

Committee Report**Date: 28.04.2021****Item Number 01****Application Number** 20/00212/FULMAJ**Proposal** Erection of 70 dwelling houses and associated infrastructure with new access off A6 Preston Lancaster New Road**Location** Land South Of Prospect Farm West Of A6 Garstang**Applicant** Rowland Homes**Correspondence Address** c/o De Pol Associates Ltd
Miss Jen Beardsall Farington House Stanifield Business Park
Stanifield Lane Leyland Preston PR25 4UA**Recommendation** Permit**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob McKillop****1.0 INTRODUCTION AND ASSESSMENT (UPDATED FROM ORIGINAL REPORT FOR 7 APRIL 2021 COMMITTEE)**

1.1 This application is before the Committee for a second time. It was initially presented to the Committee on the 7 April 2021. The Committee deferred the application to encourage further consideration of highway safety impacts and mitigation measures, to be discussed between the applicant and Lancashire County Highways, with specific reference to crossing the A6 opposite the site in particular the type and location of the crossing and the potential use of guard railings.

1.2 Following the committee meeting, the applicant's transport consultant approached Lancashire County Council (LCC) Highways to consider whether or not there is an alternative scheme that would address members concerns. In respect of the location of the crossing, LCC Highways have confirmed that the existing refuge needs to be repositioned to the north to allow for the new access and to provide a suitable right turn arrangement without impact to traffic flow. The principle of the site access location and repositioning the refuge to the north is also set out in the approved Masterplan. In terms of the precise location, LCC Highways have confirmed that the crossing could not be further south of its proposed position to ensure a suitably long and safe right turn lane is provided to the site. LCC Highways have also confirmed that the distance between the proposed new site access and Kepple Lane junction is acceptable in respect of design safety standards. In short there is no alternative suitable location for the crossing.

1.3 In respect of different crossing options, LCC Highways have confirmed that design standards would preclude establishing a zebra crossing in this location, due to the traffic speeds along the A6. Furthermore, it was advised that the requirement for a pelican or signalised crossing would not be met due to the likely number of users (low) and limited conflict with larger vehicles. Additionally, a pelican crossing would not be achievable in terms of meeting the necessary greater separation distance

between accesses. As such, LCC have advised an alternative crossing would not be appropriate in this location. LCC Highways have advised that the use of pedestrian refuges/traffic islands is not uncommon on 50mph roads and there is one on the A6 to the south of the site between Ronson Drive and Kepple Lane. One of the main stated benefits of such features, in addition to safer pedestrian crossing, is to allow safe right turning for vehicles to protect from oncoming vehicle collisions.

1.4 LCC Highways have advised that recent Government guidance has discouraged use of pedestrian guard rails which should only be a last resort and should be designed out of being required on new road layouts and development proposals. Apart from being unsightly and a maintenance liability, guard railing can impact on driver visibility and mask child pedestrians. As such LCC Highways do not support the use of guard rails.

1.5 In terms of improvements, the developer has proposed some addition "staggered junction" signage and "slow" road markings which LCC have confirmed are likely to highlight the junction and bring about a slight reduction in overall traffic speeds here. An updated off site highway works plan has been provided which LCC Highways have confirmed would be acceptable. Overall, LCC Highways have confirmed that the scheme is acceptable in terms of highways safety and is consistent with the approach that LCC is looking to develop under the A6 Barton to Garstang Sustainable Transport Strategy.

1.6 To conclude LCC Highways do not support an alternative location or type of crossing, nor the use of pedestrian guard rails along the site frontage. They do support the addition of "staggered junction" signage and "slow" road markings as shown on the updated highway works plan. Accordingly, for the reason set out above and in the main report below, the recommendation for approval at section 11 of the main report below remains unchanged. Conditions 2 (list of approved plans) and 7 (list of off-site highway works) have been updated to reflect the above.

ORIGINAL REPORT FOR 7 APRIL 2021 COMMITTEE

1.0 INTRODUCTION, SITE DESCRIPTION AND LOCATION

Site Notice Date: 16.04.2020

Press Notice Date: 25.03.2020

1.1 The application is before the Planning Committee for consideration as the proposed delivery of the housing site allocation and supporting Green Infrastructure (GI) is different to the typical approach usually taken, as in this case the Green Infrastructure provision would be largely provided outside the allocation on land designated as countryside. Due to the current national lockdown restrictions in place an organised site visit will not take place however site photographs will be displayed in the meeting to enable Members to understand the proposal beyond the plans submitted.

1.2 The application site is on the western side of the A6 (Lancaster to Preston Road) opposite the junction with Kepple Lane. The site is open agricultural land measuring 3.59 hectares in area. Bradshaws Farm Shop lies to the northern boundary. The application site forms part of a larger field extending to the west and there is no present boundary feature between the application site and the remainder of the field. Open agricultural fields also lie to the south of the site. A hedgerow

marks the eastern boundary of the site along the footpath to the A6 and there are some residential dwellings along the eastern side of the A6.

1.3 The site is allocated for residential development (70 dwellings) under Policy SA1/15 of the Wyre Local Plan (2011-31). Policy SA1/15 states that the site should be brought forward in line with a masterplan covering the whole site area. The masterplan must be agreed by the local planning authority prior to the granting of planning permission. Additionally, other Key Development Consideration (KDCs) are included in the policy to direct development of this site. The majority of the site falls within the settlement boundary of Garstang along with neighbouring land to the north and east. The western part of the site (where the green infrastructure is proposed) together with land to the west and south is within the designated countryside.

2.0 THE PROPOSAL

2.1 This application seeks full planning permission for the erection of 70 dwellings. A new access on to the A6 would be positioned centrally along the eastern boundary with dwellings generally arranged in four blocks as well as along the northern boundary. Public open space and an attenuation swale are proposed to the western side of the site. 30% of the dwellings will be affordable housing with 9 units proposed for affordable rent and 12 units proposed for intermediate housing.

2.2 The 70 dwellings comprise the following housing mix:

- 9 x 2 bedroom houses
- 40 x 3 bedroom houses
- 19 x 4 bedroom houses
- 2 x 5 bedroom houses

2.3 The following documents have been submitted in support of the application:

- Masterplan
- Tree Survey
- Transport Statement
- Phase 1 Geo-Environmental Report
- Market Demand Report
- Ecological Appraisal
- Planning Statement
- Topographical Surveys
- Noise Assessment

3.0 RELEVANT PLANNING HISTORY

None.

4.0 PLANNING POLICY

4.1 ADOPTED WYRE BOROUGH LOCAL PLAN

4.1.1 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.

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP4 - Countryside
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Wellbeing
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility & Transport
- HP1 - Housing Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments
- SA1/15 - Land South of Prospect Farm (site allocation)

4.2 OTHER MATERIAL CONSIDERATIONS

4.2.1 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.

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

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment

4.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §73, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's APS submission for 2020 which demonstrates a deliverable housing land supply position of 5.9 years. The council's 5 years housing land supply position has recently been considered by an Inspector and even if the Inspector's conclusions were accepted in full there would be a housing land supply position of a minimum 5.2 years (including a 5% buffer). There is therefore full

confidence that the council is able to demonstrate a deliverable 5 year housing land supply.

4.3 OTHER MATERIAL CONSIDERATIONS

WYRE SUPPLEMENTARY PLANNING GUIDANCE

- 4.3.1 The following is 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
 - Supplementary Planning Guidance Note 9: Designing Out Crime
 - Guidance for Applicants - Green Infrastructure in New Residential Developments (Policy HP9) (October 2020)

MASTERPLAN

4.3.2 Land South of Prospect Farm, West of the A6, Garstang - The document has been approved by Planning Policy Working Group on 4th March 2021 with a formal decision by Management Board expected 1st April. The approved document will be a significant material planning consideration to this application.

OTHER GUIDANCE / LEGISLATION

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

4.3.4 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

4.3.5 Building for Life 12 (BfL12): Third edition - January 2015

4.3.6 National Planning Practice Guidance (NPPG)

5.0 CONSULTATION RESPONSES

5.1 GARSTANG TOWN COUNCIL has raised the following objections (summarised):

- Detrimental impact on highway safety, traffic and pedestrians crossing the A6;
- Development impacting on flooding downstream and independent investigation should be undertaken;
- Lack of public transport access, including buses;
- The application has not been considered alongside other applications and the cumulative impacts are a concern;
- Previous concerns have been raised in respect of character, impact on education and medical services and retention of trees.

5.2 KIRKLAND PARISH COUNCIL has raised the following objections (summarised):

- Wyre Council has met its housing quota and development is unnecessary;
- The development would cause flooding impacts on Churchtown which has previously suffered flooding problems;
- The FRA refers to the impact on the site itself rather than impacts elsewhere which need to be taken into account;

- The FRA gives advisory rather than positive solutions and doesn't not mention other already using Ainspool for drainage;
- The A6 is a main arterial route and the additional junction would create more traffic increase the risk of danger to highway users;
- The location is isolated and unsafe for walking, cycling or mobility crossing of the A6 and does not encourage sustainable travel;
- The lack of an adequately positioned crossing/refuge will result in danger to pedestrians;
- Improvements, not just to the site frontage, but other kerbs/footways would be necessary;
- Lancashire County Council is already aware of issues at nearby junctions (Moss Lane/Longmoor Lane) and further junctions will only make the A6 stretch more unsafe;
- Any s106 money collected should got towards improvement of the Avenue junction with the A6.

5.3 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - no objections subject to conditions.

5.4 LANCASHIRE COUNTY COUNCIL ARCHAEOLOGY - no objections.

5.5 LANCASHIRE COUNTY COUNCIL EDUCATION AUTHORITY - a financial contribution of £46,123.50 is sought towards secondary school places which are required to mitigate against the impacts of the application on local school places.

5.6 LANCASHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY - no response received.

5.7 LANCASHIRE COUNTY COUNCIL HIGHWAYS - no objections on the basis that the development would not have a significant impact on highway safety. This is subject to mitigation being provided by the developer in the form of conditions and improvement works to the existing highway.

5.8 LANCASHIRE FIRE & RESCUE - reference to current building regulation requirements.

5.9 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG) has confirmed that it is seeking mitigation in the form of a £23,772.00 contribution to be put towards refurbishment and/or reconfiguration at Garstang medical centre.

5.10 UNITED UTILITIES has no objections subject to conditions.

5.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE) has no objections.

5.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY CONSIDERATIONS)) has no objections subject to conditions.

5.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION) - no objections subject to conditions.

5.14 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREE AND WOODLAND OFFICER) - the northern hedgerow could be retained within the scheme and details of tree protection and replacement of dead, dying or diseased stock have not been provided. All other elements, including landscape proposals, are suitable.

5.15 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PUBLIC OPEN SPACES/GREEN INFRASTRUCTURE) has no objections.

5.16 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (WASTE MANAGEMENT) has no objections subject to appropriate bin presentation points or communal bin stores being provided for certain plots.

6.0 REPRESENTATIONS

6.1 Churchtown Flood Action Group and St Michaels Flood Action Group raised the following points of objection (summarised):

- The FRA overlooks the risk of off-site flooding which is required by the NPPF;
- Increased risk of downstream flooding should be a significant material consideration given the extensive history of flooding in St Michaels and Churchtown;
- The use of SUDS will not be effective as greenfield run-off calculation assume lower rates that are relevant to this site;
- High water levels in the Wyre cause Ainspool to cease to operate as an effective drainage channel because it has a non-return valve;
- The FRA does not consider cumulative impact of other development (app 20/00340/RELMAJ at Nateby Crossing) which will exacerbate problems downstream;
- The application should not be determined before thorough and independent investigation by expert hydrologists on what means should be implemented to ensure that downstream residents and properties are not further adversely affected by reason of the proposed development.

6.2 Five objecting representations have been received from members of the public with comments summarised as follows:

- Development will increase rainwater run-off causing problems for local residents at risk of flooding;
- The cumulative impact of development in Garstang will result in more flooding;
- Loss of green belt and farming land should be avoided and land should be left for agriculture or wildlife habitat;
- Further infrastructure is required to support population increase - schools and doctors are oversubscribed;
- The site is in an area where there are existing accidents at road junctions and the A6 is difficult to cross this location, not pedestrian friendly and therefore is poorly linked to Garstang;
- There is no mention of the primary school on Kepple Lane which is already busy at school time with traffic and no mention of other development on Kepple Lane;
- There are no direct links to public transport as buses do not pass the development and there is no railway station in Garstang;

- The submitted Transport Report incorrectly states there have only been a couple of minor accidents near the application site, however in actuality this figure should be higher accounting for unrecorded accidents and near misses;
- There is no need for further housing in Garstang given the large number of recent developments;
- The A6 is already busy and more development will result in further congestion, including construction traffic; which leads to unnecessary noise and pollution;
- A new post box should be supplied to prevent people driving to post letters;
- Why were 75 units previously proposed and the figure now 70?;
- Provision for a children's play area should be provided;
- The site drains into Ainspool River which flood Churchtown and cannot take more water at times of high rainfall and pumps were deployed recently to prevent resident's being flooded - development will contribute further to these problems.

6.3 One neutral representation has been received from a member of the public with comments summarised as follows:

- Consideration should be given to reducing the speed limit to 30mph near to the site given the increased vehicle movements onto a 50mph road and associated problems for drivers and pedestrians.

7.0 CONTACT WITH APPLICANT/AGENT

7.1 Communication has taken place with the applicant's agent during the application via email, phone calls and meetings to overcome concerns relating to layout, highways safety, public open space and other matters. Further to these discussions, additional and revised plans/information has been submitted. This information has subsequently been reviewed by the Local Planning Authority and statutory consultees in order to address concerns.

8.0 ISSUES

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

- Principle of Development
- Infrastructure Requirements
- Visual impacts, Design and Housing Mix
- Impact on Residential Amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Ecological Matters
- Trees and Landscaping

Principle of development

8.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan (WLP31).

8.3 The majority of the application site is allocated for residential development (70 dwellings) under Policy SA1/15 of WLP31 and falls within the settlement boundary of Garstang as defined in the WLP31 Policies Map. 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'. Policy SA1/15 sets out a number of Key Development Considerations (KDC's), or policy requirements, for the whole allocation. KDC1 sets out that the land should be brought forward in line with a masterplan covering the whole allocation prior to granting planning permission on any part of it. A masterplan setting out development principles for the site was recently consulted on as part of this planning application, agreed by Planning Policy Working Group and expected to be formally approved by the Council in time for the April Planning Committee. On this basis KDC1 has been satisfied. Other KDC requirements are considered later in this report.

8.4 The western part of the application site also includes (where the green infrastructure and attenuation swale is proposed) designated countryside land in the WLP31. Policy SP4 of the WLP31 is therefore relevant. This sets out that within countryside areas planning permission will only be granted for new development which meets the requirements of the core development management policies and which meets one of the exception criteria listed. Criterion b) outlines that outdoor sport and leisure facilities where a countryside location is needed and justified is considered to be an appropriate type of new development. The provision of open space, the majority of which would be available for informal recreation use, is considered to be in general accordance with this criterion, and the justification and need for it to be in this location is to enable delivery of the SA1/15 housing capacity figure (further details below).

8.5 The site is Grade 3 agricultural land which is classed as good to moderate quality and therefore the proposal would not lead to the loss of high value agricultural land. In any event the loss of agricultural land for the housing allocation portion of the site was considered and accepted as part of the Emerging Local Plan.

Infrastructure Requirements

8.6 Concerns were raised by local residents in respect of the potential impact on local schools, services and infrastructure. Policy SP7 of the WLP31 seeks to ensure the impacts of the development on local infrastructure are suitably mitigated against. In this case mitigation is required in the form of affordable housing, green infrastructure, healthcare, education and highways, which are set out in more detail below.

8.7 Policy HP3 of the WLP31 sets out that developments of 10 or more dwellings on greenfield sites in Garstang should include a provision of 30% on site affordable housing. The site comprises undeveloped greenfield land, therefore a 30% affordable housing contribution is sought. The application details show that 21 affordable dwellings are proposed on the site (comprising 12 intermediate and 9 affordable rent). These are considered appropriately designed and suitably located within the site to achieve a sustainable development. The Council's Affordable Housing Officer has confirmed that this provision would be acceptable in accordance with the requirements of Policy HP3. This provision would be secured via a suitably worded Section 106 Agreement.

8.8 KDC2 of Policy SA1/15 states that the development should be supported by a landscape and green infrastructure framework incorporating structured tree planting, on-site open space, formal and informal play and pedestrian and cycle connectivity within and, where possible, outside the site. Policy HP9 requires development which results in a net gain of 11 units to make appropriate provision of green infrastructure on site.

8.9 The layout plan shows open space in a linear arrangement along the western boundary, with a smaller provision along the eastern boundary to the A6. Based on the proposed housing mix, the required amount of green infrastructure (GI) for the entire site would be 0.685ha. A GI layout plan has been submitted which shows 0.79ha of GI is provided on site. This does not include the proposed attenuation swale, however some narrow grassed strips are included in that suggested total. It is considered reasonable to discount the narrow areas adjacent to the front boundary from the calculation given their limited functionality for public use, however the remaining on-site GI provision would be approximately 0.7ha overall which achieves the required amount.

8.10 As previously acknowledged, the open space and attenuation swale along the western boundary would be outside the extent of the housing allocation in designated countryside. There is no physical boundary between the edge of the allocation and this additional land required for the open space, so no obvious encroachment further into the countryside. This layout would enable 70 units to come forward on the allocation which would enable delivery of the full housing allocation capacity figure.

8.11 The typologies comprise natural and semi-natural grassland and informal amenity areas which are considered to be appropriate in this scenario. In respect of play area provision, the site is within a short walking distance of the existing park on Kepple Lane which benefits from up to date play area facilities. It is considered that these existing facilities are in good condition and not presently in need of upgrading. As such, this facility would be available for residents of the proposed development. Whilst it is accepted that the site is on the opposite side of the A6, new traffic crossings and off-site highway works are proposed to improve pedestrian safety along the A6 in the vicinity of the site. Furthermore a proposed footpath link allows a pedestrian connection at the northern part of the site to the A6. It is also of note that this informal typology would enable new tree planting on the western part of the site, which would positively contribute to the natural flood management efforts in the wider River Wyre catchment. As such, it is considered that the provision of an on-site play area is not required in this instance. Overall, the application would accord with Policy HP9 and would not conflict with the aims of KDC2 as set out in Policy SA1/15.

8.12 NHS Fylde & Wyre Clinical Commissioning Group (CCG) has been consulted on the application and advise that the development would result in an estimated 207 additional residents. To mitigate against the population increase and demand for additional infrastructure and services, the CCG are seeking mitigation in the form of a £23,772.00 contribution towards refurbishment and/or reconfiguration at Garstang medical centre. This contribution would be secured via a suitably worded Section 106 Agreement.

8.13 Lancashire County Council (LCC) Education have been consulted on the application. In their latest response, LCC has confirmed that no financial contribution will be sought towards primary school places based on the projected demand. However LCC are seeking a contribution of £46,123.50 towards secondary school places to mitigate against the impact of development on projected secondary school places. Officers have queried the response and the assumptions on committed developments in the local area, with particular reference to the Forton application (18/00469/OULMAJ) which has a resolution to grant outline planning permission for up to 195 dwellings and is therefore to be treated as a committed development, but where the actual bedroom mix (and therefore pupil yield) is unknown at this stage. In line with the LEA methodology, where the bedroom mix is unknown a "worst case scenario" is taken and so the LEA assumes 195 x 4 bed units at Forton in the

assessment of this application. The Forton development is therefore said to take up 31 of the 36 spare secondary school places, leaving 5 spare places remaining. The pupil need from this application is 7 places, resulting in the LEA asking for a contribution towards 2 pupil places.

8.13.1 The applicant has challenged this contribution request stating “it is inconceivable that the Forton application will generate the number of spaces being suggested by the LEA as they are basing this on 100% of these 195 dwellings comprising 4 bed properties, which would be entirely against Council Local Plan policy and clearly will not be acceptable to Wyre...As such we fail to see how LEA can reasonably justify that the resolution to approve the outline Forton now places a need for our client to fund two school places”.

8.13.2 The LEA were asked to respond to this, and have confirmed “As there is an established methodology regarding additional approvals we would not be revising the education assessment in terms of the Forton application initial dwelling mix calculation...”

8.13.3 The LEA remain of the view that a contribution towards two secondary school places is required. The applicant does not agree, which effectively means they would not agree to sign the s106 legal agreement. As such the Council needs to decide if it can uphold the LEA request for seeking contributions. In making this decision it is relevant to consider whether these obligations would satisfy the three tests of being necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

8.13.4 Officers are of the view that notwithstanding the LEA methodology, it is unrealistic to assume that all of the 195 units at Forton would come forward as 4 bed units when the Wyre Local Plan policy requirement is for a significantly smaller proportion (18% beds, but potentially increasing to 30% under the right circumstances). Therefore it is entirely reasonable to conclude that the two developments at Forton and in this application would not exceed the surplus of 36 places. In which case officers do not concur with the LEA that an education contribution is necessary to make the development acceptable, and do not consider that this is something which could be successfully defended at appeal.

8.14 In respect of the impact on the A6 and wider road network, Lancashire County Council (LCC) Highways have suggested a contribution of £105,000 for public transport services and infrastructure. Additionally, a contribution of £210,000 is also requested towards the A6 Barton to Garstang Sustainable Transport Strategy to mitigate against the direct impact of this proposed development on the strategy and highway safety along the A6. This is considered in further detail in the highways section below, but the £210,000 contribution towards the A6 Transport Strategy would be secured via a suitably worded Section 106 Agreement.

Design / Visual Impact / Housing Mix

8.15 Policy CDMP3 and Section 12 of the NPPF seek to ensure high quality design including layouts. Consideration has also been given to Building for Life 12 (BfL12) which local authorities should use as an assessment framework to help ensure the design and layout aspirations contained within the NPPF are achieved. Whilst a BfL12 assessment has not been submitted in support of the application, the relevant aspects have been considered to ensure the scheme takes account of them. Consideration has been given to KDC3 of SA1/15 which requires the development to

provide an organic extension to the town, paying particular attention to boundary treatments. Consideration has also been given to the masterplan set to be formally approved, which considers various aspects including layout, landscaping and connectivity which are important aspects of well-designed development.

8.16 Following officer concerns being raised in respect of the original scheme, the applicant has submitted amended plans to reduce the number of units (from 75 to 70) and make improvements to the layout and character of the scheme, including changes to road layout and house types. In terms of the revised layout in front of Committee, a main access road runs east to west across the site leading from the A6, with an intersecting road crossing this from north to south. Four main blocks of dwellings are proposed with a row of dwellings also along the northern boundary. The blocks would create 'perimeter blocks' with back gardens opposite each other and dwellings fronting towards the roads. Dwellings have off street parking spaces either to the front of side, and some plots have detached garages. A landscaped area is proposed along the eastern boundary with the A6 with a larger area of open space to the west of the site. In terms of improvements during the application, an attempt has been made to straighten building lines of properties to ensure more attractive and open views along streets. Better consideration has also been given to house types on corner plots to ensure suitable elevation details are provided to each aspect. Continuous runs of parking spaces have been reduced and additional landscaping has been proposed. Some integral garages are still proposed to the front of properties along the western boundary which is considered undesirable however attempts have been made to address concerns about resultant poor natural surveillance onto the open space with amendments to elevation treatments. Retention of hedgerows to the eastern (save the site access) and southern boundary, together with new hedgerow along the western boundary, is also considered to be beneficial in terms of maintaining the existing character of the area and helping to provide a softer development edge with the adjacent countryside. The parking provision meets the requirements set out in the Local Plan and there would generally be adequate definition between public and private spaces, and plots benefit from amenity and storage spaces.

8.17 The proposed dwellings would be two-storey together with six bungalows proposed (Ramsey house type) along the northern boundary. House types would include hipped and gable roofs. Proposed materials are red brick (three types) and a mixture of grey and red roof tiles (all grey along the site frontage). In terms of scale and design it is accepted there is a mix of properties along this part of the A6 and there is no overriding character. Therefore, whilst the proposed development would, generally speaking, not reflect the appearance of existing semi-detached properties with hipped roofs that are prevalent, it is accepted that there are other designs and detached properties in the wider area. As such, the appearance of the proposed development would not be at odds with existing dwellings in the vicinity. Notwithstanding the palette of materials submitted, a condition would be added to any permission granted to require the submission of these details, as the three red brick types proposed are very similar in appearance and it is considered that better variety would help break up the blocks.

8.18 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA) which in this case is the May 2018 Addendum 3 Supplementary Note setting out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units. Out of the 70 units proposed, 13% would be 2 beds, 57% 3 bed and 30% 4+ 5 bed. The mix proposed is not in accordance with the SHMA as it comprises

a higher proportion of larger units compared to the smaller 1 and 2 bed units. The applicant has submitted a market demand report and additional statement which suggests a local demand for larger properties in Garstang. However officers consider this should be given limited weight given its scope and content. A further increase of smaller properties would likely increase the density of development which would be unlikely to be visually acceptable in this edge of settlement location. It is acknowledged that in addition to the bedroom mix, the development is providing a wide choice of house types (detached, semi-detached, terraced and bungalows) and floorspace sizes to appeal to different households and the application is therefore considered to contribute towards meeting the need for smaller properties in the area as well. On balance, the proposed housing mix is considered to be justified. Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. It is noted that six bungalows are proposed which could contribute to this requirement. A condition would be added to any permission granted to ensure the application meets the adaptability target of 20% of all units.

8.19 Overall, subject to conditions the housing provision element would result in an acceptable impact on the character of the area. The application is deemed to accord with WLP31 policies CDMP3 and KDC3 of SA1/5 and would align with the development principles set out within the masterplan set to be formally approved.

8.20 In respect of the visual impact of the green infrastructure (GI) and attenuation swale provision, policy SP4 requires development in the countryside to not adversely impact on its open and rural character. It is acknowledged that this part of the proposal would remove part of the existing agricultural field and instead provide an area of GI containing existing grassland, SUDS attenuation basin with seed mix, wildflower planting around the edge OF this basin, some new tree and shrub planting and a new boundary hedgerow along the western edge of the site separating it from the remainder of the agricultural field. The only built structure in the GI would be a pumping station tight up to the existing development on the northern boundary. Therefore it is considered that the site would have the appearance of semi-natural open space and retain an open character typically associated in countryside areas. For these reasons it is considered that this element of the proposal would not result in harm to the character and appearance of the wider countryside.

Impact on residential amenity

8.21 Five objections and one neutral comment has been received from members of the public. The site lies to the south of an agricultural business and commercial enterprise although there are some residential properties on the opposite side of the A6. Given the layout and intervening distance, there would not be any significant harmful impact in terms of overbearing, overshadowing or overlooking of nearby neighbours. Following amendments to the scheme, the layout would meet the separation distances, including front to front, rear to rear and rear to side, as set out within the Council's Design Guide SPG4. All plots would benefit from an adequately sized rear garden and it is also noted that some plots benefit from additional amenity space to the front and side of properties in the proposed layout. Although some plots would have a detached garage adjacent to a neighbouring rear garden, this is considered unlikely to result in any significant noise impacts between adjoining plots.

8.22 The Council's Environmental Health Team has confirmed that the revised Noise Survey satisfactorily demonstrates that specified noise levels will be achieved and the conclusions of the acoustic assessment are accepted. On this basis, and subject to suitably worded conditions, the development would not result in any unacceptable impacts in respect of noise to future occupiers or existing sensitive

receptors nearby. A condition would also be added to any permission granted for a Construction Environmental Management Plan to reduce the impacts of noise and disruption during construction.

Highway Safety and Impact on the Highway Network

8.23 Objections have been received from local residents and Garstang Town Council and Kirkland Parish Council in respect of highway safety. LCC Highways have reviewed the application details and have confirmed that sight lines for the new access on to the A6 are acceptable for the size and scale of development. The sight lines are achievable over the adopted highway thus ensuring their retention. The access geometry would also meet current design standards. LCC Highways have confirmed that the relocated traffic island to the north of the site is now accepted as the best location to serve the site without affecting existing properties.

8.24 In respect of the impact on the A6 and wider road network, LCC Highways acknowledge the site could impact on the accident rate in the vicinity unless safe and direct sustainable transport links are provided. It is noted that there are no public transport services along the A6 fronting the site, and LCC Highways have suggested a Section 106 contribution of £105,000 be provided for public transport services and infrastructure. Additionally, a Section 106 contribution of £210,000 is also requested towards the A6 Barton to Garstang Sustainable Transport Strategy to mitigate against the direct impact of this proposed development on the strategy and highway safety along the A6. KDC7 of SA1/15 requires the site to make a contribution towards primary sustainable transport which includes the improvement of specified junctions in the area and contributions towards the A6 Barton to Garstang Sustainable Transport Strategy. LCC Highways have previously confirmed primary sustainable transport does not include improvements to bus services. Therefore when this site was allocated, LCC Highways did not identify monies towards bus service improvements as a policy requirement to deliver the housing allocation. Neither have they been able to identify a change in circumstances since the Local Plan was adopted to justify asking for this as part of the application. On this basis Members are advised that the £105,000 request by LCC for bus service improvements would not meet the test as being reasonably necessary to make the development acceptable and officers do not support this request. The £210,000 being requested towards the A6 Barton to Garstang Transport Strategy is supported by policy and therefore these monies, which the developer is agreeable to, are to be secured via section 106 agreement.

8.25 In terms of the internal layout, LCC Highways have confirmed that the internal layout and car parking confirms to current guidelines (Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; the Joint Lancashire Structure Plan and WLP31, and the highway layout would also be acceptable for adoption under section 38 of the highways act.

8.26 LCC Highways have requested mitigation in the form of conditions and off-site highway works. In respect of off-site highway improvements, LCC have indicated that a 2m wide footpath is required along the full site frontage, in combination with the relocation of the pedestrian refuge to facilitate crossing across the A6 and a new right-turn lane to serve the new site access and Kepple Lane. Furthermore, an assessment of any required changes to street lighting and new pedestrian crossing points on the A6 to link the site to Kepple Lane are also requested. This is in addition to works within the site relating to tactile paving and street lighting. These off-site highway improvements will need to be constructed under a section 278 agreement. A condition would be required requiring these works to be completed prior to

occupation of any dwelling, and other conditions would be added to ensure the development would have an acceptable impact in line with the comments from LCC Highways.

8.27 Overall, the application is not considered to result in an unacceptable impact on highways safety, would improve pedestrian/cycle access to Garstang Town Centre and would contribute towards the necessary highways and sustainable travel improvements along the A6. It would therefore accord with WLP31 Policies CDMP6 and SA1/15 (KDC6, KDC7) and the NPPF.

Flood Risk and Drainage -

8.28 Concerns in respect of flooding and impact on Ainspool have been received from members of the public and Kirkland Parish Council, Garstang Town Council and St Michaels and Churchtown Flood Action Groups. The site falls within Flood Zone 1 which is the lowest risk of flooding and is allocated for residential development under Policy SA1/15 of the Local Plan. As such, flood risk sequential test and exceptions test are not required.

8.29 The site naturally drains to Ainspool watercourse via overland run-off. KDC4 of SA1/15 requires residual surface water of this development to drain into the River Wyre via Ainspool. The Drainage Engineer's initial response highlights that the discharge from Ainspool is tidally restricted and there have been a number of recent flooding incidents both downstream and upstream of the proposed site due to the watercourse surcharging. The Applicant was asked to make allowance for this in the drainage plans to ensure that the site does not flood during periods of heavy rainfall when the outfall may not be free flowing. Revised information / drainage layout plans were submitted and the Drainage Engineer raises no objection. The development is designed to mimic existing surface water run off rates from the site and continue to discharge to Ainspool. On this basis, the application has been designed so it would not exacerbate any current flooding issues. A condition would be added to any permission granted to ensure the development is carried out in accordance with the submitted flood risk assessment and drainage layout plans, which are deemed to be acceptable. United Utilities has not raised any objections to the development, subject to conditions in relation to foul and surface water drainage arrangements and maintenance details being secured by condition. On this basis, the application is considered to have an acceptable impact in terms of flooding and drainage in accordance with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of WLP31.

8.30 An Environment Agency (EA) asset in the form of a borehole for monitoring groundwater level or quality exists towards the north-eastern boundary of the site. The EA have been contacted, who confirm that this appears to have been decommissioned and is now a small patch of grass and is due to be listed on their surplus land register and disposed of. Based on the plans submitted with the planning application, EA consider that this avoids this asset / their land ownership. KDC8 of SA1/15 is therefore satisfied.

Ecology

8.31 GMEU provided an initial response requiring further surveys to determine whether the site is functionally linked to the Morecambe Bay & Duddon Estuary SPA and nearby sites of Special Scientific Interest (SSSI). The applicant has submitted further information to confirm that the site lies outside land mapped as functionally linked to the SSSI and is not likely to support or impact on species associated with

the SSSI. GMEU have subsequently provided a further response which confirms there are no objections to the proposed development. In terms of localised impacts the site does not have any nature conservation designations. Ecological impacts have been assessed in terms of the greenfield nature of the site and the presence of boundary trees and hedgerows. GMEU are satisfied with the conclusions of this assessment. On this basis and, subject to suitably worded conditions, the application is deemed to have an acceptable impact on ecology and satisfies WLP31 policy CDMP4 and KDC5 of SA1/15.

Trees/Landscaping

8.32 Policy CDMP4 Local Plan sets out that development will be expected to incorporate existing trees and hedgerows into the design and layout of the scheme where possible unless their loss is essential to allow the development to go ahead and is supported by evidence in a tree or hedgerow survey. KDC3 of SA1/15 also considers the importance of boundary treatments towards ensuring the development provides a rural transition with the wider countryside.

8.33 In respect of trees, there are three existing trees along the site frontage to be removed, with the southernmost one identified as having structural defect and the other two positioned at the site access or in the sightline. These would be replaced with new tree planting along this frontage. The Council's Tree Officer raises no concern with this, although has commented that a large section of the northern boundary hedgerow is proposed to be removed and replaced with boundary fencing, and that its loss should be reconsidered given its landscape and habitat value. However it is understood this removal is required to facilitate some of the dwelling footprints, and to provide a boundary fence with noise attenuation properties to mitigate noise from the adjacent commercial premises and with lower maintenance from a management point of view for the affordable dwellings. Visually this boundary backs onto existing development and so it is the least sensitive boundary. Importantly, new landscaping is proposed to mitigate this loss, with some additional hedges to be planted in the north western corner of the site and along the western boundary, and a landscaping buffer and corridor to be provided along the site frontage and along the main central access road running east to west through the site. Along the southern boundary, the existing hedgerow is to be retained and made good, and the majority of the eastern boundary hedge would be retained save for the site access and pedestrian footpath link to the north. Overall, the landscaping proposals would be acceptable. Subject to suitably worded conditions, it is deemed that the loss of trees and hedgerows is justified and appropriately mitigated for. On this basis the application would accord with WLP31 policies CDMP4 and SA1/15 KDC2/KDC3.

Other Issues

8.34 Wyre Council's Waste & Recycling Team has no objections subject to appropriate bin presentation points or communal bin stores being provided for certain plots. A condition would be added to any permission granted to ensure suitable details are agreed prior to occupation of any dwelling.

8.35 The Council's Environmental Health Team require further assessment of the risk of potential on site contamination and consideration of gas protection measures. Subject to suitably worded conditions it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

8.36 There are no public rights of way within the site or immediate vicinity that would be affected.

8.37 Policy SP2 (Criterion 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. This development would provide biodiversity and green infrastructure enhancement, sustainable drainage solutions and a condition would secure the provision of Electric vehicle charging points.

8.38 Lancashire County Council Archaeology has confirmed that the archaeological potential of the site is considered to be low-nil and as such no investigation is sought.

9.0 CONCLUSION

9.1 The application site is allocated for residential development in the Local Plan and also includes a section of designated countryside. The development proposed is considered to be in accordance with the approved Masterplan for the allocation. The proposed layout involves the residential component within the site allocation boundary and the green infrastructure and SUDS feature on land to the west within the defined countryside. They would be viewed and delivered as part of one development. This approach is justified in this instance to enable the delivery of 70 units i.e. the housing capacity figure in the allocation. The associated visual impacts of providing this green infrastructure have been assessed as acceptable. All other material impacts have been assessed and found to be acceptable and overall, subject to conditions and a legal agreement, the proposed development is considered to be acceptable.

10.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

11.0 RECOMMENDATION:

Grant full planning permission subject to conditions and a S106 legal agreement to secure on-site affordable housing (30%) and green infrastructure and financial contributions towards the A6 Highway Strategy and health care. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 02.03.2020 including the following plans/documents:

Plans:

- Planning Layout Drawing No.R104/1 Rev C;
- Planning Layout Coloured Drawing No.R104/1 Rev C;
- External Surfaces Layout Drawing R104/4 Rev B;
- Swept Path Analysis Drawing No.J32-4013-PS-003;
- Preliminary Site Access Drawing No.J32-4013-PS-001;
- Main Drainage Layout Drawing No.ROW05-101 REV S;
- Green Infrastructure Provision Drawing No.R104/1001 Rev B;
- Site Access Signage Strategy Drawing No.J32-4013-PS-004;

House Types

- Drg No.HT130-P-116 - Reynold Floor Plans;
- Drg No.HT130-P-117 - Reynold Elevations;
- Drg No.HT164-P-10 - Lowry Elevations;
- Drg No.HT164-P9 - Lowry Floor Plans;
- Drg No.HT174-P-6 - Kingswood Floor Plans;
- Drg No.HT174-P-7 - Kingswood Elevations;
- Drg No.HT138/P/21 - Ashgate II House Type (Elevations - Art Stone Heads & Cills Aff);
- Drg No.HT146/P/117 - Belgrave House Type (with addition side windows);
- Drg No.HT181-182/P/1 Rev A - Bridewell-Bressingham Floor Plans;
- Drg No.HT181-182/P/2 Rev B - Bridewell-Bressingham Elevations;
- Drg No.HT182/P/1 Rev A - Bressingham House Type;
- Drg No.HT166-P-115 - Charleston House Type;
- Drg No.HT105-P-124 - Burlington House Type;
- Drg No.HT107-P-110 Rev C - Marlborough Floor Plans;
- Drg No.HT107-P-115 Rev A - Marlborough Elevations;
- Drg No.HT132-P-114 Rev B - Victoria House Type;
- Drg No.HT146-P-116 Rev B - Belgrave House Type;
- Drg No.HT167-P-4 Rev A - Brantwood II House Type;
- - Drg No.HT169-P-205 Rev A Aroncroft House Type
- Drg No.HT180-P-1 - Ramsey Bungalow;
- Drg No.P/SG/1 Rev B - Single Detached Garage.

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

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

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

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31). The information submitted with this application was considered to be insufficient in terms of brick variety.

4. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan (Planning Layout Drawing No.R104/1 Rev C) as relating to that dwelling has been laid out, surfaced and drained. The parking / turning area(s) shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

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

5. a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

6. No dwelling shall be first occupied until the 2 metre wide footpath link shown on the approved site layout plan to the front of plot 55 connecting to the A6 has been constructed up to the 2 metre wide footpath running along the site frontage, in surface materials as shown on the approved External Surfaces Layout Drawing R104/4 Rev B. The footpath link shall thereafter be maintained and remain open and unobstructed at all times, unless its closure is required during the period of construction.

Reasons: In the interests of highway safety and sustainability and in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

7. Prior to first occupation of any dwelling hereby approved, the site access and off-site works of highway improvement [namely, assessment and any required changes to street lighting and provision of tactile paving at the site access, a 2m wide footpath to the full frontage of the site along the A6, relocation of existing pedestrian refuse, right turn lanes to serve the new site access and Kepple Lane, assessment and any required changes to the street lighting as part of the off-site works and pedestrian crossing points on the A6 to link the new site access to Kepple Lane, provision of signage and road markings] shall be carried out, unless an alternative timetable for

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

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

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

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

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

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

9. 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).

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

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway without prior express planning permission from the local planning authority.

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

12. 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.

13. Prior to the first occupation of any dwelling hereby approved, the windows specified below shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

- First floor windows in side elevations of Charleston House Type;
- First floor windows in side elevations of Victoria House Type;
- First floor window in south facing side elevation of Marlborough House Type;
- First floor windows in side elevations of Lowry House Type;
- First floor window in south facing side elevation of Plot 44;
- First floor window in north facing side elevation of Plot 35.

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

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

14. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of any of the dwellings hereby approved. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the construction of any of the dwellings hereby approved, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring

programme must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided.

Reason: The footprint of the proposed development is within the immediate vicinity of an area of infilled ground. The nature of the fill is unknown. Works are therefore required in the interests of public safety and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

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

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

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

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

16. No dwelling shall be first occupied until the drainage works have been completed in accordance with the approved details shown on Drawing No.101 Rev S (Main Drainage Layout Development Area). Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and to prevent an undue increase in surface water

run-off to reduce the risk of flooding in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

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

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

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

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

18. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Betts Hydro Ref HYD466 Dated January 2021 and the following mitigation measures detailed within Chapter 4.8 of the FRA:

1. Set finished floor levels (FFL) of residential dwellings to a minimum of 150mm above the existing ground levels;
2. Overland flows generated by the development to be carefully controlled and safe avenues directing overland flow way from any existing and proposed buildings to be provided.
3. Surface water run-off generated by the proposals to be managed effectively with the peak rates of run-off being restricted to the equivalent of the pre-development situation (with betterment where required);
4. The proposed onsite surface water drainage system to be sized to contain the 1 in 30yr return period event below ground with exceedance from storm events up to and including the 1 in 100yr return period storm event with a 40% allowance for climate change being contained onsite.

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

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

19. No dwelling shall be first occupied until the boundary treatments that relate to that dwelling have been completed in accordance with the following details:

- Drg No.R104/2 Rev B - Fencing Layout
- Drg No.SD-1 Rev A - 1.8m High Close Boarded Timber Fence
- Drg No.SD-104 - Typical Entrance Wall Detail
- Drg No.SD-177 - 1.2m Post
- Drg No.SD-21 - 900mm Post
- Drg No.SD-23 Rev B - 0.45m Knee Rail Fence Detail
- Drg No.SD-231 - 2.6m Acoustic Fence Detail
- Drg No.SD-46 Rev A - 1.8m High Screen Wall
- - Drg No.SD-66 2.4m High Screen Wall

The boundary treatments shall thereafter be maintained and retained.

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

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

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

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

The measures contained within the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground

levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained hedgerows" means a hedgerow which is to be retained in accordance with the approved plans and particulars.

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

22. The landscaping works shall be carried out in accordance with the following approved details prior to first occupation of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

- Drg No.2280_08 Landscape Proposals
- Drg No.2280_09 Landscape Proposals
- Drg No.2280_10 Landscape Proposals
- Drg No.2280_11 Landscape Proposals
- Drg No.2280_12 Landscape Proposals
- Drg No.2280_13 Landscape Proposals
- External Surfaces Layout Drawing R104/4 Rev B

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

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

23. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details shown on Drawing No.101 Rev S (Main Drainage Layout Development Area).

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

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

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

25. Prior to first occupation of plots 1-6, 17-18, 49-60 and 68-70 hereby approved, the noise mitigation, as stated in Section 5.1 and 5.2 of the Noise Impact Assessment Reference: 50-058-R1-6 (Dated January 2021), shall be implemented. The approved noise mitigation measures shall thereafter be retained and maintained.

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

26. The development hereby approved shall be implemented in full accordance with the Ecological Appraisal submitted with the planning application [Envirotech, 6014, V3, 16 January 2020] including all the mitigation measures set out in that report.

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

27. (i) No dwelling hereby approved shall be occupied unless and until the 'public open space' as shown on the approved layout plan has been enclosed on the northern, southern and western boundaries in order to be separated from the wider agricultural land, and this area of public open space left with an open eastern boundary so that it is encompassed within the residential development;

(ii) No more than 35 dwellings hereby approved shall be occupied unless and until, all of the green infrastructure and associated operational development / works have been completed in full and made available for use.

Reason: To ensure that the necessary green infrastructure required to support this development is provided in a timely manner in accordance with Policy HP9 of the Adopted Wyre Local Plan 2011-2031.

28. The use of the land hereby permitted shown as 'public open space' on the approved layout plan shall be for green infrastructure and drainage with all area(s) of open space designed to be publicly accessible shall thereafter be retained and maintained for use by the public.

Reason: In order to ensure that the use remains appropriate to this countryside location and remains available for public access in order to perform a functional green infrastructure role in accordance with Policies SP4, SP8 and HP9 of the Wyre Local Plan 2011-2031.development.

29. Details of the appearance (size, materials and external colour finish) of the Electricity Substation and Pumping Station as shown on the approved Planning Layout Coloured Drawing No.R104/1 Rev C, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out and retained thereafter in accordance with the approved details.

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

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings on Plots 11, 12, 13, 59 & 60 shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without planning permission.

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