

Committee Report

Date: 01.09.2021

Item Number 02

Application Number 20/01018/LMAJ

Proposal HYBRID application: 1) Full planning application for the erection of 80 dwellings with vehicular access from Lambs Road and to land to the east (phase 3) and pedestrian access to land to the south (phase 1) and associated works to include landscaping and green infrastructure 2) Outline planning application for the erection of up to 194 dwellings, a one-form entry primary school (1.36ha) and a convenience retail store (up to 280sqm net sales floorspace) with associated works (all matters reserved for subsequent approval)

Location Land Off Lambs Road And Raikes Road Thornton Cleveleys Lancashire

Applicant Wainhomes (North West) Ltd

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Recommendation Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Miss Lucy Embery****1.0 INTRODUCTION**

Site Notice Date: 03/12/2020

Press Notice Date: 25/11/2020

1.1 This application is before Members of the Planning Committee as the development of this site is of strategic significance, including the delivery of Local Plan infrastructure requirements. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site is currently green fields, bordered by hedgerows situated between Lambs Road and Raikes Road in Thornton. To the west across Lambs Road is an established residential area set back behind a verge and access roadway. To the north lies Stannah Primary School. To the east beyond Raikes Road lies countryside.

2.2 The site forms part of a housing allocation (SA1/2 Lambs Road/Raikes Road) in the Wyre Local Plan 2011-2031. The allocation is made up of five parcels,

referred to as Phases 1, 2, 3a), 3b) and 3c) in this report. Phase 1 in the south west of the allocation is under construction having planning permission for 157 dwellings. The application site relates to Phases 2, 3a) and 3b), to the north and east of Phase 1. Phase 3c) is a smaller area of land in the south east of the allocation in separate ownership and no planning applications have yet been received on this phase.

3.0 THE PROPOSAL

3.1 This is a hybrid application seeking full planning permission for phase 2 and outline planning permission for phase 3a) and b).

3.2 Phase 2 is a triangular piece of land approximately 2.6ha in area slightly elevated from Lambs Road. Phase 2 proposes the erection of 80 dwellings and associated landscaping and green infrastructure. Vehicular access is proposed from Lambs Road and to land to the east (phase 3a) and pedestrian access is proposed to land to the south (phase 1).

3.3 Phase 3a) and b) relates to a much larger expanse of land, the vast majority of which is to the east of phase 2 where up to 194 dwellings, a one-form entry primary school (1.36ha) and associated landscaping, ponds and green infrastructure is proposed on the indicative plan. It also includes a narrow strip of land between Phase 2 and Lambs Road where a small convenience store (up to 280sqm net sales floorspace) is proposed on the indicative plan. A cycle lane and potential vehicular access is indicated to the southern boundary of phase 3a) linking to phase 3c). Two footpath links are indicated to the eastern boundary of phase 3a) onto Raikes Road.

4.0 RELEVANT PLANNING HISTORY

4.1 There is no planning history for Phase 3a, b or c.

4.2 Relevant planning history for Phase 2 is as follows:

17/00951/OUTMAJ - Outline application for the erection of up to 66 dwellings and a convenience store (up to 280sqm net sales area) with access applied for off Lambs Road (all other matters reserved). Application refused. Appeal dismissed.

4.3 Relevant planning history for Phase 1 is as follows:

- 19/00981/RELMAJ - Reserved matters application for approval of landscaping and layout to reflect the revised access arrangement off Lambs Road approved under application 18/00875/OULMAJ. Withdrawn.
- 18/00875/OULMAJ - Variation of condition 3 to vary site access on planning permission 14/00553/OULMAJ. Permitted.
- 18/00457/REM - Reserved matters application for appearance, landscaping, layout and scale for the erection of 4 dwellings (substitution of plots 6-9 on reserved matters application 17/00050/REMAJ). Permitted.
- 17/01021/REMAJ - Removal of condition 07 (positioning of doors and windows) and variation of condition 12 to allow permitted development rights on application 17/00050/REMAJ. Withdrawn.

- 17/00050/NOMAT1 - Non-material amendment to application 17/00050/REMMAJ for the removal of two ground floor side elevation windows to Plot 151. Accepted.
- 17/00050/NONMAT - Non material amendment to the approved landscaping plan on planning application 17/00050/REMMAJ to include a planted hedgerow along part of the western boundary adjacent to 6-8 Furlong Green, and a reduction in the length of the road by 1 metre adjacent to Plot 10. Accepted.
- 17/00050/REMMAJ: Reserved matters application for the erection of 157 dwellings with associated works. Approved.
- 14/00553/OULMAJ: Outline application for a residential development of up to 165 dwellings with access applied for off Lambs Road and Raikes Road. Application Refused. Appeal allowed.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Well-Being
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk and Surface Water Treatment
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP5 - Historic Environment
- CDMP6 - Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments
- SA1 - Residential Development
- SA1/2 - Lambs Road/Raikes Road, Thornton Site Allocation

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 20th July 2021. 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 2021 NPPF

are material considerations which should also be taken into account for the purposes of decision taking.

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

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

5.2.3 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.

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

- SPG 2: Trees and Development
- SPG 4: Spacing Guidance for New Housing Layouts
- SPG 9: Designing Out Crime

5.4 WYRE GUIDANCE NOTES FOR APPLICANTS

- Green Infrastructure in New Residential Developments (Policy HP9)

5.5 LAND OFF LAMBS ROAD / RAIKES ROAD, THORNTON MASTERPLAN

5.5.1 The Lambs Road / Raikes Road Masterplan was approved by the Council on 14 July 2021 and represents a significant material planning consideration to this application.

5.6 NATIONAL PLANNING POLICY GUIDANCE (NPPG):

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

5.8 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

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

5.10 Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 CONSULTATION RESPONSES

6.1 HIGHWAYS ENGLAND: No objection subject to conditions.

6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.2.1 No objections to the proposed hybrid application and are of the opinion the development will not have a significant impact on highway safety, capacity or amenity on roads managed by Lancashire County Council. Travel Plan contributions of £6,000 for Phase 2 and £18,000 for Phase 3 are requested. A contribution is requested towards enhanced bus services of £150,000 per annum for three years as part of the phase 3 development. A number of conditions are required including Construction Management Plan, visibility splays, off-site highways works, off-site sustainable links, estate construction, phasing and management, retention of garages and, Travel Plan submission.

6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.3.1 Based on present calculations the phase 2 development would require contributions towards 8 primary school places which equates to £159,142.08 and the phase 3a and 3b development would require contributions towards 74 places which equates to £1,472,064.24. The named infrastructure project to mitigate the development is the proposed new primary school site at Lambs Road and/or Thornton Primary School. No financial contribution is requested towards secondary school places.

6.4 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY):
No response received.

6.5 UNITED UTILITIES

6.5.1 The proposed surface water strategy of discharging into watercourse is acceptable in principle. Conditions requested.

6.6 ENVIRONMENT AGENCY (EA)

6.6.1 No objections. A small area of the site to the north of Phase 3 is located in Flood Zone 3. Based on the indicative location of the proposed dwellings in this part of the site as being in Flood Zone 1, the EA are satisfied the development will be safe without increasing flood risk elsewhere in relation to tidal and fluvial flood risk. Advice provided to the applicant in relation to permits.

6.7 BLACKPOOL TEACHING HOSPITALS NHS FOUNDATION TRUST

6.7.1 Request a contribution from this development of £140,981.00.

6.8 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.8.1 Request a contribution of £20,671 from phase 2 and £53,515 from phase 3 towards the refurbishment and reconfiguration of Thornton Medical Centre and Beechwood surgery.

6.9 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE (LAAS)

6.9.1 In respect of phase 3a) a condition is needed requiring a programme of archaeological work to be carried out in accordance with a written scheme of investigation.

6.10 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.10.1 No objections subject to conditions to ensure that certain mitigation measures for conserving nature conservation interests are delivered.

6.11 NATURAL ENGLAND

6.11.1 Concur with the assessment on impacts on the Morecambe Bay and Duddon Estuary SPA and Morecambe Bay Ramsar Site as well as the Wyre Estuary SSSI, providing that all mitigation measures are appropriately secured.

6.12 WBC's HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.12.1 No objection in principle. No construction should take place until the new surface water outfall being constructed as part of Phase 1 is completed and operational. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction). All discharges of surface water shall be to the new outfall, as part of Phase 1, or by an additional discharge to the River. In relation to Phase 2 all existing watercourses on the site shall be diverted to discharge to the new outfall and connections to the existing surface water sewers severed.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.13.1 The submitted desk study is acceptable. For phase 2, conditions requested requiring submission of a remediation strategy, as well as a watching brief. For phase 3 it is requested the Post Phase 1 desk study condition requiring the submission of a site investigation, and remediation if required should be attached, together with a watching brief condition.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY)

6.14.1 A noise assessment is required with regard to the primary school and convenience store. A lighting condition is requested along with a Construction Environmental Management Plan (CEMP) condition.

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY)

6.15.1 The air quality assessment submitted in support of the application uses an appropriate methodology and concludes that the traffic pollution generated by the development and other committed developments will not exceed the threshold for declaring an air quality management area. Conditions suggested in respect of electric

vehicle charging points, gas boilers, Travel Plan, Construction Management Plan and Dust Plan.

6.16 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (WASTE MANAGEMENT)

6.16.1 Identifies those properties which would have to present their bins at a collection point, with all other properties being able to present as usual at the kerbside.

6.17 WBC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

6.17.1 Have previously visited the site to appraise the trees and concur with the details contained in the Tree Survey and Plan. A tree protection plan will be required to demonstrate that protection of trees and hedgerows will be afforded for the full application. In relation to the outline application the current tree survey is preliminary in nature which is appropriate for this stage. The objectives of the masterplan appear to have been carried through in relation to green infrastructure, landscaping and biodiversity enhancement and gain through the choices of soft landscape elements and appropriate schedule and specification information. Raise concern about safety re egress from the play area in proximity to the road beyond.

7.0 REPRESENTATIONS

7.1 13 letters of objection have been received. The issues raised can be summarised as follows:

- Infrastructure in the area (doctors, dentists, schools) will not cope.
- Footpath link to phase 1 was unknown to phase 1 resident(s)

7.2 The following comments have been received to the application and as representations to the draft masterplan, (for clarity any reference to Phase 4 should be read as Phase 3c):

- Raikes Road is not suitable for vehicular access or additional traffic which would increase a dangerous situation to vehicular traffic and walkers who use the road for recreation. It would decrease the amenity value and recreational value and result in impact upon wildlife habitat.
- Access for vehicles and pedestrians to Phase 4 should be through the Wainhomes site (Phases 1, 2 and 3)
- It is queried whether footpaths along Raikes Road would require removal of hedgerows/trees, and whether lighting would be required, as there is concern this would impact upon wildlife and the countryside.
- Local drains on Raikes Road/Woodhouse Road cannot cope with surface water, and the Raikes Road entrance floods.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various. Provided updates on the application, requested additional information e.g. land level details and site access plan, requested amended plans. Discussion on financial contributions and conditions and s106 heads of terms.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development
- Infrastructure Provision (Affordable Housing, Green Infrastructure, Education, Health Care)
- Housing Mix and Adaptable Housing
- Visual impact / design / impact on the street scene
- Impact on residential amenity
- Impact on highway safety and parking
- Flood risk and drainage
- Ecology and Trees and Hedgerows
- Impact on Heritage Assess
- Other Matters (air quality, contamination, climate change, waste management)

Principle of development

9.2 The site forms part of a wider housing allocation SA1/2 Lambs Road/Raikes Road in the Adopted Wyre Local Plan 2011-2031. The site allocation sets a site capacity of 400 dwellings, 360 of which are required to come forward during the plan period. Phase 1 has planning permission for 157 dwellings and is therefore a fixed element. This application seeks full permission for 80 units and outline permission for up to 194 units which, if approved, would take the total number of committed dwellings within the allocation to up to 431 dwellings. Phase 3(c) to the south is yet to come forward which would provide further units. Whilst this exceeds the site capacity figure for the allocation, the housing requirements in the WLP31 are expressed as a minimum figure, and therefore the site capacity for allocations are also treated as minimum figures which can be exceeded subject to all other Policy requirements being met. Therefore a housing scheme of up to 274 dwellings on this part of the allocation would not be contrary to the WLP31 in principle. Nor would it prejudice the remaining development of the site allocation from coming forward.

9.3 Site allocation SA1/2 contains 'Key Development Considerations' (KDCs) which are policy requirements. KDC1 requires a masterplan to be produced covering the whole of the allocation; to be agreed by the Council prior to the granting of planning permission for any part of it. As phase 1 was approved prior to the WLP31 it was not subject to a masterplan, however being within the allocation it is a fixed element for any masterplan being developed to take into account. The Lambs Road / Raikes Road, Thornton Masterplan was approved by the Council in July 2021. It describes a vision and objectives for development of the allocation and establishes the Masterplan framework which identifies the broad location of the different land uses and indicates how the movement network will function. Therefore the location of the accesses, primary roads, school site, convenience store, green infrastructure lower density housing and internal walking/cycling routes, have been agreed through the masterplan. The proposal satisfies KDC1.

9.4 KDC6 of SA1/2 requires the allocation to make land available for a new primary school if required. KDC7 requires the development of the site to include a small convenience store of 280 sq.m net sales area. Their location has been considered and determined through the masterplan process. This application includes the reserving of land for each of these elements and their location in phase 3(a) and 3(b) of the site is in line with the approved masterplan. The potential primary

school site is towards the north east part of the allocation which was considered suitable in terms of highway safety (being set back from Lambs Road) and convenient access (being close to a primary internal road). The convenience store is proposed along the Lambs Road frontage to enable access for future occupiers of the proposed development and existing residents. Therefore it is considered the proposal satisfies KDC6 and KDC7. Should Members resolve to approve the application detailed matters (appearance, scale, layout and landscaping) of the convenience store and school would be considered at reserved matters stage. Other specific KDCs and masterplan matters are subsequently discussed in relevant sections of this report.

9.5 Policy SP1 (Development Strategy) of WLP31 seeks to deliver and direct new development in line with the settlement hierarchy. The site falls within the settlement boundary of Thornton. Thornton is listed as one of the Main Rural Settlements within the hierarchy where 14.9% of housing growth is expected during the plan period 2011 to 2031. Therefore in terms of location the proposed development would satisfy the development strategy set out within Policy SP1.

9.6 Policy SP2 of WLP31 sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the NPPF. Notwithstanding some of the objections received, the site is considered to be well related to the existing settlement of Thornton and its existing services and facilities. This is a matter that was considered in the selection of site allocations through the Local Plan process. Therefore the principle of development satisfies policy SP2 of WLP31. LCC Highways have identified measures to encourage sustainable travel, which is considered in the highways section of this report.

9.7 Paragraph 170 of the NPPF states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. This is a matter that was considered in the selection of site allocations. The application site is Grade 3 agricultural land which is only of moderate quality. Therefore the proposal would not lead to the loss of high value agricultural land or conflict with Paragraph 170 of the NPPF.

Infrastructure Provision

9.8 Policy HP3 requires this development to include 30% affordable housing provision on site. Phase 2 is proposed as a 100% affordable housing scheme to be delivered by Jigsaw Homes. The applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP3, in which case putting 80 affordable units on phase 2 would equate to 29% of the total number of 274 units proposed, which would effectively mean that very little affordable housing (up to 2 units) would come forward on Phase 3(a) and (b) in order to be policy compliant. Whilst provision within each of the phases would be preferable in terms of delivery of sustainable communities, the applicant's proposal would enable the early delivery of affordable housing which carries significant weight in the planning balance and would enable the delivery of lower density development on phase 3 which is a masterplan requirement. This treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that 30% will still be provided. The s106 agreement would also secure the submission of an affordable housing scheme to agree the scheme details.

9.9 KDC3 of Policy SA1/2 requires the development to be supported by a landscape and green infrastructure (GI) framework incorporating structured tree planting, on-site open space to include formal and informal play and pedestrian and cycle connectivity within and where possible outside the site and in particular Wyre Estuary Country Park. This forms part of the approved Masterplan. The applicant has submitted GI and landscaping plans in accordance with the approved Masterplan. Therefore it is considered the requirement of KDC3 has been satisfied.

9.10 Policy HP9 requires this development to provide on-site GI. For phase 2, based on the housing mix proposed, the requirement is 0.55ha. The amount of GI proposed on Phase 2 is 0.73ha therefore in excess of the requirement. For Phase 3(a) and (b), based on a SHMA compliant housing mix, the requirement is 1.71ha. The indicative proposals for Phase 3(a) and (b) indicate GI provision of 1.89ha. Again this would exceed the requirement. As with affordable housing, the applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP9, in which case any over provision of GI on phase 2 would enable under provision on phases 3(a) and (b). As the GI within all phases would be accessible to all future occupants because of the linkages identified in the masterplan and proposed for phase 2 (and which would be subsequently proposed in a future reserved matters application for phase 3(a) and 3(b) in order to comply with the masterplan), each phase would still be providing reasonable levels of GI and the over provision within phase 2 would potentially enable early delivery of GI, there is no objection to this approach. Again, this treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that the total amount of GI required will still be provided.

9.11 In terms of GI typologies the Masterplan requires the proposals to focus on the provision of amenity open space, play space for children and young people, and natural and semi-natural greenspace. The Masterplan also requires a series of linked green spaces providing off-road opportunities for walking and cycling and enhanced permeability and connectivity, and the use of strategic landscaping which softens the development edges and provides a successful transition between the built form and adjacent countryside. The proposals on Phase 2 are considered to accord with this requirement providing for amenity open space, natural and semi-natural green space through the provision of wildflower planting, and a children's play area proposed centrally within the site. The landscaping plan proposes a new hedgerow to the northern boundary of the site, and a green planted corridor along the southern boundary. This complies with the location of GI on the site shown within the Masterplan. Linkages are also shown with a footpath link shown through the wildflower area to Phase 1. The provision of GI would be secured by s106.

9.12 For Phase 3(a) and (b) the same typologies would need to be provided. Furthermore the Masterplan identifies that there will need to be a landscaped green corridor along the eastern edge of the allocation designed to respect the visual context of Raikes Road and provide a soft green landscaped edge to the development. This landscaped corridor is to include woodland copse, new hedgerow planting and gapping up the existing hedgerow, tree planting and wildflower areas. It must have a depth of approximately 10m and be integrated into the wider GI network. The indicative layout for Phase 3 (a) and (b) indicates a new hedgerow boundary along the north of the Phase linking to Phase 2, landscaped planted corridors (likely as wildflower areas) running west to east to tally with the corridor shown on Phase 2, amenity open space areas including to the front of the convenience store, and a central play area and open space containing the existing pond to be retained. A green corridor is also indicated of sufficient width along the eastern edge of the

allocation. This corresponds with the submitted GI Framework (which is shown within the approved Masterplan). Again the provision of GI would be secured by s106.

9.13 KDC6 of Policy SA1/2 requires that land be made available for a new primary school if required, in response to identified need identified by the local education authority (LEA) in the Infrastructure Delivery Plan (IDP). The need for new school provision is to mitigate for planned development expected to come forward over the plan period. The LEA has clarified through the previous application that because of the uncertainty surrounding the school expansion it remains prudent to reserve approx. 1.36ha site for the provision of a 1FE primary school. Specifically, provision needs to be made for a new school site within the allocation until there is certainty that school expansion can take place. The illustrative plans reserve land for a 1.36ha primary school within Phase 3(a) in line with masterplan requirements. It is considered the proposal would provide for sufficient land for a school if required.

9.14 The LEA response confirms the financial contributions to mitigate the number of primary school pupil places generated by this hybrid development. The phase 2 development would require contributions towards 8 primary school places which equates to £159,142.08 and based on present calculations the phase 3a and 3b development would require contributions towards 74 places which equates to £1,472,064.24, although the precise amount for phase 3a and 3b would be calculated at reserved matters stage. The named infrastructure project to mitigate the development is the proposed new primary school site at Lambs Road and/or Thornton Primary School. No contributions from any phase are requested towards secondary school places. For the avoidance of doubt, the contributions sought will be towards construction of the new school site (or expansion of an existing school) and not towards purchase of the land, as Wyre Council does not consider that the LEA methodology provides a CIL compliant mechanism to seek contributions towards land purchase in addition to contributions for expansion/new build. This application would reserve land for the school site to be delivered by the LEA should this be required. The applicant initially challenged the LEA in terms of the requested primary school contribution for Phase 2, making reference to surplus places that had not apparently been considered by the LEA, however the LEA have responded to confirm the contributions are justified in line with their methodology. The applicant has accepted this position, with education contributions to be secured in a s106 agreement.

9.15 The NHS Fylde and Wyre CCG have been consulted and have stated that the proposed development falls within the catchment area of Thornton Medical Centre and Beechwood surgery, and a financial contribution of £20,671 from phase 2 and £53,515 from phase 3 is requested towards the refurbishment and reconfiguration of this practice. The applicant has accepted this contribution which would need to be secured in a S106 Legal Agreement. Blackpool Teaching Hospitals Trust have also responded requesting a contribution. However, unlike the CCG, the Trust have no Adopted Policy document in place that evidences a direct need arising from developments, and their request is not considered to be compliant with the CIL Regulations, and therefore Members are advised this request would not be in accordance with policy SP7 and should not be upheld.

9.16 In terms of the convenience store, the outline application would reserve land for this to be provided at a future date. Conditions secure the scale of the convenience store to have a net sales area of no more than 280qmsqm in line with SA1/2 and restrict its future use to retail only. Full details of its appearance, scale etc. would be provided at reserved matters stage.

Housing Mix and Adaptable Housing

9.17 Policy HP2 of WLP31 requires that developments provide an appropriate mix in terms of size, type and tenure of housing to meet the identified need in the borough and local market demand to accord with the most recent Strategic Housing Market Assessment (SHMA) (Addendum 3). The SHMA evidence of need is 38% 1 and 2 beds, 43% 3 beds, and 18% 4 bed. The policy also requires developments exceeding 20 units to make provision for at least 20% of dwellings on site to be designed to be adaptable to meet the needs of older people and people with limited mobility.

9.18 Phase 2 (80 dwellings) proposes a mix of 62% (50) 1 and 2 bed properties, 32% (26) 3-bed properties, and 5% (4) 4 bed properties. Whilst Phase 2 would see a significantly greater proportion of smaller units on the site than recommended by the SHMA, this is not considered a matter of concern as the overarching need in the Borough is for smaller units, and the Council's own evidence as to what has been built in the borough since the start of the plan period in 2011 (including sites permitted prior to adoption of the WLP31) clearly show that new builds have been heavily skewed toward larger 4 bedroom properties. The housing mix for Phase 2 is therefore considered acceptable.

9.19 Typically outline applications would include a condition requiring reserved matters application to propose a housing mix in accordance with the most recent SHMA evidence. However, as with affordable housing and GI, the applicant has requested that phases 2, 3(a) and 3(b) are treated as a single entity for the purposes of applying Policy HP2, in which case any over provision of smaller units on phase 2 would enable under provision on phases 3(a) and (b). Whilst a variety of housing mix provision within each of the phases would be preferable in terms of delivery of sustainable communities, the applicant's proposal would enable the early delivery of smaller units which would help rebalance the overall housing stock and carries moderate weight in the planning balance and would enable the delivery of lower density development on phase 3 which is a masterplan requirement. This treatment of the two phases as a single development would be secured in a s106 agreement, to be worded with the protection that should phase 2 not come forward as proposed then phase 3 will need to be policy compliant such that a SHMA compliant mix will still be provided.

9.20 In terms of adaptable housing all of the house types on phase 2, excluding the Chinley house types, are designed to M4(2) standard of the Building Regulations and are 'accessible and adaptable' lifetime homes. This exceeds the 20% Policy requirement. The phase 3 application would be subject to a condition securing a policy compliant scheme.

Visual impact/design/impact on the street scene

9.21 KDC4 of policy SA1/2 requires the design of development to provide an organic extension to this part of Thornton and utilise important vistas into the adjoining countryside and estuary, and provide a rural transition zone between the development and the wider countryside and coastline. Particular attention should be given to boundary treatments and an appropriate buffer to the Estuary is required.

9.22 From views along Lamb's Road the Phase 2 site is currently read as an agricultural field behind hedging along the roadside and pavements, with a backdrop of wider open land to the east. Boundary hedging and trees form the western boundary, and also the southern boundary with Phase 1. There is also a partial

hedgerow along the eastern boundary with Phase 3(a). As mentioned earlier, the land on Phase 2 rises away from Lamb's Road. The proposed development would undoubtedly be visible from Lamb's Road particularly in the winter months when boundary screening is less well established, and would change the current character of the greenfield site. However any visual and landscape impacts resulting from introducing an urban development onto this currently undeveloped site are not considered to be unduly harmful. This is a matter that was considered in the selection of site allocations. The proposal would be read against the approved Phase 1 currently under construction to the south, housing on the west side of Lamb's Road and existing development including a school further north. Due to the difference in land levels, dwellings on Phase 2 would be higher than existing properties across Lamb's Road. However the dwellings would have no more than two storeys and would be set back from Lamb's Road behind the potential convenience store. They would follow existing land levels and would be no greater than 1m in height above the dwellings sited on Phase 1. Therefore it is considered they would not be considered unduly dominant from Lamb's Road. The dwellings would also be higher than the existing school to the north, but they would be sited away from the school as the application site does not include land up to existing boundary with the school. A new northern site boundary would be formed as part of the development.

9.23 The proposed phase 2 dwellings would be a relatively high density of development, similar to that approved on phase 1, but the approved masterplan acknowledges this higher density will be appropriate in proximity to existing development, which includes the consented Phase 1 scheme in order to enable lower density on the periphery and towards Raikes Road in particular. The dwellings would be constructed of facing brick and tiled roofs and would be of relatively simple in design although with some detail in the form of window heads and cills and porch canopies. They would not appear dissimilar to the built development of Phase 1 and the materials is considered appropriate to the character of the area. As the precise details of materials are unknown a condition is required to agree the details. The design and visual impacts of phase 2 is considered acceptable and in accordance with KDC4 of SA1/2 and the masterplan principles.

9.24 The indicative plan for Phase 3a) and b) shows built development along the western extent adjacent to Phases 1 and 2 and along the southern extent adjacent to Phase 3c. Development within the central portion of the site would be based around a spine road and central GI area. The indicative plan shows land reserved for a primary school to the north projecting section of the site (within Phase 3a), and a short row of dwellings further north of this land (Phase 3b). It is considered this indicative layout would not have any significant visual impact from Lamb's Road. The main length of the eastern boundary is adjacent Raikes Road and the wider countryside area further to the east. Any development on Phase 3a and b) would undoubtedly change the character of Raikes Road. Both KDC4 and the Masterplan identify the need for an appropriate buffer along the eastern boundary and also lower density housing on the eastern side of this Phase to help soften the edge of the site and provide a transition with the countryside adjacent, and prevent significant visual harm from views from the east. The illustrative plans demonstrate that alongside the Phase 2 proposal, a development of up to 194 units is physically achievable on this site and can meet the necessary requirements including green buffer and lower density. Landscaping, scale, layout and appearance are reserved matters details, and will be important considerations to ensure the development would sit comfortably in the surrounding landscape and satisfy the key development principles of the masterplan.

9.25 The indicative plan for the convenience store demonstrates that this development can be accommodated in an appropriate location at the front of Phase 2 with Lambs Road, together with an internal access road and appropriate level of parking. The access proposed into Phase 2 would serve this convenience store. Again landscaping, scale, layout and appearance will be important reserved matters details to ensure the development would sit comfortably in its surroundings.

Impact on Residential Amenity

9.26 The proposed dwellings on Phase 2 do not raise any concerns about impact on existing / approved dwellings which are well over the required 21m separation distance. The new access proposed is opposite existing dwellings on Lambs Road, however this position was considered and accepted through the masterplan. In terms of short term impact there would be disturbance during the construction phase however this would be temporary and can be mitigated via a condition requiring the submission of a Construction Environmental Management Plan (CEMP).

9.27 The Phase 2 layout has been considered against SPG4 and the spacing requirements between plots. SPG4 requires 21m between front and rear elevations, and 13m distance between side and rear elevations. It also sets out that properties should have 2m separation distance if side to side, and gardens should be 10.5m in length. All properties achieve the required 21m distance requirements. There are six properties (plots 13, 14, 15, 16, 23 and 56) which do not achieve 10.5m garden lengths. These shortfalls are still considered to provide those plots with sufficient and useable garden space, and would not result in unacceptable overlooking issues. All properties achieve the required 13m distance with the exception of plots 10, 11, 56 and 57, with separation distance of 12m and 12.2m. This shortfall would affect plots 10 and 56 the greatest, with the side gable in full view, although it is their north facing elevation which would be affected where impact on sunlight would be reduced and there would be no significant change in land levels. The shortfalls on a few plots across the site is not considered so significant to conclude that the development would result in adverse impacts on future occupants. As such phase 2 satisfies policy CDMP3 of WLP31.

9.28 As Phase 3a) and 3b) has been submitted in outline, issues relating to impacts on residential amenity cannot be properly assessed now, but would be considered at reserved matters stage. However, in considering the illustrative plans there is no reason to believe at this stage that the development would not be able to comply with the interface distances set out in the SPG4 and so impact on residential amenity is not a cause for concern. In terms of the convenience store and primary school, Environmental Health have requested a noise assessment be submitted. This is not considered necessary at this stage but would need to be submitted as part of any reserved matters application taking account of their precise siting and appearance, including any external extraction units which may be required. This can be secured by condition. Environmental Health also require details of lighting for the school and convenience store to be given due consideration, which would be for a reserved matters application.

Impact on Highway Safety and Parking

9.29 KDC2 of Policy SA1/2 requires primary access into the site to be from a new road from Skippool Road to Raikes Road unless demonstrated that satisfactory access could be obtained from the existing road network. In a previous application / appeal on Phase 2 LCC Highways accepted that off-site highway works on the existing network would be sufficient not to require a new road construction. This is

also reflected in the approved Masterplan. In addition to the off-site highway works being delivered by phase 1 (as set out in the masterplan), this application is being asked to deliver a 3m wide shared surface along the full frontage of the site with Lambs Road, along with a footway / carriageway widening and traffic calming scheme at the Skippool Road bend. Subject to the above being provided, LCC Highways agree with the Transport Assessment (TA) submitted that the development would not have an unacceptable impact on the local highway network in terms of highway safety, capacity or amenity. Highways England have considered the TA including additional information submitted and the impact on the wider strategic highway network and have raised no objections subject to a condition requiring a travel plan to be secured. This will ensure that the traffic generated by this development is minimised as much as possible given that the future layout of the A585 Skippool junction will operate close to / over capacity at peak times.

9.30 The primary access for the allocation has been accepted via the Masterplan as being the existing access off Lamb's Road serving Phase 1. Phase 2 would be served from a secondary access off Lamb's Road. The position and type of access proposed for phase 2 is in accordance with the Masterplan. LCC Highways consider the design of the access and sight lines to be acceptable. The phase 2 access is required to provide a secondary access to phase 3, as such an access is also shown on the eastern boundary of phase 2 with phase 3a. The road layout through phase 2 has been designed in a convoluted way to discourage this as being the primary access. To ensure that phase 3 including supporting infrastructure is not prejudiced from coming forward, a Grampian condition is required to ensure the previously approved alterations to the phase 1 layout to provide a main access road up to the boundary with phase 3 is provided. This road must be provided prior to commencement of development on phase 2, otherwise without the timely delivery of this link and certainty of its provision as the primary access to Phase 3, the secondary access design and convoluted road layout proposed for phase 2 would need to be revisited.

9.31 In terms of sustainable links the proposed 3m wide shared surface cycle lane for the full frontage of the site with Lamb's Road is considered by LCC Highways to be acceptable, along with the footpaths and cycle links proposed for Phase 2. The internal site layout and car parking proposed for phase 2 conforms to current guidelines, and would be suitable for adoption under a section 38 Agreement.

9.32 In terms of requested financial contributions, LCC Highways identify a £6000 Travel Plan contribution is required from Phase 2 and £18,000 Travel Plan contribution is required from Phase 3a) and 3b), as well as £150,000 per annum for three years towards enhanced bus services from Phase 3a) and 3b). The applicant has submitted a Technical Note which challenges some of these contributions. None of the KDCs of SA1/2 require the site to make a contribution towards 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 £450,000 request by LCC for bus service improvements would not meet the test as being reasonably necessary to make the development acceptable and Wyre BC officers do not support this request. This same principle was taken on the Prospect Farm, Garstang development brought before planning committee in April 2021. Whilst bus service contributions over a five year period have been agreed for Phase 1 that development was approved prior to the WLP31 being adopted. The applicant has since confirmed

their agreement of the Travel Plan contributions, which would be secured by s106 agreement.

9.33 A number of conditions are suggested by LCC Highways, the majority of which are considered necessary, reasonable and enforceable, and will be imposed. Those relating to matters falling outside the planning system (e.g. details of the street furniture on those streets proposed for adoption) are not necessary, and those not relating to the development proposed (removal of permitted development rights for garages) will not be imposed. Conditions will also be attached requiring the vehicle and pedestrian access and pedestrian links proposed between Phase 2 and phases 1 and 3 to be provide, and for any reserved matters application on Phase 3a) to provide a road link up to the boundary of Phase 3c) to ensure that land is not prejudiced from coming forward, as required by the masterplan.

9.34 Subject to the aforementioned contributions and conditions being secured, the application is not considered to have an adverse impact on highway safety and satisfies policy CDMP6 of WLP31 as well as the NPPF.

Flood Risk and Drainage

9.35 KDCs 8 and 9 state that very small parts of the site on the northern periphery fall within Flood Zone 3 where housing will not be permitted. Residual surface water should drain into the River Wyre at Ramper Pot via Underbank Road. Contributions towards the replacement of the tidal outfall will be required.

9.36 The applicant has submitted a Flood Risk Assessment and Drainage Management Strategy. No sequential test is required as no dwellings are proposed outside of Flood Zone 1 as indicated in the FRA. Therefore the proposal satisfies KDC8.

9.37 The Drainage Strategy confirms infiltration is not possible on the site and therefore proposes surface water discharge to the River Wyre directly via a new connection to the east of site (required to be constructed for Phase 1). It is known to the Council that this surface water pipe is to be adopted by United Utilities. The primary option would be for each Phase of Development to connect to this. The Strategy states that the minimum Finished Floor Levels (FFL) of residential dwellings should be set a minimum of 150mm above the external ground levels. The relevant drainage bodies have been consulted. The Environment Agency have no objections based in the development proposals falling within Flood Zone 1, and are satisfied the development will be safe without increasing flood risk elsewhere in relation to tidal and fluvial flood risk. United Utilities also have no objections, confirming the proposals for surface water discharging into the watercourse are acceptable in principle subject to conditions requiring the surface water drainage for the development hereby approved be carried out in accordance with principles set out in the submitted Preliminary Drainage Strategy Plan, and foul and surface water to be drained separately.

9.38 The council's drainage engineer has no objection in principle to the drainage proposals for Phases 2 and 3a and 3b subject to conditions that no construction should take place until the new surface water outfall being constructed as part of Phase 1 is completed and operational, no surface water to discharge from the site to existing local surface water drains at any time (including during construction) with all surface water shall be to the new outfall, as part of Phase 1, or by an additional discharge to the River. Specifically in relation to Phase 2 a condition is also required to ensure all existing watercourses on the site are diverted to discharge to the new

outfall and connections to the existing surface water sewers severed and sealed as per the submitted FRA. The conditions requested by the consultees are considered to be reasonable and necessary, and it is also understood the surface water pipe for phase 1 is not operational. It is considered the conditions requested by the drainage engineer are necessary and should be attached should the application be approved, together with the suggested condition from United Utilities that the development takes place in accordance with the submitted Drainage Strategy.

9.39 The topography of the whole site varies, but overall Phase 3 a) and b) are the lower part of the site dipping towards Raikes Road. Phase 2 is the highest part of the site. A topographical survey has been provided within the Drainage Strategy. There is a roughly 2.5m-3m drop from the eastern boundary of Phase 2 with Phase 3, except for the area of the proposed road linking the phases. For Phase 2, the applicant has been asked to provide details of proposed finished floor and land levels for the purposes of assessing flood risk, and also visual impact. The floor levels of dwellings would gradually increase eastwards and northwards to the middle of the site, before gradually lowering again towards the eastern boundary. The proposed levels are therefore following the same pattern as the existing lay of the land across Phase 2. The council's drainage engineer has been consulted on the proposed levels and has raised no concerns. The proposed land levels from the outline proposals on Phase 3a) and b) are unknown at this stage, however consultees are clearly of the view that subject to conditions the drainage strategy including levels proposed are acceptable and in accordance with KDC9 of Policy SA1/2 and CDMP2 of WLP31.

Ecology and Trees and Hedgerows

9.40 The application site is not subject to any ecological designations, however it is approximately 500m from the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Morecambe Bay Ramsar site as well as the Wyre Estuary SSSI. KDC5 of Policy SA1/2 requires that potential ecological impacts to the adjacent ecological designations and on the site due to its greenfield nature and features such as hedgerows, trees, ponds and watercourses should be considered, and that buildings and surrounding habitat should be surveyed for signs of use by bats, Barn Owls and nesting birds. KDC11 states the site is located within 3.5km of Morecambe Bay European protected nature conservation site and home owner packs for future home owners highlighting the sensitivity of Morecambe Bay to recreational disturbance will be required. The applicant has submitted an ecology report as part of the application, and the indicative plan for phase 3a) indicates the existing large pond would be retained.

9.41 Both Natural England and the Greater Manchester Ecology Unit (GMEU) has been consulted on the application. GMEU have no overall objections subject to conditions. The response received confirms that the Habitats Regulations Assessment (HRA) that was carried out for the site during the Local Plan process (Arcadis 2018) indicated that the development of the application site would be unlikely to cause harm to the special nature conservation importance of the designated sites, subject to further local surveys which have now been undertaken to inform the current application. Surveys submitted, and the assessments undertaken, have determined the site is not functionally linked to the designated site. Therefore it is concluded that the development would not cause harmful impacts on the designated site, providing that the mitigation measures identified are secured by condition. This includes conditions to mitigate risks from surface water contamination by requiring full details of the new planned surface water outfall, a Construction Environmental Method Statement, and full details of the proposed sustainable drainage (SUDS) solutions. It also recommends a condition requiring a Construction

Environment Method Statement to mitigate noise and visual disturbance, and a condition requiring an Information Pack (Home-owners Pack) for new residents to mitigate risks from recreational disturbance of birds. Natural England has reviewed this assessment and does not object to its findings subject to the mitigation being secured.

9.42 GMEU has confirmed that the submitted ecological surveys have been undertaken by suitably qualified ecologists and to appropriate standards. In terms of impact on local habitats the site is dominated by improved agricultural grassland of limited nature conservation value. However GMEU state there are some habitats of local ecological value, including trees, hedgerows, ditches and ponds. That said, the application demonstrates that locally important habitats can be retained and protected as part of the scheme, or replaced if lost. In terms of impact upon protected species GMEU consider that there are some trees on site which have the potential to support bat roosts, and therefore any trees which need to be removed to site the development should be inspected for bat roosts prior to removal. This can be required by condition. Further conditions are suggested requiring a sensitive lighting scheme, to avoid works during bird nesting season, a scheme for the provision of habitat creation (including bird boxes and structural landscaping). The scheme is therefore considered to comply with KDC5 and KDC11 of Policy SA1/2 as well as policy CDMP4.

9.43 In terms of impact upon trees and hedgerows there are no Tree Preservation Orders within the application site or along its boundaries. The Tree Officer has been consulted and is generally satisfied with the information and plans submitted. A tree survey has been submitted. The survey shows that no existing trees or hedgerows would be removed on Phase 2 except for G1 Blackthorn thicket which is a low grade category in order to facilitate the Phase 2 access. The survey also shows that within Phase 3a) there are a cluster of 3no. category U trees dead or dying that need to be removed, and two category C2 trees that would also be removed due to their condition. T9 may be able to be retained but would require regular pruning. South east on the boundary with Raikes Road one tree (T6) is identified as a category U tree to be felled, and T3 within the southern hedgerow is listed as preferable to fell as a C2 category tree. Overall it is considered the proposal would not cause harm to any high quality or important trees or hedgerows across the site. Full details for Phase 3 would be required with any reserved matters submission for landscaping.

9.44 The applicant has been asked to submit landscaping plans to demonstrate whether existing treed boundaries alongside phase 2, in particular the east boundary of Phase 2 with Phase 3a) will be retained, and also to show whether there would be any hedgerow removal required for accesses. From these plans it is clear that short sections of the existing hedgerows, at the site frontage with Lambs Road, and on the eastern boundary of phase 2 with Phase 3 would need to be removed to provide for access into Phase 2 and beyond to Phase 3. A small section of hedgerow would also be removed to form a pedestrian access from Phase 2 to Phase 1. Whilst these short sections of hedgerow would be removed, there is a new hedgerow proposed along the full extent of the north boundary of Phase 2 which would be additional to the current situation around the site, and tree lined streets are proposed within the site, therefore the loss of short sections of hedgerow is considered to be acceptable. The landscaping plans also clearly show that the existing hedgerow of the eastern boundary of Phase 2 with Phase 3 would be retained. As it is within Phase 3 it is considered any reserved matters landscaping proposals for Phase 3 should bolster this hedgerow.

Impact upon Heritage Assets

9.45 There are no heritage assets within the application site. There is however an existing Grade II listed building known as Raikes Farmhouse to the north east of the application site. It is physically separated from the site by existing farm buildings. KDC10 of Policy SA1/2 sets out that to mitigate any impact on the setting of this listed building the current tree screening to the eastern edge of Raikes Road should be protected and strengthened. It also stated the use of appropriate building mass within the setting of the listed building would further minimise any negative impact. The applicant has submitted a 'Planning, Heritage, Affordable Housing and Design & Access Statement' within which the Heritage section identifies the location of the farmhouse, the existing buildings, and concludes the proposal would not impact upon the setting of the listed farmhouse.

9.46 Based on the application submission, there is no indication the development would impact upon the appearance, setting or significance of this nearby designated heritage asset and is therefore considered to sustain its significance. The Masterplan was required to consider the location of this heritage asset. The proposals for Phase 3a) and b) are submitted in outline, and therefore matters such as landscaping, scale and siting of proposed buildings cannot be considered at this stage. An indicative layout plan has been provided which details proposed dwellings in Phase 3b) to the west of the listed building, with the school site further to the south of this. The indicative plan is in accordance with the approved masterplan, and demonstrates that it would be possible that an appropriate scheme could be put forward at reserved matters stage. Therefore the proposed development is considered to be acceptable and in conformity with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and policy CDMP5 of the WLP31 as well as KDC10 of SA1/2.

9.47 Lancashire Archaeology Service advise that a single built structure can be seen on the western side of Raikes Road (opposite Under Bank) which was demolished sometime 1945-1960. Mapping suggests the structure might date to the first quarter of the 19th century although its use (domestic or agricultural) is not known. The site is considered to be of a low, purely local, archaeological interest, the loss of which could be mitigated through a programme of archaeological excavation and recording. This could be secured by condition for the phase 3 development.

Other relevant matters

Air Quality

9.48 The applicant has submitted an Air Quality Assessment which recommends a series of mitigation measures that should be provided. Those that are planning related include provision of electric vehicle charging points (EVCP), submission of a Travel Plan, and support of local walking and cycling initiatives. The council's environmental health officer has responded that the submitted assessment uses an appropriate methodology and concludes that the traffic pollution generated by the development and other committed developments won't exceed the threshold for declaring an air quality management area, and whilst the proposal will generate extra pollution, reasonable mitigation measures can be implemented. The Officer suggests conditions requiring EVCP, specific type of gas boilers, a Travel Plan, and submission of a Construction Management Plan and Dust Plan prior to commencement. Travel Planning has been mentioned earlier in this report and will be secured by condition, as will a Construction Management Plan. A gas boiler condition cannot be reasonably imposed as this is not a planning consideration, but a

building control matter. In terms of EVCP this is also a requirement of Policy CDMP6. A condition will be imposed on each phase to secure this. Therefore the proposal is considered acceptable in terms of impact on air quality subject to conditions.

Contamination

9.49 The applicant has submitted a Phase 1 desk study and a Phase 2 site investigation. Environmental Health Contamination have been consulted and overall have no objections subject to conditions. The desk study is considered acceptable for the entirety of the hybrid proposals. However it is recommended that a remediation strategy is required for phase 2 prior to commencement of development, as well as a watching brief condition. As the site investigation undertaken on phase 2 does not include any sampling/monitoring points on the outline application area, the phase 3 conditions will need to require the submission of a site investigation, and remediation if required, together with a watching brief condition. Subject to these conditions the proposal satisfies policy CDMP1 of WLP31.

Climate Change

9.50 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. Tree planting can also be considered a measure responding to climate change. In response to this policy, the applicant has provided the following summary statement:

- As agreed with LCC Highways, the Phase 2 & 3 schemes include sustainable transport links with footways and cycleways maximising opportunities for travel by means other than private vehicle. This includes a 3m wide shared surface cycle land for the frontage of the site with Lambs Road.
- The proposed development will include electric vehicle charging points to encourage the use of electric vehicles.
- The proposed development will take advantage of the new bus stops being provided along Lambs Road and the contributions secured for the Phase 1 development for improved bus service provision.
- The Phase 2 scheme, which is submitted in 'full', includes a detailed landscape planting scheme that includes net gain terms of hedgerow, tree and shrub planting.
- The amount of green infrastructure being provided exceeds the requirements of the adopted local plan as per our email to the LPA dated 1st December 2020 and this includes the retention and enhancement of the existing pond within the Phase 3 development.

Waste Management

9.51 The National Planning Policy for Waste (NPPW) seeks to ensure that new development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities, for example by ensuring there is discrete provision for bins to facilitate a high quality, comprehensive and frequent collection service. No information has been submitted in relation to waste storage and collection for Phase 2. Whilst no in principle objections are received to the proposed layout by the Council's Waste Management Officer, a condition can be attached to ensure full details are provided prior to occupation of the

dwellings. In relation to Phase 3a) and 3b), this detail can be considered at reserved matters stage.

10.0 CONCLUSION

10.1 The principle of developing the site for housing and supporting infrastructure is supported by Policy SP1, SP2 and SA1/2 of the Wyre Local Plan (WLP31) and the development proposals are considered to be in general accordance with the approved Lambs Road / Raikes Road, Thornton Masterplan. All relevant planning policies have been considered and both the detailed scheme for phase 2 and outline scheme for phase 3a) and b) are considered acceptable subject to conditions and a s106 agreement to secure financial contributions and the delivery of development.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

Grant full planning permission for 80 dwellings subject to conditions and a section 106 agreement to secure on-site GI and affordable housing and financial contributions towards education, health care and Travel Plan support; and grant outline planning permission for up to 194 dwellings, a 1FE primary school and a convenience store subject to conditions and a section 106 agreement to secure on-site affordable housing, GI and housing mix (linked to phase 2 development) and financial contributions towards health care, education and travel plan support. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Recommendation: Permit

CONDITIONS RELATING TO FULL PLANNING PERMISSION

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 20.10.2020 including the following plans/documents:

- Drawing No. LP01 Location Plan in relation to the full application area delineated by orange line on Drawing No. OF01 (Outline and Full Application Plan)
- Drawing No. AL02 Rev E (Alternative Site Layout Phase 2) received 5th July 2021

- Drawing No. AL02 Rev E ALTERNATIVE SITE LAYOUT PHASE 2 SPOT & FINISH FLOOR LEVELS received 5th July 2021
- Drawing No. 873-2B4P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 873-2B4P
- Drawing No. C4-001 CHINLEY (NEW) APARTMENTS
- Drawing No. 1000-3B5P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 1000-3B5P
- Drawing No. 1095-4B5P-P1 Planning Drawing NW(Brick) WAINHOMES PORTFOLIO 2021 WD PACK 1095-4B5P
- Drawing No. A105893 - SK001 (Proposed Site Access for Phase 2) received 27th April 2021
- Tree Survey Plan, Lambs Lane Phase 2, August 2017
- Drawing Nos 5397.12 Rev A LANDSCAPE PROPOSALS SHEET 2 OF 2 received 30th June 2021 (NB 2 drawings with same reference)

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. There shall be no commencement of development until the primary access road within Phase 1 up the boundary with Phase 3a, as approved by application 19/01250/FUL (plan ref: 0001 Rev Z), has been constructed to an adoptable standard to its junction with the adjoining land at the easterly site boundary. After its construction in accordance with this condition the said primary access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: This is the primary access route required to serve the Phase 3 development including supporting infrastructure. Failure to deliver this road link in a timely manner would prejudice the delivery of Phase 3 of the allocation, and if not delivered prior to the road layout for Phase 2 becoming fixed, would mean that Phase 3 would not be served by a suitable access. This would be contrary to Policies HP1, SA1, SA1/2 and CDMP6 of the Adopted Wyre Local Plan (WLP31), the requirements of the approved Lambs Road/Raikes Road Thornton Masterplan, and the provisions of the NPPF.

4. Prior to first occupation of any dwelling, the access road hereby approved within the application site shall be constructed to an adoptable standard up to the eastern site boundary with Phase 3a) (red line) and offered to the local highway authority for adoption. After its construction this access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: To ensure that the development provides a timely access link to subsequent development phases to enable the delivery of site allocation SA1/2 in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policy CDMP3 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.

5. (a) Prior to first occupation of any dwelling, the cycle and pedestrian link (opposite plots 5 and 6) shall be constructed to adoptable standard up to the southern boundary of the site with Phase 1 and offered to the local highway authority for adoption. After its construction this cycle and pedestrian link shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

(b) Prior to first occupation of plots 72-75, the shared drive to the front of those plots, which is also designed to provide an off-road cycle and pedestrian link shall be constructed in accordance with the approved details, including the provision of bollards at the eastern extent, and shall thereafter be maintained and remain open and unobstructed at all times.

Reason: To ensure that the development provides sustainable linkages to neighbouring development to support the creation of sustainable communities in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policies SP2, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.

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

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

7. Prior to first occupation of any dwelling hereby approved the site access (including assessment of the street lighting and provision of tactile paving) and off-site works of highway improvement, namely 3 metre wide shared surface cycle link along the full frontage of the site with Lambs Road, including assessment of the street lighting, and highway improvement scheme as detailed on Drawing A105893-SK002 Rev A (included within the Submitted Transport Assessment) 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. The visibility splays as shown on the approved site access plan (Drawing No. A105893 - SK001) shall be provided prior to commencement of any part of the development (other than works necessary to form the site access and associated visibility splays) and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

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

9. (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).

10. 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).

11. No dwelling hereby approved shall be first occupied until the parking / turning area(s) shown on the approved plan No. AL02 Rev E Alternative Site Layout Phase 2, 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.

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).

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

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

13. Prior to the commencement of development a drainage scheme, which shall detail full measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the surface water drainage scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Management Strategy by Betts Hydro Consulting Engineers October 2020 with surface water drainage to the new surface water outfall being constructed as part of Phase 1, or by an additional discharge to the River should this be required. Where discharge of surface water is proposed to the new outfall, this new surface water outfall shall be completed and operational prior to the commencement of development hereby approved. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction).

The drainage scheme shall also demonstrate that all existing watercourses on the site are to be diverted to discharge to the new outfall and connections to the existing surface water sewers severed and sealed (as per the submitted Flood Risk Assessment and Drainage Management Strategy).

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

No dwelling shall be first occupied until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

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

to existing services and to ensure that any proposed raising of levels can be assessed.

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

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

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

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

15. Prior to the commencement of development a Remediation Strategy providing a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented. Validation of the approved scheme shall be submitted to and approved by the Local Planning Authority in writing on completion of the works.

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

16. 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).

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

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

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

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

18. Prior to first occupation of any dwelling hereby approved, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe

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

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

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

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

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

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

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

21. Prior to commencement of any development above ground level, a scheme for the provision of bird boxes (types, locations and number) within the new development shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the boxes shall be implemented in accordance with the approved scheme prior to first occupation of any dwelling on the site, and shall be retained as such thereafter.

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the

site, in particular in relation to ground nesting birds, in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

22. Prior to commencement of any development above ground level full details of hard landscaping works (including location, type, texture and colour) shall be submitted and agreed in writing by the Local Planning Authority, and shall be implemented in accordance with the approved details.

The soft landscaping works shall be carried out in accordance with the approved details [Both drawing of the same reference No.s 5397.12 Rev A LANDSCAPE PROPOSALS SHEET 2 OF 2 received 30th June 2021] prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

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

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

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

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

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

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.

24. The development hereby approved shall be constructed and completed in accordance with the ground, slab and finished floor levels as detailed on approved Drawing No. AL02 Rev E ALTERNATIVE SITE LAYOUT PHASE 2 SPOT & FINISH FLOOR LEVELS received by the Local Planning Authority on 5th July 2021, and such levels shall not be altered without having first been submitted to and approved in writing by the Local Planning.

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).

25. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of the dwellings hereby approved (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).

26. No development above ground level shall commence until a plan indicating the positions, design, materials and type of boundary treatments to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the relevant associated dwellings is first occupied. The approved details shall thereafter be maintained and retained.

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

27. The development hereby approved shall be carried out in full accordance with the supporting statement on adaptable housing (email received from Emery Planning dated 13/08/21) and all of the house types, excluding the Chinley house types, shall be provided to M4(2) standard of the Building Regulations, and retained and maintained at all times thereafter as accessible and adaptable lifetime homes.

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

28. 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 dwelling(s) on plots 11-16, 23-25, 30-32, and 69-71 inclusive, shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without planning permission.

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

29. Prior to the first occupation of any dwelling hereby approved, details of refuse storage provision (including location, design and materials of construction if

necessary), waste collection points, and means of collection (e.g., Council or private), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, prior to first occupation of any dwelling, and thereafter 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), and the provisions of the NPPW.

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

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

31. 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 planning permission.

Reason: To safeguard the appearance of open plan development and in accordance with Policy CDMP3 and CDMP4 of the Adopted Wyre Local Plan 2011-31.

CONDITIONS RELATING TO OUTLINE PLANNING PERMISSION

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

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on [20.10.2020] including the following plans/documents:

- Drawing No. LP01 Location Plan in relation to the outline application area delineated by the pink line on Drawing No. OF01 (Outline and Full Application Plan)

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

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

3. (a) The total number of residential units to be provided shall be up to 194;
- (b) No less than 1.36ha of land shall be provided for a 1-form entry primary school in the general location shown the submitted Sketch Drawing SK03-B;
- (c) A small convenience store of 280sqm net sales area shall be provided in the general location shown on the submitted layout plan AL02 Rev E (Alternative Site Layout Phase 2) received 5th July 2021;
- (d) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 or Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent order amending or revoking and replacing that order, the retail unit hereby permitted within (c) above shall only be used for the purposes of class E(a) or F2(a), nor shall any mezzanine floor be installed without the express permission of the Local Planning Authority.

Reason: To ensure the development delivers appropriate housing, retail and education, whilst ensuring the uses are provided in the right location on the site and will not undermine the vitality and viability of nearby centres in accordance with Policies SP1, SP2, HP1, EP1, EP5 and SA1 of the Wyre Local Plan (2011-2031) and the approved Lambs Road/Raikes Road Thornton Masterplan.

4. There shall be no commencement of development until the primary access road within Phase 1 up the boundary with Phase 3a, as approved by application 19/01250/FUL (plan ref: 0001 Rev Z), has been constructed to an adoptable standard to its junction with the adjoining land at the easterly site boundary. After its construction in accordance with this condition the said primary access road shall thereafter be maintained and remain open and unobstructed at all times unless and until it has been adopted by the local highway authority.

Reason: This is the primary access route required to serve the Phase 3 development including supporting infrastructure. Failure to deliver this road link in a timely manner would prejudice the delivery of Phase 3 of the allocation, and if not delivered prior to the road layout for Phase 2 becoming fixed, would mean that Phase 3 would not be served by a suitable access. This would be contrary to Policies HP1, SA1, SA1/2 and CDMP6 of the Adopted Wyre Local Plan (WLP31), the requirements of the approved Lambs Road/Raikes Road Thornton Masterplan, and the provisions of the NPPF.

5. Where an application is made for approval of details of access and/or layout, the submitted details must provide for a continuous primary access road comprising a 5.5 metre wide carriageway and a footway 2 metres wide on each side of the carriageway across the site from its junction with adjoining land at the westerly site boundary (leading into the approved road layout for Phase 1) to its junction with the adjoining land at the southern site boundary (leading into Phase 3c).

Reason: To ensure that the development provides a timely access link to subsequent development phases to enable the delivery of site allocation SA1/2 in accordance with the approved Lambs Road/Raikes Road Thornton Masterplan, Policy CDMP3 of the Wyre Local Plan (2011-31), and the National Planning Policy Framework.

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

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

7. Prior to first occupation of any dwelling hereby approved the highway improvement scheme as detailed on Drawing A105893-SK002 Rev A (included within the Submitted Transport Assessment) 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. Prior to the commencement of development a drainage scheme, which shall detail full measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the surface water drainage scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Management Strategy by Betts Hydro Consulting Engineers October 2020 with surface water drainage to the new surface water outfall being constructed as part of Phase 1, or by an additional discharge to the River should this be required. Where discharge of surface water is proposed to the new outfall, this new surface water outfall shall be completed and operational prior to the commencement of development hereby approved. No surface water shall be discharged from the site to existing local surface water drains at any time (including during construction).

The drainage scheme shall also demonstrate that all existing watercourses on the site are to be diverted to discharge to the new outfall and connections to the existing surface water sewers severed and sealed (as per the submitted Flood Risk Assessment and Drainage Management Strategy).

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

No dwelling shall be first occupied until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to

water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31), the approved Lambs Road/Raikes Road Thornton Masterplan and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed.

9. 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.

10. Prior to the commencement of development a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented. Validation of the approved scheme shall be submitted to and approved by the Local Planning Authority in writing on completion of the works.

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

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

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

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

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

13. Any reserved matters application for layout and appearance of the school or convenience store shall include the submission of a noise impact assessment, which shall be carried out to assess the impact of the proposed noise sources (including plant associated with extraction for the kitchen, delivery noise, fan banks etc) for existing and proposed properties located near to either building.

The noise assessment shall demonstrate the following standards are met:

- LAeq 50-55 dB 16 Hours - gardens and outside living areas
- LAeq 35 dB 16 Hours- indoor daytime
- LAeq 30dB 8 Hours- indoors night-time (23.00-07.00)
- LAFmax 45dB (8 hours -Indoors night-time (23.00-07.00)
- LAFmax 45dB 4hours - indoors evening (19.00 -23.00)*

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

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

14. Prior to the installation of any external lighting associated with the school, convenience store or residential development (in the case of residential development this shall be lighting within public areas only) a scheme for the provision of external lighting together with an Artificial Lighting Assessment, demonstrating that artificial lighting will be designed so that it is not intrusive to visual amenity, residential amenity, or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places 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 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance). For the avoidance of doubt the light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3).

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

Reason: In order to safeguard visual amenity and biodiversity and residential amenity and in the interests of public safety in accordance with Policies CDMP1, CDMP3 and

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

15. No development shall take place until a programme of archaeological work and investigation (which shall include the timetable for the investigation) has been submitted to and approved in writing by the Local Planning Authority.

The approved programme of archaeological work and investigation shall be carried out as approved.

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

16. Any reserved matters application relating to layout or appearance of the residential development shall include 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. 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.

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

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

18. 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.

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

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

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

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

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

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

21. Any reserved matters application relating to layout or scale shall include details of the existing and proposed ground, slab and finished floor levels. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

22. An electric vehicle recharging (EVCP) scheme shall be submitted for all development involving 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. Any EVCP for the dwellings shall be to a minimum of Mode 3. No dwelling shall be occupied or premises shall be first used until the electric vehicle recharging point has been provided for the dwelling or use to which it relates. Such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

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