

Committee Report**Date: 04.11.2020****Item Number 02****Application 20/00618/FULMAJ**
Number**Proposal Erection of 3 storey building to provide approx. 932 sqm (gross) of
retail floor space (Class A1) and 23 residential apartments with
associated new car parking****Location Garstang Business And Community Centre 96 High Street
Garstang Preston Lancashire PR3 1EB****Applicant Mr Eian Bailey****Correspondence c/o Lambert Smith Hampton
Address Mr Simon Peake 6th Floor 3 Hardman Street Spinningfields
Manchester M3 3HF****Recommendation Permit****REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Lucy Embery****1.0 INTRODUCTION**

Site Notice Date: 23.07.2020

Press Notice Date: 29.07.2020

1.1 The application is before the Planning Committee for consideration at the request of Cllr Lady Atkins. Three previous applications in relation to this site have also been considered by the Planning Committee. A site visit is recommended to enable Members to understand the proposal and its setting beyond the plans submitted, and as photographs do not adequately explain the site and proposals.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application relates to a 0.7 hectare site that lies immediately to the east of the roundabout at the junction of High Street and Croston Road, Garstang. The River Wyre and an area of public open space bound the site to the east and there are residential properties to the north and south. High Street is one of the main roads through Garstang town centre and is characterised by commercial uses to the south of the application site and residential properties to the north.

2.2 There is a listed building (Grade 2) immediately opposite the site on the western side of High Street. With the exception of the landscaped frontage at the western end of the site, the site falls within flood zone 2. The very eastern end of the site closest to the river falls within flood zone 3. The eastern end of the site also falls within a Minerals Safeguarding Area. There are no Biological Heritage Sites within

close proximity of the site and no trees subject to Tree Preservation Orders. Two public rights of way bound the site, footpath 2-12-FP-3 runs along the southern boundary with footpath 2-12-FP-1 roughly following the line of the river to the east. The site falls within the defined boundaries of the Garstang Conservation Area and Garstang Town Centre.

2.3 The site previously contained the former Garstang Business Centre. Previous permissions have granted the construction of a three storey building following partial demolition of existing building to provide approx. 1400sqm (gross) of retail floor space (Class A1) and 18 residential apartments with new and re-configured car parking. The approved building with retail space and 18 residential units is under construction and is up to roof level.

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the erection of a 3 storey building to provide approx. 932 sqm (gross) of retail floor space (Class A1) and 23 residential apartments with associated new car parking. Therefore the proposal seeks to add an additional 5 residential units above that previously approved on the site. These units are proposed on the first floor of the building in the eastern extent of the first floor level to replace the mezzanine retail storage area previously approved. Therefore this would result in a reduction of retail space in the building from 1400sqm previously approved to 932 sqm. The second floor would remain as apartments as previously approved.

3.2 The application also proposes some minor amendments to the ground floor retail frontage to propose two new additional entrances on the front elevation. The submission states these entrances are proposed to futureproof the building should the retail need to be divided in future. The main entrance to the building would remain to the corner of the building at the ground floor facing High Street, and the secondary entrance would also remain as previously approved at the rear from the residential parking areas

4.0 RELEVANT PLANNING HISTORY

4.1 The following planning history is relevant to this proposal:

4.2 19/00429/FULMAJ - Variation of condition 2 (approved Plans) on application 16/00550/FULMAJ for the erection of a three storey building following partial demolition of existing building to provide approx. 1400sqm (gross) of retail floor space (Class A1) and 18 residential apartments with new and re-configured car parking (re-submission of planning application 19/00007/FULMAJ to allow for full demolition and reconstruction of the facade) - Permitted subject to conditions and Section 106 Legal Agreement.

4.3 19/00007/FULMAJ - Variation of condition 2 (approved Plans) on application 16/00550/FULMAJ to allow for full demolition of existing building and the erection of a three storey building to provide approx. 1400sqm (gross) of retail floor space (Class A1) and 18 residential apartments with new and re-configured car parking - Refused by Members of the Planning Committee on the 3rd April 2019 for the following reason:

'The proposed development to allow the full demolition of the existing building, including the existing front and side facades, would result in unacceptable harm to

the heritage value of Garstang Conservation Area contrary to policy CDMP5 of the Wyre Borough Local Plan'.

An appeal was lodged with the Planning Inspectorate in relation to this refusal however the appeal has now been withdrawn.

4.4 16/00550/FULMAJ - Erection of 3 storey building following partial demolition of existing building to provide approx. 1400sqm (gross) of retail floor space (Class A1) and 18 residential apartments with associated new and reconfigured car parking - Permitted subject to conditions and Section 106 Legal Agreement.

4.5 16/00550/DIS - Discharge of conditions 4 (drainage scheme), 5 (drainage management plan), 6 (Natural England licence), 7 (bat method statement), 10 (lighting), 11 (biodiversity enhancement), 12 (highway works), 13 (Construction Management Plan), 14 (travel plan), 15 (desk study), 22 (tree protection) on application 16/00550/FULMAJ - Split decision issued (Additional information required for conditions 10 and 15).

4.6 16/00550/DIS1 - Discharge of conditions 18 (noise report) and 28 (archaeology) on application 16/00550/FULMAJ - Accepted

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. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

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

- Policy SP1 - Development Strategy
- Policy SP2 - Sustainable Development
- Policy SP7 - Infrastructure Provision and Developer Contribution
- Policy SP8 - Health and Well Being
- Policy CDMP1 - Environmental Protection
- Policy CDMP2 - Flood Risk and Surface Water Management
- Policy CDMP3 - Design
- Policy CDMP4 - Environmental Assets
- Policy CDMP5 - Historic Environment
- Policy CDMP6 - Accessibility and Transport
- Policy HP1 - Housing Land Supply
- Policy HP2 - Housing Mix
- Policy HP3 - Affordable Housing
- Policy HP9 - Green Infrastructure
- Policy EP4 - Town, District, Local and Neighbourhood Centres
- Policy EP5 - Main town Centres

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

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

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

- Section 2 - Achieving sustainable development
- Section 4 - Promoting sustainable transport
- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 12 - Achieving well - designed places
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic 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 a new APS to the Planning Inspectorate for consideration, and whilst this is being considered, the Council's view is that this APS demonstrates the Council can maintain a 5 year housing supply beyond 31 October 2020.

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

- Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

6.0 CONSULTATION RESPONSES

6.1 GARSTANG TOWN COUNCIL

6.1.1 Comments provided that are primarily related to the document titled 20_00618_FULMAJ-Transfer_Plan-486228. This document has a key that has never been seen before that suggests that the car park available for the general public to use has been reduced to 50 spaces only from an expected total of 93. This reduction would appear to give the retail occupiers 43 spaces reserved for retail customers only. The key further suggests that these 43 spaces have been pre let. Clarification is urgently needed on this as to our knowledge this information has never been raised with Garstang Town Council. This is not an acceptable position for Garstang. The addition of 5 flats replacing the first floor storage area is acceptable as there has been no increase in the residential car parking spaces.

6.2 NATEBY PARISH COUNCIL

6.2.1 No objections, however a comment has been made that there is concern that a further 5 apartments will mean more cars on the car park, thus taking up valuable parking spaces in the town.

6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 No objection provided the same level of s106 contributions for the above highway initiatives and sustainable transport measures are agreed and secured for the current proposal as for the previous proposal, and that all the s278 works are delivered by the developer and conditions ensure these measures are delivered.

6.3.2 The current proposal is for a reduced size of the retail floor space, but with a higher number of apartments. The approved site access remains the same and no changes are proposed to the approved site/car parking layout which comprise of 117no spaces. The Transport Assessment (TA) submitted is the same as that previously approved and no re-assessment has been made in terms of traffic figures, accident analysis and mitigation. On scale, the current proposal is similar to the approved, therefore, despite the applicant not submitting a revised TA, given that LCC Highways reviewed the relevant information associated with the approved application and highlighted the areas of concern, a revised transport assessment (TA) for the current proposal is not considered necessary.

6.3.3 As per the previous application, off-site highways works are required to the main site access junction on High Street including provision of dropped kerbs for pedestrians, and public transport facilities to quality bus standard on High Street (2No. bus stops).

6.3.4 In response to the approved application (16/00550/FULMAJ) LCC Highways indicated that due to concerns with impacts of numerous major applications along the A6 corridor on the local highway network and particularly around Junction 1 of the M55, a planned approach to support further major developments was devised. The led to the development of a list of necessary highway infrastructure required to maximise the level of development that can be accommodated in the area. The infrastructure requirements include physical measures beneficial to providing adequate change to improve local, strategic and connectivity issues for all modes of travel. The approach requires developments that have significant impacts to contribute to the identified scheme of initiatives. In summary these highway initiatives and sustainable transport measures are:

- Initiative 1 - The A6 Barton to Garstang Sustainable Transport Strategy (Initiative 1);
- Initiative 2 - Wider Improvement of A6 Preston Lancaster New Road/Croston Barn Road/Green Lane West/B5272 Cockerham Road/Croston Road Signalised Junction (Initiative 2),
- Initiative 3 - Improvement of Moss Lane/Longmoor Lane Priority Junction (Initiative 3),
- Initiative 4 -Improvement of A6/A586, 'The Avenue' priority junction (Initiative 4) and
- Initiatives 5 & 6 - M55 Jct. 1

6.3.5 The previous application was not objected to by LCC on the understanding that the developer will make s106 planning contributions of £54,000 to the above initiatives and £6,000 to Travel Planning and also deliver the s278 works. As the

current proposal is similar to the previously approved, the same level of s106 contributions for the above highway initiatives and sustainable transport measures are required for the current proposal. The proposal is acceptable subject to the same conditions, including off-site highway works, and advice notes attached to the approved application 16/00550/FULMAJ.

6.4 LANCASHIRE FIRE AND RESCUE SERVICE

6.4.1 No objections however observations received in relation to building regulation requirements and turning facilities for fire service vehicles.

6.5 LANCASHIRE COUNTY COUNCIL (EDUCATION):

6.5.1 A financial contribution of £16,645.01 is required from this development towards 1 primary school place. No financial contribution is required towards secondary school place provision from this development.

6.6 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG):

6.6.1 This proposal will generate approximately 42 new patient registrations based on average household size of 2.4 ONS 2017. A financial contribution of £4,823 is required towards the refurbishment and/or reconfiguration at Garstang medical centre.

6.7 UNITED UTILITIES:

6.7.1 The proposal is acceptable in principle subject to conditions requiring the development to take place in accordance with the Flood Risk Assessment, and the submission and agreement of plans prior to commencement detailing the sewer diversions and proposed connections to the existing Combined Sewer Overflow (United Utilities Asset) with foul and surface water on separate systems.

6.8 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE):

6.8.1 No objections in principle. However the application does not include any revised surface water drainage plans, therefore the surface water drainage needs to be installed as previously approved.

6.9 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LAND CONTAMINATION)

6.9.1 Originally responded that the desk study has been supplemented by a site walkover. Given the time that has lapsed since the initial walkover, another site reconnaissance should be undertaken. Detailed proposals for the site investigation works are required.

6.9.2 Second response received citing that following the consideration of the information submitted and already discharged for the previous application at this site (desk study and site investigation), it is recommend that a condition be attached requiring remediation and verification details to be provided, and that the Council's Watching Brief condition be attached should the application be approved.

6.10 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE)

6.10.1 Recommends that further information will need to be submitted to demonstrate that the noise insulation separating the residential apartments from the retail units on the ground floor will comply with noise levels for internal areas at the nearest noise sensitive residential premises in accordance with BS8223:2014, as specified, a noise assessment may be required to demonstrate that the following noise levels will not be exceeded. The noise levels required by Environmental Health are provided and could be conditioned.

6.11 WBC CONSERVATION OFFICER:

6.11.1 Considers the proposed development to be acceptable as it would preserve the appearance of the adjacent grade II listed building, the Arts Centre, and the Garstang Conservation Area and thus also sustain the significance of these designated heritage assets. Accordingly it is considered that the proposed development would be in conformity with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, S.16 of the National Planning Policy Framework and Policy CDMP5 of the Adopted Wyre Local Plan 2011 - 2031.

6.12 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PARKS AND LANDSCAPE OFFICER):

6.12.1 There are only 23 residential properties but the Council owns very little Green Infrastructure in the area, only the grass area by the riverside. Garstang Town Council own Moss Lane Playing Field which is within walking distance but not sure of any projects they have in mind. A contribution of £29,099.01 would be required.

7.0 REPRESENTATIONS

7.1 The application has been advertised by means of neighbour letters, site notices and a press notice. No representations have been received.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various. Including updates on the progression of the application and consultation responses including contamination, and discussions regarding financial contributions required.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Infrastructure / Financial contributions
- Visual Impact/ Design/ Density/ Impact on the Street Scene
- Impact on residential amenity
- Impact on Historic Environment
- Highway safety and capacity/Access/Parking
- Flood risk and drainage
- Noise
- Trees
- Ecology
- Contamination
- Climate change and recycling

Principle of development

9.2 The previously approved scheme (ref 16/00550/FULMAJ) was subject to two minor material amendment applications, the latest of which was subsequently approved. The development is now well advanced. The nature of the changes proposed in this latest scheme for consideration cannot be treated as a minor material amendment. As such this current submission is a new full application and therefore all relevant planning matters have to be considered for the entire development (not just the changes from the previous permission) against the relevant policies in the Wyre Local Plan 2011-2031 (WLP31). The application site is in the settlement boundary of Garstang as well as the defined town centre as such the principle of the development for residential apartments and retail units remains acceptable in line with policies SP1, SP2, EP4 and EP5.

9.3 Matters such as the loss of former community facilities were considered as part of the original planning permission and those former uses have now gone from the site as the building previously approved is under construction and up to roof level and virtually watertight.

Infrastructure / Financial contributions

9.4 WLP31 Policy HP3 requires 30% affordable housing provision on brownfield sites in Garstang. The original application 16/00550/FULMAJ required a commuted sum contribution of equivalent on-site value towards off-site provision. However, in applying vacant building credit (whereby the floor space of the former building was off-set against the affordable housing requirement) the total contribution was reduced to £17,781.12.

9.5 Applying the 30% requirement to the current proposal for 23 units using the same methodology (including vacant building credit deducted) equates to an affordable housing contribution requirement of £77,205.46. The applicant has now agreed through the submission of a document titled 'Statement from Applicant regarding Planning Contributions' to provide this contribution.

9.6 The former Local Plan Policy H13 set the threshold at which new developments were required to provide open space at 20 dwellings. This policy was relevant at the time of the previous application, and as that scheme was for 18 units, it fell below this threshold. WLP31 policy HP9 is now relevant and requires provision of Green Infrastructure (GI) for proposals for 11 units and above. Therefore as this is a full application for 23 units, GI provision is required. The policy preference is for this to be on site, however off-site improvements to existing GI nearby will be considered where appropriate, such as high density developments with limited available space on-site, and where there is a defined project within walking distance of the site. A hybrid approach of on-site and off-site will also be considered.

9.7 An area at the front of the site (Memorial Gardens) falls within the applicant's ownership and landscape improvements are shown here. A restrictive covenant on this land means that it is required to be publicly available, and this could also be secured in the s106 agreement. Nevertheless it still falls short of the 0.14 hectares of on-site provision required. The shortfall would need to be secured as an off-site contribution. Based on the proposed number and mix of units (7no. 1-bed, and 16 no. 2-bed) and netting off the on-site provision a financial contribution of £29,099.01 is required.

9.8 The Council's Parks and Landscape Officer has advised that there is an existing playing field known as Moss Lane Playing Field within walking distance of this site, owned by Garstang Town Council. Therefore the Town Council have been contacted to request what GI projects they aim to deliver. They have provided a response that they have number of GI Projects in mind. These include installation of additional swings at Moss Lane Playpark Phase 2, taking down fencing and erecting new boundary fencing, and surfacing to match the existing playground. They also are looking to repair damage to the Moss Lane Football Pitch, and to provide a green link corridor with bushes and trees along the existing footpath that runs west of High Street car park (Memorial Garden) to make it more attractive without losing park spaces. They have provided a further response that they also have an allotment project in mind for Hereford Avenue community orchard. Therefore it is considered that there are GI projects in the area within walking distance of the application site that contributions could be sought towards.

9.9 The applicant had initially expressed concerns about the requested GI contribution when the previous permission did not require this and the development is practically built, citing this additional payment would make the development unviable. However, the applicant has now agreed to provide this contribution.

9.10 LCC as the Local Education Authority (LEA) has confirmed that no education contribution is required from this development in respect of secondary school places. However a financial contribution of £16,645.01 is required from this development towards 1 primary school place (which is the same as previously secured albeit the cost per place is a slight uplift compared to the previous amount). The applicant is agreeable to making this payment.

9.11 The CCG have been consulted on this application. A response was received stating that a financial contribution of £4,823 is required from this development (generating 42 new patient registrations) towards the refurbishment and/or reconfiguration at Garstang medical centre. The applicant has stated they would be agreeable to paying this contribution.

9.12 LCC as Local Highway Authority (LHA) has confirmed that £54,000 towards highway mitigation along the A6 corridor is required from this development along with a £6,000 contribution towards a Travel Plan. This is identical to the previous scheme. The applicant has stated they would be agreeable to paying this contribution.

9.13 In summary the applicant is agreeable to paying for all of the contributions and so the scheme would provide appropriate infrastructure provision in line with policies SP7 and HP9. Members are advised that should they resolve to approve the application a section 106 agreement would be needed to secure the affordable housing, green infrastructure, education, health care and highway / sustainable travel contributions. The total financial contribution being offered by the applicant equates to £187,772.48.

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

9.14 The scheme now proposed would be wholly within the footprint and envelope of the three-storey, L-shaped building previously approved. An angled corner would remain facing southwards towards High Street and the Conservation Area. This angled elevation would remain the main entrance point for the retail unit with glazed curtain walling in order to maximise the visual impact of the main entrance point. The secondary entrance would also be as previously approved from the residential car park to the rear of the building.

9.15 The only external physical changes in comparison to the previous permission would be the insertion of two entrance doors on the front elevation, and the addition of two windows at first floor on the south east elevation to serve the proposed apartments. There would also be a change to the fenestration on this south east elevation so that the gable is fully rendered in white render to match that on the rest of the building, rather than part render and part horizontal timber cladding to one side of the central glazing in this gable. It is also noted that at second floor level the windows would be in exactly the same position and the same size as the previously approved scheme, but the windows under the canopy sections would have an additional vertical glazing bar within them so that they have a more vertical rather than square appearance. Overall it is considered that the proposed external changes are minor and would correspond well with the design and appearance of the building as previously approved and under construction. Overall the design of the proposal is considered to be acceptable.

9.16 Of the 23 apartments proposed, 7 would offer one bedroom and 16 would offer two bedrooms. In providing smaller units the development would align with the general housing need evidence. As such, the housing mix proposed is considered to be acceptable in line with policy HP2. Policy HP2 also requires developments exceeding 20 units to demonstrate that 20% would be suitable or adaptable for older persons or people with restricted mobility or capable of adaptation in the future. This would need to be secured by condition should members resolve to approve the application.

Impact on residential amenity

9.17 The proposal would have a blank gable centrally on the north east elevation, and windows would be within the retained front proportion of this elevation, and the rear section of this elevation. However the existing adjacent property has a blank gable to its side elevation. This is the same relationship as previously approved by application 16/00550/FULMAJ and there could be no overlooking concerns into the adjacent property, or vice versa. The height of the building would also remain as previously approved, and whilst it could lead to some loss of direct sunlight and daylight into the rear garden, it is noted that there is a detached garage positioned on the site boundary and that the garden is significant in size stretching to some 64m in length. As such, no unacceptable impact from over-shadowing is anticipated from this proposal, the same as the previously approved scheme.

9.18 The five additional residential units would be within the south and south west part of the building at first floor. Windows in this part of the building face towards the existing car park. These windows would be approx. 40m away from the nearest residential properties to the south west, and 44m away from the windows of the nearest property due south of the site. Due to the distances involved and the orientation of the building it is considered the proposal would not result in unacceptable overlooking. The minor alterations to the fenestration to the retail element to provide doorways on the west elevation are not considered to result in any unacceptable impact upon the amenity of residential properties given these are doorways within an elevation fronting directly onto High Street.

9.19 The proposal would result in some increase of activity at the site as there would be more residential apartments than previously approved. However this is not expected to result in unacceptable harm to nearby residential amenity. Should members resolve to approve the application this would become a new stand-alone permission. As such a condition should be attached requiring the applicant to carry

out the construction phase in accordance with the previously approved Construction Management Plan to ensure the construction impacts on residential amenity can be minimised.

Impact on historic environment

9.20 Policy CDMP5 of WLP31 sets out the Council's overall objective in relation to the historic environment and highlights that designated heritage assets shall be protected, conserved and where appropriate enhanced for their Aesthetic and cultural value and their contribution to local distinctiveness and sense of place. New development shall protect, conserve and enhance the historic environment. This approach is also replicated within the general thrust of Section 16 of the NPPF (Conserving and Enhancing the Historic Environment).

9.21 Members are advised that the application has been considered with due regard to the duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which are respectively to "...have special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest which it possesses" and "to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area".

9.22 The applicant has submitted a revised Heritage Statement to refer to the current proposal. The Council's Conservation Officer considers the proposed development to be acceptable and to preserve the appearance of the adjacent grade II listed building, the Arts Centre, and the Garstang Conservation Area and thus also sustain the significance of these designated heritage assets. Accordingly he considers that the proposed development would be in conformity with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, S.16 of the National Planning Policy Framework and Policy CDMP5 of WLP31.

Highway safety and capacity/access/parking

9.23 LCC as the Local Highway Authority (LHA) note that the proposal is similar to the previously approved application (16/00550/FULMAJ), and that the approved site access remains the same and no changes are proposed to the overall approved site/car parking layout which comprise of 117no spaces. There are no objections provided the same level of s106 contributions for the highway initiatives and sustainable transport measures (set out in paragraph 6.3.1 of this report) are secured and that all the above s278 works are delivered in line with agreed trigger points and conditions. The required highways contributions are a Travel Plan Support Contribution of £6,000, and £54,000 towards highway initiatives and sustainable transport measures.

9.24 Overall LCC Highways raise no objections subject to these financial contributions being secured, and provided that the same conditions are attached to this application as application 16/00550/FULMAJ should it be approved. As stated in paragraph 9.12 of this report the applicant is agreeable to the required highways contributions, as no further monies are required above and beyond the previous consent. Should members be minded to approve the application it is suggested the conditions required by LCC Highways would need to be attached and the contributions are secured in a section 106 agreement.

9.25 In terms of parking, Garstang Town Council have raised some concerns about parking provision stating that plan 20_00618_FULMAJ-Transfer_Plan-486228

(an application submission document) suggests that the car park available for the general public to use has been reduced to 50 spaces from an expected total of 93 (with 43 shown 'allocated for retail'). This has been checked and the Transfer Plan that was included in the land sale dated 21.12.2018 shows 36 spaces that are subject to an option to lease from the council (7 less than the number shown on the plan submitted by the applicant and with use of the term 'option' rather than 'allocated'). If these spaces were leased this would leave 57 public spaces available.

9.26 The proposal would provide 23 parking spaces for the proposed residential units. With 1 parking space per apartment, this is considered acceptable provision in this town centre location. This would leave 93 parking spaces remaining for public parking, potentially reduced to 57 (minimum) if the option to lease up to 36 spaces is taken up. Importantly however, any decision to lease those spaces would be subject of a separate agreement between the Council/applicant, and this is not a material planning consideration on the assessment of this application. Overall it is considered that the proposal is acceptable in terms of parking provision.

Flood risk and drainage

9.27 The site falls within flood zone 2. The previous proposal was considered to pass the sequential test both for the retail and residential elements of the scheme. The Council agreed that there were no alternative, available comparable sites. Whilst this proposal would increase the number of residential units at the site, there would be no additional land take as a result of this proposal. In reality the proposal would add units at first floor of an already approved scheme which has now been constructed, and notwithstanding that this is a full application in reality the construction of these 5 additional units would not be able to be sited elsewhere being reliant on the already constructed building. Therefore it is considered that further sequential test information is not required.

9.28 The Council's Drainage Engineer has been consulted on the application and has no objection in principle subject to a condition requiring the drainage to take place in accordance with the drainage proposals already approved by discharge of condition application 16/00550/DIS. United Utilities have no objections provided the proposal takes place in accordance with the Flood Risk Assessment and a condition requiring the submission and agreement of plans prior to commencement detailing the sewer diversions and proposed connections to the existing Combined Sewer Overflow. Therefore subject to such conditions the proposal is considered acceptable in terms of flood risk and drainage.

Other planning considerations:

Noise

9.29 The Environmental Health Officer has considered the proposals and raised no objections but recommends that further information will need to be submitted to demonstrate that the noise insulation separating the residential apartments from the retail units on the ground floor will be sufficient to protect residents of the apartments. He stated that a noise assessment may be required to demonstrate that the British Standards for noise levels will not be exceeded. However he has also provided a list of the required noise levels that the proposal would have to meet to ensure the proposed apartments would not be affected by the retail space. These noise level requirements could be secured by condition. Subject to conditions restricting noise levels it is considered the proposal would be acceptable in terms of noise impact upon the proposed apartments.

Trees

9.30 The proposal would not change the impact upon trees from the original permission 16/00550/FULMAJ. The Council's Tree Officer considered the original scheme to be acceptable with adequate mitigation planting proposed to compensate for the tree to be lost and the Millennium tree retained and repositioned as part of the scheme. This scheme would be no different and on this basis, and subject to conditions securing the landscaping plans, and tree protection measures in accordance with the submitted details, there would be no unacceptable impacts on trees.

Ecology

9.31 The previous application was considered by Greater Manchester Ecology Unit (GMEU) as the former buildings on the site had the potential to support roosting bats and the surrounding area offered good foraging and commuting habitat. As such, a European Protected Species Licence was judged to be required in order for redevelopment to take place. GMEU were satisfied that the development would not be detrimental to the maintenance of the species, and it was considered a Natural England License would be likely to be granted. The demolition has now taken place on the site and the new building as previously approved has been erected and is almost complete. Therefore it is considered the current proposal does not raise any ecological issues from demolition.

9.32 The applicant has had a discharge of condition application (16/00550/DIS) approved for all ecology conditions and this confirmed that a Natural England License was no longer required as further survey work demonstrated bats had abandoned the former roost. The external lighting condition was part discharged in relation to lighting during construction to allow works approved by the previous consent to commence, however it is recommended that should members resolve to approve the application the external lighting condition should be attached to ensure that any permanent external lighting at the site for the operational phase of development would be erected in such a way to protect the amenity of neighbouring residential properties and nearby ecology. The applicant also applied to discharge a condition in relation to biodiversity enhancement and the details submitted were considered acceptable. A condition requiring the development to take place in accordance with those details is considered necessary to be attached, as well as a condition restricting the timing of any hedgerow removal as per previous permissions on the site.

Contamination

9.33 The NPPF states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/ landowner. The National Planning Policy Guidance (NPPG) also states that local authorities should use conditions to secure the adequate remediation of contaminated land. Adequate information should be submitted by the applicant to show that the site is suitable for its new use.

9.34 The Council's Environmental Health Officer has been consulted on the application. A contamination condition was attached to the original permission requiring details of a desk study, site investigation, and remediation and verification if required. The applicant applied to discharge the condition, however information submitted was only sufficient to satisfy the first part of the condition. The latest

response from Environmental Health confirms that a remediation strategy and verification is still required for the site. Therefore should this application be approved it is suggested a condition should be attached requiring this, along with a watching brief condition. Subject to these conditions it is considered the proposal would be acceptable in terms of contamination.

Climate change and recycling

9.35 Policy SP2 part 6 requires proposals to demonstrate how they respond to the challenge of climate change through appropriate design and by making best use of resources and assets including the incorporation of water and energy efficient measures and the reuse and recycling in construction.

9.36 The applicant has provided a climate change statement. This details energy efficiency measures proposed, including that low energy lighting will be fitted throughout the building with sensors where possible to reduce time lighting, the latest thermal efficient insulation will be incorporated throughout the buildings fabric to reduce the amount of heat lost, and toilets designed to minimum capacity low flush. Residents will be advised of water efficiency measures during the life of the building. Specialist products will be used in the floors, walls and roof to ensure the low energy and low carbon footprint of the building during its life time. The construction will use a hybrid steel and timber frame with all materials from a sustainable source.

9.37 The statement also details recycling measures during construction and states the developer is registered a 'Considerate Contractor' and have a robust policy of recycling both building products and building waste. The statement details the proposals include the reconstruction of the 1913 brick façade and incorporate the salvage and re-use of the materials from the demolition. All waste on site will be separated into wood, inert waste, paper and cardboard, and separated out from general waste to reduce land fill. Plaster material will be separated and included in material for recycling. Rain water harvested from the site welfare will be used for damping down and dust suppression. Overall it is considered that the energy efficiency and recycling measures proposed will be sufficient to fulfil the requirements of Policy SP2 in terms of meeting the challenge of climate change.

9.38 Policy CDMP6 requires development proposals involving car parking provision to be supported by electric vehicle recharging points (EVCP) unless demonstrated to be impractical e.g. in communal parking areas. Should members resolve to approve the application it is suggested a condition be imposed requiring this infrastructure to be provided. This would also help to satisfy the climate change requirements of policy SP2.

10.0 CONCLUSION

10.1 The proposal is considered to be acceptable in terms of design and visual impact, density, impact upon the historic environment, highway matters including parking and access, flood risk and drainage, noise impacts, impacts upon trees and ecology, contamination and climate change. The applicant is agreeable to provide all of the required financial contributions and therefore the necessary infrastructure to mitigate the development would be provided. As such the application would satisfy the relevant Adopted Local Plan policies and is recommended for approval subject to conditions and a section 106 legal agreement.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant full planning permission subject to conditions and a S106 legal agreement to secure financial contributions towards affordable housing, green infrastructure, local education, health care, sustainable travel and highway improvements; and to secure public access to Memorial Gardens. That the Head of Planning Services be authorised to issue the decision upon the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 08.07.2020 including the following plans/documents:

- Drawing No. KW/HSG/LP/01 - Location Plan
- Drawing No. KW/HSG/E/01 - Elevations
- Drawing No. KW/HSG/E/02 Rev C - NW and SE Elevations as Proposed
- Drawing No. KW/HSG/E/03 Rev C - NE and SW Elevations as Proposed
- Drawing No. KW/HSG/E/04 Rev C - South West True Elevation as Proposed
- Drawing No. KW/HSG/PD/02 - Ground Floor Demise Plan
- Drawing No. KW/HSG/FP/02 Rev B - First floor fire plan as proposed (showing proposed first floor layout)
- Drawing No. KW/HSG/PFP/02 Rev G - Proposed Second Floor and Roof Plan
- Drawing No. KW/HSG/SC/01 - Section A-A and B-B
- Drawing No. KW/HSG/SC/02 Rev B - Section C-C, D-D and E-E

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

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

3. The development shall be carried out strictly using those materials specified on the approved plans (Drawing no.s KW/HSG/E/02 Rev C, KW/HSG/E/03 Rev C, and KW/HSG/E/04 Rev C) unless other minor variations are submitted to and

approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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

4. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: 880917-R1 (02)-FRA, dated June 2016) and FRA Addendum (Ref: 880917/L01/KJ, dated 1 August 2016), and the following mitigation measures detailed therein:

- Limiting the surface water run-off generated so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
- Identification and provision
- Finished floor levels are set no lower than 18.87 metres above Ordnance Datum (mAOD).

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

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy CDMP2 of the Adopted Wyre Local Plan 2011-31 and the provisions of the NPPF.

5. Prior to the first occupation or first use of any part of the development, plans should be submitted and approved in writing by the Local Planning Authority detailing the sewer diversions and proposed connections to the existing Combined Sewer Overflow which is a critical Utilities Asset, with foul and surface water drained on separate systems.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water in accordance with Policies CDMP2 and CDMP4 of the Adopted Wyre Borough Local Plan (2011-31) and the provisions of the NPPF.

6. No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme as submitted in the Scott Hughes Drainage Report (Project number 3396 dated October 2018). Thereafter the approved scheme shall be retained, managed and maintained at all times in accordance with the approved details.

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

7. No part of the development hereby approved shall be first occupied or opened for trading until the site access and the off-site highway works and improvements (namely Main Site access junction on High Street including provision of dropped kerbs for pedestrians; and 2No bus stops to Quality Bus Standard on High Street) have been constructed and completed, unless an alternative timeframe for implementation is first submitted to and approved in writing by the Local Planning Authority, in which case the works shall be completed by the alternative agreed timeframe.

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

8. No part of the development hereby approved shall be first occupied or brought into first use until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

9. The construction of the development including any demolition works shall be carried out at all times in accordance with the approved Construction Environmental Management Plan (CEMP) (Tritan Construction: Construction Management Plan).

Reason: In the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan 2011-31.

10. Prior to first occupation or first use of any part of the development the written submission of additional gas monitoring results and confirmation of a historic oil spill, as set out within the submitted Geo Environmental Investigation report by Arley Consulting and Nov 18 Addendum report (Submitted March 19th 2019), is required and this shall be agreed in writing by the Local Planning Authority. Validation of the agreed remediation shall then be submitted and agreed in writing by the Local Planning Authority on completion of the works.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan.

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

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

12. Prior to the installation of any external lighting associated with the development hereby approved (other than lighting of the site required during

construction), a scheme for the provision of such external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", will be oriented and screened to prevent light spillage onto the adjacent residential dwellings and adjacent river, and appropriate lighting management will be in situ to ensure no active lighting of the wider site at night-time beyond what is considered reasonably necessary. The light intrusion into the windows of any sensitive premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The development shall operate in accordance with this approved scheme, which shall thereafter not be varied without the prior written approval of the Local Planning Authority.

Reason: In the interests of public safety whilst protecting the amenity of neighbouring residential properties and nearby ecology in accordance with the provisions of Policy CDMP3 of the Adopted Wyre Local Plan 2011-31 and the provisions of the NPPF.

13. Prior to first occupation or first use of any part of the development hereby permitted, the building shall have been constructed or modified to provide effective sound insulation against internally generated noise from the retail use hereby permitted. The sound insulation works shall be in accordance with the maximum noise standards within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings': Living Rooms 35 dB LAeq, T where T is 16 hours (07.00 to 23.00), and bedrooms 30 dB LAeq, T where T is 8 hours (23.00 to 07.00). Additionally, the sound insulation works shall ensure that the maximum level for single sound events inside bedrooms will not exceed 45 dB LAFmax between the hours of 19.00 and 07.00.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Adopted Local Plan 2011-31, and the provisions of the NPPF.

14. The residential apartments hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

- 35dB LAeq (16 hour) from 07.00 to 23.00 within living rooms and 30dB LAeq (8 hour) from 23.00 to 07.00 and 45dB LAFmax from 19.00 to 07.00 for single sound events within bedrooms, or any such level as approved in writing by the Local Planning Authority.
- The evening standard LAFmax will only apply where the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.
- 50dB LAeq (16 hour) from 07.00 to 23.00 to outdoor living areas, or any such level as approved in writing by the Local Planning Authority.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from cumulative noise from the existing and proposed industrial, commercial and traffic sources, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Adopted Wyre Local Plan and the provisions of the NPPF.

15. Prior to first occupation of any of the residential units hereby approved the approved sound proofing details and mitigation set out within the approved Noise Assessment report (Agility Acoustics- Noise Assessment AA18-1081-R01v2 Jan 19) shall be installed, as well as for apartments 19-23 within the first floor of the building, unless alternative measures are first agreed in writing by the Local Planning Authority prior to implementation. The development shall be maintained and retained in accordance with the approved sound proofing details at all times thereafter.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

16. (a) There shall be no deliveries or collections of goods (including waste) to or from the retail use hereby permitted outside the hours of 08.00 to 20.00 Monday to Saturday, nor at any time on Sundays, Bank or Public Holidays.

(b) No vehicle delivering to or collecting from the retail use hereby permitted, or waiting within any part of the application site, shall operate the vehicle's engine or any mechanical refrigeration unit other than when entering or leaving the site.

(c) Prior to the retail unit hereby approved being first brought into use, a scheme of signage shall be submitted to and agreed in writing by the Local Planning Authority which shall include clearly legible signs displayed at all times to notify delivery and collection vehicle drivers of the permitted hours for deliveries/collections, the need to switch off vehicle engines and refrigeration equipment, and that they are in a noise sensitive residential area. This agreed signage scheme shall be implemented prior to first use.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

17. Waste compactors used in connection with the retail use hereby permitted shall not be operated between the hours of 20.00 and 08.00 Monday to Saturday, or at any time on Sundays and Public and Bank holidays.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan and the provisions of the NPPF.

18. The retail use hereby permitted shall not be open to customers outside the following times 08.00 to 20.00, Monday to Saturday, and 10.00 to 16.00 on Sundays and Bank and Public Holidays.

Reason: In order that there is no adverse effect on the health and quality of life of the future occupiers of the proposed dwellings or existing residents from the retail use, to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Adopted Wyre Local Plan and the provisions of the NPPF.

19. The approved hard and soft landscape works as shown on approved plans Landscape Strategy Drawing No. 090.3.01 A, Hardworks Layout Drawing No. 090.3.02 A and Softworks Layout Drawing No. 090.3.03 A, which includes the relocation of T9: Millennium Tree, and the Tobermore Landscape Plan PA652, Tobermore Product Sheet PA652, shall be carried out as approved prior to first occupation or first use of the development hereby approved or on completion of the development (whichever is the sooner) and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity in accordance with the provisions of Policies CDMP3 and CDMP4 of the Adopted Wyre Borough Local Plan (2011-31).

20. During the construction works the Tree/Hedgerow Protection measures set out in the Bowland Tree Consultancy Tree Protection Scheme October 2018 shall be in place, and shall be retained for the duration of the works, and only removed once the development is complete and all machinery and works material has been removed from the site.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity in accordance with the NPPF and Policy CDMP4 of the Wyre Local Plan 2011-31.

21. The development hereby approved shall be implemented in full accordance with the approved Ecological Appraisal (document titled Dusk Survey Results in Relation to Bats, produced by Tyler Ecological Consultants, dated Oct 2018) including all the mitigation measures set out in that report.

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

22. 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.

23. The refuse store for the apartments shown on the approved plans shall be provided before the apartments hereby approved are first occupied and shall thereafter be retained. The refuse store for the retail unit shown on the approved plans shall be provided before the retail unit hereby approved is first in use and shall thereafter be retained.

Reason: In order to ensure that adequate provision is available for the storage of refuse in the interests of residential amenity and the appearance of the site in accordance with the provisions of paragraph 17 of the NPPF and Policies CDMP1 and CDMP3 of the Wyre Local Plan.

24. Prior to first occupation of the residential development or first use of the commercial development hereby approved, a car park management plan shall be submitted to and approved in writing by the Local Planning Authority detailing the location and amount of car parking spaces to be dedicated for the residential and commercial elements of the development hereby approved and the location and amount of car parking spaces to be made available for general public use, along with details of operational measures to ensure this parking provision will be made available for such users thereafter. The approved plan / management details shall be implemented in accordance with the approved details.

Reason: In order to ensure that adequate car parking provision exists on site in the interests of the appearance of the site and locality, residential amenity and highway safety in accordance with the provisions of paragraph 17 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan.

25. Prior to the first occupation of any of the residential units 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.

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

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

Notes: -

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby 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. The applicant should be advised to contact Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.