound bus stop on the A6. LCC do not usually consider lay-bys to be necessary on major traffic routes such as the A6 and accepts that minor delays to general traffic suffers is off-set by buses being able to re-join the flow of traffic easier, reducing journey times and encouraging public

transport travel. The developer has produced a plan showing that a lay-by could be provided, however, the detailed layout of the junction would require technical approval following a safety audit.

- Existing access north of the School Lane junction. The access to Forton Bank has sightlines that are below the standards that would be expected if a new access was being created here. The alteration necessary at the School Lane junction include the provision of refuges, this together with the increase in traffic movements associated with the development will aid in regulating vehicle speeds. Of the opinion that the alterations to the School Lane junction will not make it any more difficult or dangerous to access and egress the access to Forton Bank. The adopted highway here includes the grass verge (westerly side), carriageway and footway (easterly side) with any walls, fences and hedges being the responsibility of the adjacent landowners.

6.3.3 LCC Highways have advised that the submitted Travel Plan is acceptable. A financial contribution towards the A6 Sustainable Transport Strategy is requested to go towards the delivery of road safety improvements (average speed cameras to be introduced along the A6) which would be to the sum of £312,000. A financial contribution of £12,000 for travel planning is required upon commencement of development. The following highway improvements are necessary to allow this development to come forward:-

- Provision of right turn lane on the A6 with pedestrian refuges
- Upgrade of nearest northbound and southbound bus stops to include shelters, raised boarding areas and associated road markings / signs.
- Footway improvements along School Lane between the A6 and the School and Village Hall.

The above works should be carried out under a s278 agreement and would be secured by planning condition. Other conditions that have been requested are set out in more detail within section 9 of this report. Subject to conditions and contributions as set out above LCC Highways raise no objection.

#### 6.4 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.4.1 Updated assessment (29/9/2020) confirms LCC will be seeking a contribution from this development towards primary and secondary school places in line with their methodology, with the precise amount / number of school places to be confirmed at reserved matters stage once housing mix is known. Garstang Academy and Lancaster Central High School are identified as the named secondary schools for expansion and Forton Primary School and/or Cockerham Parochial CE Primary School are identified as the names primary schools for expansion.

#### 6.5 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.5.1 No objections subject to conditions requiring full details of surface water drainage to be submitted along with the details of a SuDS management and maintenance scheme

#### 6.6 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY OFFICER)

6.6.1 Advised that the developer plans do not appear to show the route of the PROW on the same line as the county councils records. Surface material



improvements for both FP12 and 2 will be needed as these will become well used. The developer should create formal links from the recorded public rights of way to the section of estate road that are to be adopted. The development is tightly constrained by the A6 to the east but with improvements to pedestrian and multi user access across the road the site has potential to provide good opportunities for car free travel from the proposed development.

#### 6.7 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

6.7.1 Advised that the site has potential for as yet unknown buried remains particularly those of prehistoric-medieval dates. A condition for a programme of archaeological work in accordance with a scheme of investigation is recommended to be attached

#### 6.8 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.8.1 First Response: The application site, although large, is dominated by species-poor agricultural grassland which is not of high ecological value. It is considered to have low potential to support any specially protected species, except for some minor potential for bats to roost in trees and some bat foraging habitats. There are trees, hedgerows and a pond within the application boundary that will have local nature conservation value, but these features are capable of retention and/or re-creation and overall I would not consider that the development proposal will cause substantive ecological harm. Conditions recommended.

6.8.2 Second Response: Due to the time elapsed between the original planning application a revised response is provided. In summary the conclusions of the applicant's ecologist is agreed. The status of the site has not substantively changed since the previous response in particular any risks to great crested newts remain very low. GMEU are mindful of the recent comments from Natural England on the application that the development should be subject to Screening under the terms of the Conservation of Habitats and Species Regulations 2017 (as amended) for its possible impacts on European protected sites. GMEU have undertaken the screening and it is concluded that the proposed development is considered to have no Likely Significant Effect (LSE) on the special interests of any European designated sites. A range of conditions have been recommended.

#### 6.9 HIGHWAYS ENGLAND

6.9.1 No objections subject to a condition requiring a robust Travel Plan to be submitted.

#### 6.10 HEALTH AND SAFETY EXECUTIVE (HSE)

6.10.1 The site lies within the HSE consultation distance of National Grid pipeline ref.1115: 21 Feeder Carnforth to Treales. It is confirmed that this pipeline has been thick-walled in the vicinity of the proposed development site and that as a result, the HSE consultation zones for this pipeline which apply in this area are, Inner zone = 3 metres, Middle zone = 3 metres, Outer zone = 230 metres. The site lies within the outer zone of the HSE consultation distance and therefore HSE does not advise, on safety grounds, against the granting of permission.

#### 6.11 CADENT GAS

6.11.1 No objections, advised that the notes provided should be brought to the attention of the applicant

#### 6.12 NATIONAL GRID

6.12.1 No objections

#### 6.13 NATURAL ENGLAND

6.13.1 Advised that a Habitat Regulations Assessment (HRA) screening should be undertaken. If the local authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

#### 6.14 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.14.1 To mitigate against the development an appropriate financial contribution towards the refurbishment and/or reconfiguration at Garstang medical centre is requested. Whilst this is estimated at £53,745, as this is an outline application the precise amount would be calculated at reserved matters stage.

#### 6.15 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.15.1 No objections in principle. Surface water drainage from the site must be based on SuDS principles including rainwater harvesting, infiltration and discharge to existing watercourses. Results of percolation tests should be submitted to test the ground conditions for suitability for infiltration. Surface water should be drained via the southern site and no surface water should be connected to the combined sewer.

#### 6.16 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)

6.16.1 Further information is required to be submitted including photographic walk over images and details of any proposed ground gas investigations. As such it is recommended that the councils standard contaminated land condition is attached should the application be approved.

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

6.17.1 No objections subject to conditions requiring an Environmental Construction plan to be submitted along with a dust management plan. The noise mitigation measures set out within the submitted noise assessment should also be conditioned accordingly.

#### 6.18 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY)

6.18.1 No objections however to mitigate against the impacts associated with the development a number of conditions have been requested

#### 6.19 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREE AND WOODLAND OFFICER)

6.19.1 Agrees with the tree survey assessment undertaken. Should the application progress to reserved matters then an Arboriculture Impact Assessment, tree

protection plan and Arboriculture Method Statement should be provided along with a detailed landscaping plan covering new tree planting schedule and specifications.

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

6.20.1 The features and quantity of Green Infrastructure being provided is acceptable. Full details and design should be conditioned.

## **7.0 REPRESENTATIONS**

7.1 At the time of compiling this report there have been 17 letters of objection received. The primary planning reasons for objection are set out below:

### **Principle**

- Development should be in accordance with the Masterplan
- No demand for new housing (no local need)
- No need for affordable housing in the locality
- Cumulative impacts upon Forton due to the amount of planning applications submitted
- Lack of infrastructure

### **Residential Amenity**

- Impacts upon amenity
- Loss of light
- Loss of Privacy and outlook

### **Visual Impacts**

- Loss of Agricultural land
- Far to greater scale of development for the Village
- Development is not organic growth

### **Highway Impacts**

- Highway Safety concerns
- Impacts upon Wallace Lane and Winder Lane
- Impacts upon pedestrians including school children so close to the A6
- Impacts upon wheel chair users and people with pushchairs
- Impacts upon the highway network - capacity concerns
- Impacts upon country lane from additional traffic
- Puffin Crossing is required on the A6
- Lack of viability at the Junction with the A6 and School Lane

### **Other**

- Impacts upon gas pipeline
- Drainage and flood risk concerns (supporting image provided of flooding within the site)
- Lack of open space

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

8.1 During the course of the application a number of site visits have been undertaken. This included a site walk over with the applicant. As the application was originally submitted ahead of an agreed Masterplan for the Forton Extension (a

requirement of Site Allocation SA3/4), the Applicant and Officers agreed to a rolling extension of time on the application to accommodate the submission and approval of the Masterplan and any necessary revisions required to ensure the application complied with its visions and parameters. Further contact during the application was made to discuss the following matters:

- Amendments to the site accesses and junction with School Lane
- The Submission of a road Safety Audit
- Application site parameters (revised Concept plan)
- Green Infrastructure
- Required revisions following the adoption of the Wyre Local Plan
- Financial contributions and planning obligations
- Delivery of the village hall/community centre
- Agreement of Conditions and Section 106 Legal Agreement

## **9.0 ISSUES**

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

- Principle of Development
- Infrastructure Provision and Employment
- Housing Mix
- Landscape Impacts
- Impact on Residential Amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Trees and Ecological Matters

### **Principle of Development**

9.2 The application site falls within the settlement boundary of Forton as defined in the Adopted Wyre Local Plan (WLP31). Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. The site is allocated in WLP31 for mixed use housing and employment development as part of the Forton Extension site allocation (Site SA3/4). The allocation consists of four parcels around the periphery of the settlement with a total housing capacity of 310 dwellings along with 1 hectare of employment land and a neighbourhood centre comprising of a local convenience store, community centre and health facility (the latter only if required). This application site comprises one of those four parcels. The remaining being the village playing field (bowling green, pavilion and play area) (parcel B), land off Winder Lane (parcel C) and Land south of Spring Vale/Forton Primary School (parcel D). As the site is part of a Local Plan allocation, the loss of agricultural and minerals safeguarding land has already been considered and accepted.

9.3 As this application was submitted prior to the WLP31 being adopted it has since been amended to include the 1ha of employment land. To date there are no other applications which have been submitted on parcels B-D of the allocation. Whilst this application seeks consent for the erection of up to 195 dwellings the remaining parcels of land within the allocation are of sufficient capacity to deliver the remaining allocation capacity of 115 dwellings.

9.4 Site allocation SA3/4 contains 11 Key Development Considerations (KDCs) which are policy requirements that have to be satisfied. KDC1 states 'this site is to be brought forward in line with a masterplan to be produced covering the whole of the site. The masterplan must be agreed by the Local Planning Authority prior to the granting of planning permission for any part of the site'. The Forton Extension Masterplan was formally approved by the Council on 24th July 2020. Although the Masterplan itself does not create new policy, it does create a development framework, including vision, objectives and design principles that individual planning applications within the allocation are expected to be consistent with. In this instance the application is in outline form with only access being applied for as a detailed matter. However it is considered that the proposed development would be consistent with the Masterplan Framework (appendix A of the masterplan document) as the submitted indicative concept plan which identifies the areas of the site where the housing, employment and associated infrastructure are to be sited aligns with the Masterplan Framework. Details of these locations are set out below. The outline permission could be conditioned to ensure that any subsequent reserved matters application follows these parameters. Specific matters relevant to the masterplan are subsequently discussed in each relevant section of this report.

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

9.6 Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. Whilst this application is in outline form, the applicant has provided a supporting statement outlining how the proposal would satisfy this policy. This includes:

- The proposed Neighbourhood Centre will enable the provision of a new shop and village hall meaning less vehicular movements outside the settlement
- A Framework Travel Plan has been submitted to LCC to encourage sustainable modes of travel
- Financial contributions towards sustainable travel
- The use of natural resources such as water features, hedgerows and trees
- Native species planting throughout the site increasing the amount of tree cover to assist with climate change in line with the Masterplan
- Integration and improvements of existing natural habitats

#### Infrastructure Provision and Employment

9.7 Policy SP7 of WLP31 requires contributions towards infrastructure and in some cases new infrastructure on site. This includes affordable housing, green infrastructure, education, highway improvements and health care provision. The Forton Extension Masterplan also identifies a number of infrastructure requirements

that are integral to the creation of sustainable development and sets out the principles in which this should be delivered.

9.8 KDC7 of SA3/4 requires the allocation to provide a neighbourhood centre comprising of a small local convenience store of not more than 500sqm (gross floor area), a community hall and health facility if required. The Masterplan considers the appropriate location for the neighbourhood centre. It identifies land south of School Lane within the boundary of the village recreation ground and playing field as the preferred location for the community hall, with the retail unit located on the northern parcel opposite the existing pavilion. The latter location is also identified as an alternative location for the community hall should the preferred location not be deliverable. As part of this application, and as identified on the submitted concept plan, 0.20ha of land located to the south western corner of the northern parcel of land has been identified to be reserved for a new community hall (if the preferred location does not come forward) and a convenience store. This permission should condition the convenience store to have a gross internal floor space of no more than 500sqm in line with the KDC. Full details of the store would be provided at reserved matters stage or via a separate full planning application. The neighbourhood centre is considered to be a suitable location as it would be centrally located within the settlement and can be safely accessed from School Lane. It would also reflect the Masterplan. In this instance the applicant has agreed to provide a financial contribution towards a new community hall which is to be secured via a Section 106 Legal agreement. The precise amount would be dependent on the housing mix to come forward at reserved matters stage, however is expected to be in the region of £850,000. This will be held by the council and made available to the appropriate body (such as the Trust or Parish Council) wanting to deliver it, either on the village recreational ground (preferred location) or on the neighbourhood centre site. Land on the neighbourhood centre site will therefore need to be reserved for the community hall until such time as it is confirmed as not being required. This can be secured by condition.

9.9 In terms of affordable housing, Policy HP3 of WLP31 requires new residential development of 10 dwellings or more on greenfield sites in Forton to provide 30% affordable housing on site. Assuming a reserved matters application came forward for all 195 dwellings, 30% would equate to 59 affordable units on site. The Council's Affordable Housing Officer has advised that 50% of the on-site units should be affordable rental units, with the remaining 50% intermediate tenure. Affordable housing would be secured in a Section 106 agreement.

9.10 KDC6 of SA3/4 requires land to be made available for the extension of the local primary school. The approved masterplan sets out 0.8ha of land is to be made available on the area of the allocation to the rear of the existing school (parcel D). Approval of this application would not therefore prejudice the delivery of this school expansion in the future if required. Furthermore to mitigate the impacts of this proposed development a financial contribution in line with LCC's methodology would be secured at reserved matters stage when a detailed scheme can be assessed. To provide LCC with some flexibility, both Forton Primary School and/or Cockerham Parochial CE Primary School as the closest primary schools to the development with space to accommodate an expansion are the named primary schools. Garstang Community Academy and/or Lancaster Central High schools are the named secondary schools. The applicant has in principle agreed to pay this financial contribution which would be secured in the section 106 agreement.

9.11 Whilst KDC7 of SA3/4 and the Masterplan highlight that the neighbourhood centre should incorporate an area for a health facility (i.e. a drop in satellite centre) if

required, the CCG in this instance have advised that to mitigate the impact of the development on existing health care services a financial contribution would be required instead. They have estimated this payment to be in the region of £53,745 towards refurbishment and/or reconfiguration at Garstang Medical Centre. However, as with the education and community hall contributions, the precise amount would be calculated at reserved matters stage. The requisite health care contributions would be secured in a s106 agreement.

9.12 Policy HP9 of WLP31 requires development resulting in a net gain of 11 units or more to make appropriate provision of green infrastructure (GI) on site. Based on the proposed upper limit of 195 dwellings this development should provide circa 1.72ha of GI within the site. The submitted concept plan demonstrates that in total across both parcels of land to the north and south of School Lane, approximately 2.84ha of GI would be provided on site which exceeds the amount required by Policy HP9. The Masterplan sets out the approach to GI for the whole of the site allocation and identifies that its delivery should be closely related to the movement network with the aim to create an attractive, well designed open space network in conjunction with integration and improvement of existing ecological systems and natural habitats. The Masterplan sets out that the whole allocation is required to provide a total of 4.31ha of GI. The submitted concept plan for this application replicates the GI provisions set out in the Masterplan for both parcels of land and incorporates various typologies including an area for children's play (Locally equipped area of play - LEAP), natural and semi natural green space, ecological corridors and includes new sustainable drainage features (SuDS) by way of new ponds to be used for onsite attenuation purpose. It also shows links to the existing public rights of way and to a potential continuous green pedestrian route 'The Forton Trail' which is proposed as part of the masterplan.

9.13 Within the northern parcel of land to the north of School Lane the levels and topography vary significantly, with the highest area being along the ridge to the northern boundary where the existing PROW crosses through. The GI has been designed to take into consideration the difference in levels and to ensure connectivity with the existing footpath whilst providing a safe and overlooked area for the proposed children's LEAP. There is a triangular section of GI in the north eastern corner which falls outside the allocation and is within designated Countryside Area in the local plan. However Policy SP4 (criteria 2-b) allows for areas of outdoor leisure facilities and it is considered that the use of Public open space would fall within this category and as such is an appropriate use within the countryside. At reserved matters stage full details of levels and site sections will be required to be provided. The Councils Parks and Open Spaces Officer is satisfied with the type and amount of GI being proposed. The location and amount of GI shown on the submitted concept plan can be conditioned accordingly to ensure any reserved matter relating to layout follows this concept plan. The timing/delivery and management/maintenance of this GI would be secured by the Section 106 agreement. The reserved matters submission would consider the design of the open space and precise typologies, as well as furniture, play equipment and footpaths.

9.14 KDC5 of SA3/4 requires 1ha of employment land (Class B use) to be located to the east of Jesmond Dene which already incorporates existing business uses. The submitted concept plan shows employment is to be located within the southern parcel of land against the eastern and southern boundaries, adjacent to a new internal spine road. The Masterplan provides an illustrative layout of how this could be delivered. Full details of the B1/B2/B8 employment uses including their configuration, scale, appearance and layout will be considered at reserved matters stage or in separate full planning applications, however the masterplan

acknowledges that smaller B1 (office) / B2 (general industrial) units would integrate better with the character of the area including residential development. A condition on the outline permission will ensure this land is reserved for employment purposes and will request details of phasing to ensure timely delivery of infrastructure. It is considered that the location and amount of the employment proposed would comply with the requirements of KDC5 and also the provisions of the masterplan.

## Housing Mix

9.15 Policy HP2 of WLP31 requires new housing developments to widen the choice of housing 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. This sets out a need for 38% 1 and 2 bed, 43% 3 bed and 18% 4+ bed units. Also Policy HP2 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. As this application is in outline form with only access applied for the housing mix is unknown at this stage and will be assessed at reserved matters stage. To ensure the reserved matters application(s) comes forward in line with these policy requirements conditions should be imposed on the outline permission.

## Landscape Impacts

9.16 The application site forms a large scale extension to the existing settlement on two parcels of land intercepted by School Lane. Both parcels vary significantly in land levels and natural features. Policy CDMP3 of the Local Plan requires new development to be of a high standard of design. Innovative design appropriate to the local context will be supported where it demonstrates an understanding of the wider context and makes a positive contribution to the local area. Within the policy a number of criteria are set out. Criterion A states that all development must be designed to respect or enhance the character of the area. Criterion B requires development to create a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment having regards to the pattern and design of internal roads and footpaths in respect of permeability and connectivity, car parking, open spaces, landscaping and views into and out of the development. Specifically for this site KDC3 of SA3/4 sets out that the design of the development should provide an 'organic' extension to the village. It should utilise key vistas into the adjoining open countryside and provide a rural transition zone between development and the wider countryside. Particular attention should be given to the nature and quality of boundary treatments and a landscape buffer should be provided along the A6. Furthermore the approved Masterplan advises that new development should integrate into the existing fabric of the village by virtue of its layout, design, movement network and infrastructure delivery.

9.17 Whilst layout, scale and appearance are not applied for at this stage, the submitted concept plan sets out block structures/zoning areas for where infrastructure and development is expected to be located on both parcels of land. This provides assistance in assessing how the development would form an organic extension. The application has also been accompanied by a Landscape and Visual Appraisal (LVA) which focuses on the potential effects of the proposed development upon identified key landscape receptors. An assessment of the LVA and potential impacts for each parcel of land is set out separately below.



## Land to the North of School Lane

9.18 The land to the north of School Lane is characterised as rolling/undulating farmland divided by low clipped hedges and small groups of trees and is bound by low hedgerows. Forton Bank Farm and its associated buildings sit to the southeast of the site and the A6 runs along the east site boundary. The submitted LVA concentrates on a number of viewpoints including views from Wallace Lane the A6. It considers that the clear views of the site are generally limited to local views from adjacent residential properties, local roads and nearby footpaths in proximity of the site. In terms of topography and levels changes the site rises from approximately 34m AOD from to approximately 40m AOD towards the northern boundary with a small dipped valley within the centre where there is a small tree covered pond. The submitted Concept Plan identifies that 4.70ha of residential development is to be sited towards the northwest and east of this parcel. The GI is to be sited towards the centre and to the north and north east which is on the highest and most prominent part of the site. The GI has been sited to the ridge of the land (against the northern boundary) to limit the visual impacts especially when viewed from the A6 and from School Lane. This indicative concept plan should be conditioned to ensure that any reserved matters application follows its parameters. The scale and visual appearance of the community hall will also play a pivotal role as a key central hub.

## Land to the South of School Lane

9.19 The southern parcel of land is mainly viewed from the A6 to the east and School Lane to the north. The levels vary throughout ranging from 33m AOD at the centre of the site to 37m AOD at the southern boundary. A mature and established tree belt runs along the southern boundary. All other boundaries are made up of maintained hedgerows. This parcel of land is well related to the village core. The submitted plan shows that 1.2ha of residential development is to be located to the centre and west of the site and on the opposite side of a central spine road the 1.0Ha of employment land will make up the east and southern boundaries. The Masterplan envisages that the Employment development will comprise of several smaller units rather than one large building which will allow for visual breaks and a natural transition in the built form to the residential properties. The landscape buffer along the eastern boundary will comply with KDC3 of SA3/4 and will ensure the existing boundary treatment is retained. The proposed GI for this parcel of land is shown to be located to the north eastern corner comprising of a new SuDS feature and new planting and pedestrian footpath. Visually this will provide a green visual buffer at the junction with School Lane.

9.20 The application site is an allocated site for housing and employment and as such it has been accepted that this amount of development will come forward. In terms of the visual impacts any new development on an existing greenfield site will inevitably change the landscape. The submitted LVA identifies how the impacts can be mitigated with a mitigation landscape strategy. The strategy makes reference to the retention of existing vegetation and landscape features (i.e. ponds and trees), and use of appropriate building styles, materials, density and layout which adopts a similar general layout to the existing settlement structure. Building heights should be a maximum of two storey and should respond to the landform in order to reduce potential impacts upon skylines. Any reserved matters application will need to respond to the proposed mitigation and landscape strategy. Both parcels of land are shown on the submitted concept plan to provide an acceptable connection to one another whilst at the same time integrating to the surrounding built and natural environment. Given the variations in levels a condition is required for all proposed level changes to be submitted prior to any works commencing. Whilst some

hedgerow removal will be required along School Lane to achieve the required visibility splays for access to the development, this can be mitigated by new planting. The proposed concept plan does follow the parameters of the submitted LVA and in turn the approved Forton masterplan and is considered to provide an appropriate framework to the delivery of this site. Following this framework at reserved matters stage when full consideration will be given to layout, design, scale and density should ensure the development represents an organic extension to the existing settlement and will comply with SA3/4 and CDMP3 of WLP31.

#### Impact on Residential Amenity

9.21 In considering the submitted concept plan there is no reason to believe at this stage that the development would not be able to comply with the interface distances set out in the Council's adopted 'Spacing Guidance for New Housing Layouts' SPG4 and so impact on residential amenity is not a cause for concern. The relationship between the proposed dwellings along the eastern boundary of the northern parcel and that of Forton Bank will need careful consideration in terms of siting and scale. Forton Bank sits on a much lower level and there is potential for overbearing impacts and loss of privacy. The Case Officer has undertaken a site visit from the habitable rooms and also the side/rear garden of this dwelling and is aware of the concerns raised by the occupants. A full assessment would be undertaken at reserved matters stage.

9.22 The relationship of the new dwellings and neighbourhood centre with existing dwellings which back on to the site along the western boundary from Coronation Avenue, Troutbeck Avenue, Lakeland Close and Wallace Lane will also need to be fully considered at reserved matters stage. Compliance with SPG4 will be required. The development of the southern parcel of land is not anticipated to have any unacceptable adverse impacts upon the residential amenity of existing properties.

9.23 An air quality assessment has been submitted that considers the potential impact of construction activity and additional traffic from future residents on air quality levels in Forton. This is necessary given the scale of development and its proximity to the A6. The Council's Environmental Health Officer concludes that the assessment methodologies are appropriate and reasonable assumptions have been made. No objections are raised subject to conditions requiring a construction environmental management plan (CEMP) and electric vehicle charging points, both of which are considered reasonable. The provision of electronic vehicle charging points (EVCP) will also ensure compliance with Policy CDMP6 of WLP31. The Environmental Health Officer has also recommended that a condition relating to high performing, energy efficient boilers is attached but it is considered this cannot be reasonably justified given this is covered by separate legislation (building regulations).

9.24 Given the site's location adjacent to the heavily trafficked A6 a Noise Assessment has been submitted to assess the impact on the residential dwellings and also from the new employment uses. The Council's Environmental Health Officer has advised that the report submitted is acceptable and all fencing, ventilation and higher specifications glazing measures recommended as mitigation should be conditioned. It is also advised that at reserved matters stage when layout is considered the orientation and layout of the dwellings will play a valuable role in mitigating the impacts of the development and minimising impacts from noise. In terms of the neighbourhood centre it is not anticipated that there will be any unacceptable adverse impacts upon neighbouring residents subject to any plant and machinery designed so as not to exceed the background levels set out in the noise

assessment and that any deliveries or collection of goods are restricted accordingly. Furthermore any external lighting associated with the neighbourhood centre shall be controlled by the local authority. Subject to conditions and/or further consideration of these issues at reserved matters stage, it is not anticipated that the development would result in unacceptable noise or light disturbance.

#### Impact on Highway Safety, Access and Highway network

9.25 Policy CDMP6 of WLP31 sets out the necessary criteria to ensure an effective and efficient transport system for movement and people from one place to another can be achieved and that new development is capable of being accessed and serviced safely without compromising safety elsewhere on the network. The Forton Masterplan sets out the principles for Highways and Movement for this site allocation.

9.26 As a consequence of amending the scheme from 210 to 195 dwellings and including 1ha of Employment land the applicant has updated the relevant supporting documents including the Transport Assessment (TA) and Framework Travel Plan (TP) and LCC Highways are satisfied with them, confirming that the analysis submitted confirms that traffic could be safely accommodated on the highway network subject to the mitigation outlined below. The site is within walking distance of bus-stops (located proximate to the junction of School Lane and the A6) and other community facilities and services within the settlement of Forton. Overall, the proposed development is considered to be suitably accessible. Nonetheless some improvements to connectivity are required to improve the site's sustainability which are also outlined below.

9.27 Detailed access plans have been submitted with the application. Both parcels of land are to be accessed from newly created access points off School Lane, both of which are within 100m south of the junction with the A6 and both show new pedestrian footways to be provided along School Lane. Lancashire County Highways have confirmed that based on the plans submitted an appropriate means of access from School Lane into the development sites can be provided. Their detailed design including junction radii will be the subject of a s278 agreement. In order to unlock future development phases of the site allocation, it is envisaged that a road link through the southern parcel of the application site will be required to connect with parcel B (Trust Land) and in turn Winder Lane and parcels C and D. This potential road link is included on the submitted concept plan up to the western boundary of the southern parcel. A condition will be necessary to require this road to be built up to the boundary to ensure future access is safeguarded, unless an alternative route to the remaining phases is confirmed to be acceptable by the local highway authority.

9.28 Improvements to the existing junction between School Lane and the A6 to facilitate safe vehicle and pedestrian movements are required. These improvements include providing a right turn lane with pedestrian refuges both north and south of the junction. The southern refuge provides protection to right turning vehicles and also provides better connectivity to the southbound bus stop. The re design of the junction will require the re siting of the northbound and southbound bus stops. The Forton Masterplan sets out two design options for this junction. Option 1 provides a right turn harbourage to protect right turning traffic and pedestrian refuge, opposite the northbound bus stop to assist people in crossing the A6 to access the southbound bus stop. Option 2 shows the same overall junction design but with the provision of two lanes (Right turn and left turn) at the give way line. The Masterplan confirms that both options would be acceptable to LCC Highways but would be subject to

discussions at the application stage. There has been correspondence from Forton Parish Council with reference to improvements to this junction including alternative sketches and design preferences put forward. These have been given due consideration in consultation with Lancashire County Highways. Their response to these is summarised in section 6.3 of this report. Likewise any neighbour comments have also been taken into consideration.

9.29 Notwithstanding the view of LCC Highways that a two lane approach on School Lane to the junction with the A6 is not necessary, the applicant in acknowledging the views of the Parish Council has submitted a junction design with two lanes (right turn and left turn on to the A6). This is the preferred option set out in the Masterplan (i.e. option 2 described above). In turn further works required are widening of the junction utilising the north eastern corner of the southern parcel to improve visibility, relocating the bus stops on both north and southbound carriageways of the A6, new pedestrian (shared) footways and a central landscaped island. These detailed junction improvements are considered to be acceptable by Lancashire County Highways. The timing of the junction improvement works and works required to provide the access to both parcels is to be conditioned. All off site highway works are to be carried out as part of a section 278 agreement.

9.30 To assist with visibility of those vehicles pulling out of School lane onto the A6, observations received have stated a preference for a newly constructed bus layby on the western side of the A6 adjacent to the southern parcel of the site. The applicant has responded by commissioning a Road Safety Audit (RSA) to ascertain the necessity of this in terms of highway safety. The RSA has been assessed by LCC Highways who do not consider that the scheme would warrant the provision of a bus lay-by. On this basis, a new bus lay-by is not deemed necessary to mitigate the development as part of the off-site highway works and that the submitted plans are considered acceptable without this detail shown.

9.31 LCC Highways developed the A6 Corridor Highway Mitigation Strategy as a means of mitigating the individual and cumulative impact of development along this corridor. Lancashire County Highways has advised that in light of the relatively poor accident record on the A6 between Cabus and the M6 junction 33, it is considered that speed calming measures are required to address the safety issues identified. It is proposed that average speed cameras be introduced together with a review of road markings and traffic signs. To provide these improvements over the 6.6km between Cabus and the M6 junction 33 would cost approximately £500,000. LCC estimate that if this cost was shared between all developments that come forward within the Local Plan, this equates to £1600 per dwelling. A scheme of 195 dwellings equates to a financial contribution of £312,000 which the applicant has agreed to pay in phases. This would need to be secured in the section 106 agreement in conjunction with the £12,000 requested by LCC Highways towards Travel Plan support.

9.32 Lancashire County Highways are satisfied that the proposed development is in conformity with the relevant aspects of Forton Masterplan and that the proposal can be supported subject to conditions and the highlighted financial contributions. Members are advised that a safe means of access has been demonstrated and that the highway improvement works to the A6 and School Lane are acceptable and would be in line with the Masterplan which serves the wider site allocation. In this instance the proposal is considered to comply with the provisions of Policies CDMP6 and SP7 of WLP31 and the Forton Masterplan.

Flood Risk and Drainage

9.33 The application site is located within Flood Zone 1 which is defined as having a low probability of flooding. A site specific Flood Risk Assessment (FRA) has been submitted which has been assessed by United Utilities, the Council's Drainage Engineer and the Lead Local Flood Authority (LLFA). There is no statutory requirement to consult the Environment Agency on the proposal and there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. KDC4 of SA3/4 requires a drainage strategy to be submitted with the application setting out that residual surface water should drain into Morecambe Bay via the River Cocker. The submitted FRA includes a Drainage Management Strategy which demonstrates how the proposed development would satisfy the SuDS Hierarchy. It recommends that surface water from the development will ultimately discharge via onsite attenuation ponds (SuDS Features within both parcels of land) and into the existing watercourses (namely Potters Brook) at a restricted discharge rate which connects further along to the River Cocker. Whilst the Council's Drainage Engineer has raised no objections to the information submitted, it has been stated that sustainable drainage principles of rainwater harvesting and infiltration must be considered before discharging into the existing watercourses. Full details including results of percolation tests should be submitted for consideration and this can be secured by condition. It has been highlighted that the development must not connect to the combined system as there is limited capacity. Foul drainage is proposed to be connected to the existing mains combined sewer which is located within School Lane. The Lead Local Flood Authority and United Utilities have raised no objections in principle.

9.34 Overall, based on the comments from the relevant professional consultees, it is not considered that there would be an unacceptable flood risk from the proposal. As such and subject to the imposition of the recommended conditions, no unacceptable drainage issues are anticipated and the development is considered to satisfy policy CDMP2 and SA3/4 KDC4 of the WLP31 and the drainage considerations in the Forton Master Plan which was supported by a detailed Sustainable Drainage Statement covering all of the sites in the allocation.

#### Trees and Ecological Matters

9.35 Around the boundaries of both parcels of the site there is extensive tree cover and vegetation. The parcel to the south of School Lane is generally open pasture land with no intersecting hedgerows or trees. The land to the north does have a cluster of trees and vegetation centrally located around the small pond. There are also a few other projecting trees located within the field mainly mature Hawthorne and hedgerows. The application has been accompanied by a tree survey. The Council's Tree Officer has advised that he is satisfied that the majority of trees are to remain unaffected and that the concept layout plan demonstrates their retention. Although some lengths of hedgerow will be required to be removed to accommodate the accesses, visibility splays and new pedestrian footpaths this can be mitigated with new planting.

9.36 Whilst this application is in outline form and landscaping is not a detailed matter applied for at this stage, to ensure compliance with the Masterplan and to protect the retention of the existing trees and hedgerows it is reasonable to condition tree/hedgerow protection plans at this stage. New planting and an Arboricultural Impact Assessment can be requested as part of the submission of any future reserved matter(s) application.

9.37 Ecology reports have been submitted and Greater Manchester Ecology Unit (GMEU) have been consulted for professional ecology advice. GMEU advise that the reports have been carried out by a suitably qualified ecologist. There are no objections and no further surveys are required before deciding the application. Natural England (NE) have also been consulted as part of this application. As the site lies within 3.8km of Morecambe Bay Special Protection Area (SPA), Special Area of Conservation (SAR), Site of Special Scientific Interest (SSSI) and RAMSAR to the west and also within 3.7km of the Bowland Fells European protected nature conservation sites Natural England requested that a screening of the European Habitats Regulations should be undertaken to assess any potential impacts. GMEU have undertaken this screening process and have confirmed that it has been concluded that the proposed development is considered to have no Likely Significant Effect (LSE) on the special interests of any designated sites.

9.38 Given the time that has lapsed since the application was submitted an updated ecology report has been provided. GMEU agree that the impacts upon Great Crested Newts remains very low and that although the application site is large it is dominated by species-poor agricultural grassland which is not of high ecological value. It is considered to have low potential to support any specially protected species, except for some minor potential for bats to roost in trees and some foraging habitats. There are trees, hedgerows and a pond within the application boundary that will have local nature conservation value, but these features are capable of retention and/or re-creation and overall GMEU do not consider that the development proposal will cause substantive ecological harm. Officers are satisfied that the proposal accords with Section 15 (insofar as it is concerned with biodiversity) of the Framework and policy CDMP4 of WLP31 subject to the imposition of conditions.

#### Other Considerations

##### Contamination

9.39 Matters relating to site contamination have been addressed in the application with the Council's Environmental Health Officer requesting that further surveys and information is required to be submitted. Given the time the original desk study was submitted it is necessary for this to be updated along with further site walk over images being provided. The standard desk study contaminated land condition is required to be attached in this instance.

##### Public Right of Way (PROW)

9.40 The PROW Team at Lancashire County Council in their original response raised a number of queries and recommended improvements to the existing PROW. At this time the Forton Masterplan had not been submitted for consideration and the site allocation in the Local Plan had not been adopted. The PROW Officer initially advised that FP12 to the north was not plotted correctly. The applicant has amended the concept plan accordingly and this is also annotated on the approved Masterplan. The PROW Team have not responded to any further E-mail correspondence. In their initial consultation response a number of works and improvements are requested, in summary these include:

- Access furniture on FP12 on the east side of the road is required and FP12 has potential to provide cycle access via Whinney Brow Lane to Preston to Lancaster route
- Traffic Free Multi link should be created from the development to the north end of the village

- The entire path of FP12 from Forton Junction to Wallace Lane should be surfaced as compacted stone and a minimum of 2m wide
- FP2 should also be re surfaced and new furniture in place where it meets the highway

9.41 In the absence of any further response from them, Lancashire County Highways has advised that the Forton Masterplan has been approved which includes the new Forton Trail serving all of the site allocation. This Forton Trail is shown on the submitted concept plan along with new pedestrian connectivity routes within the site which link to FP2 and FP12. Until these precise routes are confirmed it is difficult to assess whether or not PROW improvements would be justified. As the PROW is technically an adopted highway and any works to alter or improve this would need to be done under separate highway legislation then further consideration to the PROW impact could be done at reserved matters stage.

#### Archaeology/Heritage

9.42 LCC Archaeology previously provided an appraisal of the application site for the Forton Masterplan. The appraisal concluded that the site does not include any heritage assets but it would appear that the site has some potential for as-yet known buried remains. The probability of such remains being present is at present unknown as no significant archaeological fieldwork has been carried out in the area. This potential is not considered sufficiently high to justify a pre-determination evaluation (as set out in the NPPF section 189), and a heritage statement for the development would probably not shed much further light on this potential. LCC have requested that as a precaution a phased scheme of archaeological works should be required by condition including an initial phase of field investigation and recording.

#### Gas Pipeline

9.43 The proposed development site lies within the Health and Safety Executive (HSE) consultation zone of National Grid Pipe line (1115:21) feeder Carnforth to Treales. HSE have confirmed that the pipeline has been thick-walled and as a result the site falls within the Outer Zone (230m) and as such HSE do not Advise Against the development. Cadent Gas and National Grid have also responded to the application advising that they have no objections.

#### Demolition of existing Agricultural buildings

9.44 Located adjacent to the northern parcel of land along the eastern boundary is the existing farming enterprise of Forton Bank Farm which comprises of various agricultural structures and buildings along with the existing farmhouse. The applicant has advised that should this application be approved then all agricultural activities would cease and the existing buildings would be demolished. At present a number of buildings are used for the housing of livestock which given the close proximity to the northern and eastern boundary would have an unacceptable relationship with the proposed residential dwellings by reason of potential noise and odour impacts. As the landowner of the application site is also the landowner of Forton Bank Farm, this could be secured in a section 106 agreement which the landowner would be required to enter into.

## 10.0 CONCLUSION

10.1 The proposal would be in accordance with the approved Forton masterplan and would comply with the relevant planning policies of WLP31 including the key

development considerations set out in site allocation (SA3/4). It would secure the relevant infrastructure necessary to mitigate the development. The submitted concept plan is considered an appropriate framework on which to consider future reserved matters application(s). Whilst the full impacts of the development will be assessed at reserved matters stage, officers are satisfied that a scheme could be delivered based on this outline permission which would provide acceptable visual and residential amenity impacts.

10.2 The new access points from School Lane into the northern and southern parcels are considered acceptable. Improvements to the School Lane / A6 junction include a two lane egress point in response to the masterplan and observations from the Parish Council and local residents which LCC Highways consider acceptable. In turn relocation of the existing bus-stops on the A6 close to the junction would be required. A road safety audit confirms that a bus lay-by on the A6 close to the junction is not required.

10.3 It is not considered that the proposal will be harmful to biodiversity or trees and would involve additional habitat features and tree planting. All other relevant planning matters have been assessed to be acceptable subject to conditions. Overall, the proposal has been assessed to comply with the NPPF, relevant policies of the Adopted Local Plan and the Forton Masterplan subject to a section 106 legal agreement and the imposition of a number of conditions.

## **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

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

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

## **12.0 RECOMMENDATION**

12.1 Grant outline planning permission subject to conditions and a S106 legal agreement to secure on-site Affordable Housing and Green Infrastructure provision; financial contributions towards local education, health care and community hall infrastructure, sustainable travel and highway improvements; and demolition of buildings associated with Forton Bank Farm and all agricultural activities associated with the Farm to cease. That the Head of Planning Services be authorised to issue the decision upon the satisfactory completion of the S106 agreement.

### **Recommendation: Permit**

#### **Conditions: -**

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

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



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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 10/05/2018 including the following plans/documents:

- Proposed access arrangement Drawing Number 2125-F01 Rev C
- Proposed junction improvements to A6/School Lane Drawing Number 2125-F02 Rev J
- Location Plan Drawing Number 001

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

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

3. (a) The total number of residential units to be provided on the site in the locations shown on the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) shall be up to 195;

(b) No less than 1.0ha of land shall be provided on the site in the location shown on the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) for the development of employment uses within class B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(c) No less than 0.2ha of land shall be reserved for the provisions of a neighbourhood centre in the location shown on the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) for uses comprising a class A1 retail (convenience) store and a class D1 community centre as per the Town and Country Planning (Use Classes) Order 1987 (as amended);

(d) The total amount of floor space to be provided for the class A1 retail (convenience) store specified within (c) above shall not exceed 500m<sup>2</sup> (gross).

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

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

Reason: To ensure that the development delivers appropriate sustainable housing and employment growth whilst ensuring the uses are provided in the right location on the site and will not undermine the vitality and viability of nearby centres in

accordance with Policies SP1, SP2, HP1, EP1, EP5 and SA1 of the Wyre Local Plan (2011-2031) and the approved Forton Master Plan.

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

Reason: To define the permission and in the interests of the proper development of the site and to ensure the timely delivery of supporting infrastructure in accordance with policies SP7, CDMP3, EP1 and SA3/4 of the Wyre Local Plan (2011-31)

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

The scheme details shall include, as a minimum:

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

b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;

c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing as applicable;

f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

g) Details of water quality controls, where applicable.

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

Each reserved matter relating to layout should demonstrate compliance with the agreed drainage scheme for that development phase.

No part of the development in that phase 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 for each development phase taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

6. Prior to the commencement of each approved development phase 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.

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

Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the

responsible organisation/ body/ company/ undertaker for the sustainable drainage system in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

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

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

Reason: The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

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

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

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

- A6 / School Lane junction improvement to include right turn provision and pedestrian refuges -the scope of which is shown on approved plan 2125-F02 Rev J
- A6 relocation of bus stops and upgrade with shelters, raised boarding areas together with associated signs and road markings.
- New priority junctions on the north and south side of School Lane as shown on approved plan 2125-F01 Rev C
- Provision of new / improved footways along School Lane as shown on approved plan 2125-F01 Rev C

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

10. Prior to the commencement of development of any phase, a Construction Environmental Management Plan (CEMP), for the construction and operation of that phase, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:

- i. how biodiversity would be protected throughout the construction period
- ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii. wheel washing facilities to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;
- viii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- ix. a Management Plan to identify potential ground and water contaminants;
- x. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- xi. a scheme to control noise during the construction phase,
- xii. a Construction Phase Dust Action Plan that has regard to current best practice provides detail of both the dust mitigation measures to be employed to minimise fugitive dust impacts on localised receptors, and the procedures to be adopted in response to complaints of fugitive dust emissions.
- xiii. the routing of construction vehicles and deliveries to site.

The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, during site preparation and construction, in accordance with Policies CDMP1, CDMP4 and CDMP6 of the Wyre Local Plan and the provisions of the NPPF.

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

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.

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

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

13. Prior to the commencement of each approved development phase 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 for that phase. If the desk study identifies potential contamination, a detailed site investigation shall be carried out for that phase 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 that development phase shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of that phase. 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).

14. Prior to the commencement of each approved phase of development, a programme of archaeological work and investigation (which shall include the timetable for the investigation) shall be submitted to and approved in writing by the Local Planning Authority. The archaeological work and investigation shall thereafter be carried out in accordance with the approved programme.

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

15. No site clearance, site preparation or development work shall commence on the application site to the north of School Lane until a construction method statement, detailing the precautionary measures that will be implemented for the avoidance of impacts on priority species, particularly common toads, and the protection of habitats

(on and off site) during site clearance and construction, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall be adhered to at all times during the construction stages of development.

Reason: Such a scheme was not submitted with the application but is necessary for the protection of priority species and 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.

16. 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.

17. No approved development phase shall commence until a landscape and habitat creation and management scheme for that phase has been submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation.

For the purposes of this condition the scheme shall identify:

- the retention of hedgerows and trees, or where this is not possible, sufficient replacement native tree and hedgerow planting;
- the removal of any trees, with those which have the potential for bat roosting to have been inspected for the presence of bats. Should any bats be found these trees shall be either retained or compensation put forwards for the potential harm to bats;
- provision of bird nesting opportunities;
- details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat;
- continuous terrestrial connectivity along the boundaries of the development for species movement; and
- opportunities to enhance the value of the site for wildlife through, for example, new structure planting.

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

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

18. Prior to the installation of any external lighting within each approved development phase a scheme for the provision of external lighting together with an Artificial Lighting Assessment for that phase shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it is not intrusive to visual amenity or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places; and shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The

assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance).

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

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

19. Prior to the commencement of each approved development phase a repeat survey shall be undertaken for the presence of badgers and the survey together with proposals for mitigation/compensation, if required, shall be submitted to and approved in writing by the Local Planning Authority. Those approved mitigation measures shall then be implemented.

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

20. The reserved matters application relating to layout for each approved development phase shall be accompanied with a noise assessment demonstrating that the noise levels set out in the supporting Noise Assessment submitted with the outline application (by Resource and Environmental Consultants dated 5th May 2018 - Ref AC104505-1R2) will be achieved, together with details of noise mitigation if required. The approved noise mitigation measures, if required, shall be provided prior to first occupation or first use of any part of the development and thereafter shall be retained and maintained.

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

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

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

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

22. Prior to the commencement of each approved development phase, including any demolition or tree works within that phase, a Tree Protection Plan for the retained tree(s) within that phase 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), protective fencing and details of any specialist demolition or construction methods if appropriate.

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

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars (namely Tree Impact plan 2125-F02 Rev A).

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

23. Prior to the commencement of each approved phase of the development:

(A) A scheme for the construction of the internal link road and access to the 1ha of Employment land and the 0.20ha Neighbourhood Area as identified of the approved Concept Plan (ref: 03010 Rev C) and the approved Forton Masterplan shall be submitted to and approved in writing by the Local Planning Authority and shall be thereafter be constructed and completed to at least base course level in accordance with the approved details prior to the first occupation of the 50th dwelling hereby approved.

(B) A scheme for the construction of the internal link road and access to the 0.20ha Neighbourhood Area as identified of the approved Concept Plan (ref: 03010 Rev C) and the approved Forton Masterplan shall be submitted to and approved in writing by the Local Planning Authority and shall be thereafter be constructed and completed to at least base course level in accordance with the approved details prior to the first occupation of the 50th dwelling hereby approved.

Reason: In order to ensure that the allocated area of employment land is accessible and available concurrently with the remainder of the development in accordance with the provisions of Policy EP1 of the Wyre Borough Local Plan 2011-2031.

24. Where an application is made for approval of details of layout on the part of the site which is located to the south of School Lane, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway across the site from its junction with the highway network at School Lane to its junction with the adjoining land at the western site boundary. Prior to occupation of the 100th dwelling the said primary access road shall be constructed to an adoptable standard for its entire full length and shall be offered to the local highway authority for adoption. After its construction in accordance with this condition the said primary access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network and does not prejudice the delivery of further development phases within site allocation SA3/4 in accordance with Policies SP2, HP1, EP1, SA3, SA3/4 and CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

25. Where an application is made for approval of details of layout, the submitted details must provide for footpath / cycle links each 3.5 metres wide that connect the highway network on the site to the existing PROW network at the north easterly and southerly site boundary, as well as to Wallace Lane and School Lane, in the general locations shown on the approved Concept Plan (ref: 03010 Rev C). The said footpath / cycle links shall be constructed to an adoptable standard for their entire full length and width from their respective junctions with the highway network on the site to their respective junctions with the PROW network and/or adopted highway adjacent to the site. After their construction in accordance with this condition the said two footpaths shall thereafter be maintained and remain open and unobstructed at all times unless and until they have both been adopted by the local highway authority.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

26. As part of any reserved matters application where layout is applied for, the amount, general location and type of green infrastructure shall be provided on site in accordance with the requirements of Policy HP9 of the Wyre Local Plan, the approved Indicative Concept Plan (Drawing Number (03)010 Rev C) submitted with this application and any Masterplan approved by the Local Planning Authority for the site.

Reason: In order to ensure adequate provision of green infrastructure is secured by this planning permission in accordance with the provisions of the NPPF and Policy HP9 of the Wyre Local Plan.

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

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

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

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

**Notes: -**

1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.
3. The applicant should be aware of water mains and public sewers in the vicinity of the proposed development site which could affect the layout of the development. The applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure both during and after construction. This includes advice regarding landscaping in the vicinity of pipelines. The applicant should note that the position of the underground apparatus shown on our records is approximate only and is given in accordance with the best information currently available. United Utilities will not accept liability for any loss or damage caused by the actual position being different from those shown on our records. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. For advice regarding protection of United Utilities' assets, the applicant should contact the teams as follows:

Water assets - [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets - [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)