

Committee Report**Date: 02.03.2022**

Item Number	1
Application Number	20/00773/FULMAJ
Proposal	Erection of 74 dwellings, with associated car parking, landscaping and all other associated works
Location	Land East Of Carr End Lane Stalmine-With-Staynall Lancashire
Applicant	Wainhomes (North West) Limited
Correspondence Address	c/o Maybern Planning & Development Ltd FAO Hollie Barton Beehive Lofts Beehive Mill Jersey Street Manchester M4 6JG UK
Recommendation	Permit

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

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

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is an existing field approximately 2.73 hectares in size located adjacent to the main rural settlement of Stalmine. The existing built up area of Stalmine adjoins the northern boundary of the site. Immediately to the north is a well-established residential area of mid-20th century houses, bungalows and dormer bungalows fronting onto the three cul-de-sacs of Harwood Close, Malvern Avenue, and Lynwood Drive. To the east is land where planning permission has been approved for residential development for up to 81 dwellings which are under construction, and to the west is Carr End Lane and open fields beyond. There are stables and a paddock to the south of the application site. Further south of this, is an existing detached dwelling known as West Dene.

2.2 The site is part of a wider site allocation for housing within the Adopted Wyre Borough Local Plan 2011-2031 and is the western parcel of land in allocated site SA1/7. The allocation is made up of three parcels of land and these are referred to as Phases 1, 2 and 3 in this report. The application site is considered as Phase 2. The approved development under construction to the east is Phase 1.

2.3 The application site is located in Flood Zone 1. It is bound by hedging with intermittent tree planting on all sides, including the northern boundary with the existing residential area. There is an oak tree protected by a Tree Preservation Order (TPO) along with western site boundary with Carr End Lane. The site is generally rectangular in shape and has a slight gradient from east to west with a change in levels across the site of approximately two metres.

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the erection of 74 residential dwellings with associated car parking, landscaping and all other associated works. Access to the site is proposed from Carr End Lane to the west of the site. The access point would be located slightly north of the central point of this western boundary.

3.2 The majority of the proposed dwellings are shown to be two storey properties. The Jenner House Type would be two and a half storey properties and represent four houses internally located within the site at key focal points and on part of the eastern boundary. The plans indicate that the proposed materials would comprise of red brick to the walls of the dwellings, and grey tile for the roofing.

3.3 The proposed layout would see the 9 properties at the front of the site facing towards Carr End Lane, and plots 5-7, and 70-72 behind them would be turned ninety degrees to face the internal access road. The internal access road would split into two within the site, with one heading northwards and then bending east, and the other heading southwards and then splitting again to run in an east-west direction.

3.4 Generally the site layout is designed with dwellings facing the internal access roads. This would result in a linear row of properties facing towards the main access at the point where the internal road first splits. Part of the south of the site would be a line of properties with their front elevations facing the internal access road, and their rear gardens towards the site boundary. This would also be the general arrangement to the northern boundary. The central part of the site would include terraced properties located to the rear of adjacent proposed dwellings

3.5 Green infrastructure is proposed along the site frontage and also to the rear of the site as a larger area of open space which is also proposed to include an on-site play area. A footpath would run through this open space to link to the internal access roads.

4.0 RELEVANT PLANNING HISTORY

The site has the following relevant planning history:

Application Site (Phase 2 of whole allocation):

4.1 18/00899/OUTMAJ - Outline application for the erection of up to 65 dwellings with new access applied for off Carr End Lane (all other matters reserved) (re-submission of 18/00075/OUTMAJ). Resolution to grant permission subject to s106 Agreement. S106 process ongoing.

4.2 18/00075/OUTMAJ - Outline application for the erection of up to 65 dwellings with link to adjacent land to east and new access applied for off Carr End Lane (all other matters reserved). Application refused. Appeal allowed.

Adjacent land to the east (Phase 1 of whole allocation):

4.3 17/00995/FULMAJ - Erection of nine dwellings (plots 43-47, 62, 72- 74) as an amendment/plot substitution to plots 43, 45, 60-61 and part of the public open space approved under permissions 14/00226/OUTMAJ and 17/00026/REMMAJ resulting in a net gain of five dwellings. Application permitted subject a S106 Legal Agreement.

4.4 17/00026/REMMAJ - Reserved matters application (appearance, landscaping, layout and scale) for residential development following outline approval 14/00226/OUTMAJ. Application permitted.

4.5 16/00363/REMMAJ - Formation of a new vehicular and pedestrian access from Stricklands Lane and erection of 89 dwellings with associated car parking and creation of a footpath link to Stalmine Primary School. Application refused.

4.6 14/00226/OUTMAJ - Outline application for erection of up to 77 dwellings, associated parking and footpath link for Stalmine Primary School. Application permitted.

Land to the south west (Phase 3 of allocation):

4.7 21/00981/FULMAJ - Hybrid planning application for two 80 bed care homes with landscaping and associated works (full application), and up to 50 dwellings with access (outline application) (resubmission of 20/01175/FULMAJ). Refused.

4.8 20/01175/FULMAJ - Hybrid planning application for two 80 bed care homes with landscaping and associated works (full application), and up to 50 dwellings with access (outline application). Refused. Appeal pending.

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
- SP8 - Health and Wellbeing
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk and Surface Water Management
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 -Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix

- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments
- SA1 - Residential Development
- SA1/7 - South Stalmine allocation

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 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 (and The Presumption in favour of Sustainable Development)
- Section 3: Plan - Making, paragraph 20
- Section 4: Decision-making, paragraphs 47-50, and 54-55
- Section 6: Building a Strong, Competitive Economy
- Section 8: Promote healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

5.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §74, 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 Housing Implementation Strategy (published 30 September 2021) which demonstrates a deliverable housing land supply position of 6.4 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 The following Supplementary Planning Guidance (SPG) is considered to be of relevance:-

- SPG2 - Trees and Development
- SPG4 - Spacing Guidance for New Housing Layouts
- SPG9 - Designing out Crime

5.4 NATIONAL PLANNING POLICY GUIDANCE (NPPG):

5.4.1 The NPPG provides advice on the application of Government policy. Within the NPPG, the following sections are of most relevance:

- Air Quality
- Climate Change

- Design
- Flood risk and coastal change
- Healthy and Safe Communities
- Housing for older and disabled people
- Housing supply and delivery
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning Obligations
- Travel plans, transport assessments and statements
- Use of planning conditions
- Waste
- Water supply, wastewater and water quality

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

5.6 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

5.7 NATURAL ENGLAND REGIONAL AGRICULTURAL LAND CLASSIFICATION MAP NORTH WEST REGION

6.0 CONSULTATION RESPONSES

6.1 STALMINE PARISH COUNCIL

6.1.1 Objects to this application on the following basis:

- Considers the proposal with additional homes is inappropriate, disproportionate to the previous application, and amounts to over development of the site.
- Consider density (27 per ha / 11.31 per acre) with 74 dwellings is too high. Should be 68.
- Application 16/00363 was refused at density of 25.42 per ha, over intensification.
- Additional homes likely to have a significant and adverse effect on the ability of the drainage system to cope. Will increase drainage problems.
- Application states 'no groundwater flood risk has been identified' when there is known flooding in locality.
- Existing surface water drainage system from rainfall and field run-off cannot cope; Wardleys Pool taking surface water from Stalmine is at capacity; Carr End Lane floods on a regular basis. Water has already entered properties on Carr End Lane.
- Would not comply with Policy CDMP2. Would adversely impact tidal and fluvial defences.
- Additional infrastructure is needed to be provided to accommodate the increase in capacity.
- Would not comply with Policy SP8 (3), or Section 100 para 10 of the NPPF. Impact upon health of the local population of homes cannot be accessed due to flood risk.
- Concern at amount of grey water created. Need alternative sustainable arrangements.

- Sewerage disposal already a problem - backs up into homes, severely affecting residents health and human rights. Affects wildlife.
- Policy CDMP1 relevant - Concerns about cross-contamination of surface and foul water.
- Policy CDMP6 1b, c,e,f and 3 and 4 are relevant. - Road flooding will prevent residents from exiting and entering the development and impede access by emergency services.
- Significant adverse effect on volume of traffic on Carr End Lane.
- Access to the site is limited to Carr End Lane; a narrow rural lane, mostly without pavements.
- Additional vehicles entering and leaving the site will be significant, providing a hazard to pedestrians and other road users.
- Carr End Lane should be widened by 3m. Accesses already extremely dangerous A588 (Stricklands) Lane. Already numerous accidents on this road and at this junction.
- The development relies on vehicular access and fails to reduce car reliance.
- Lack of open amenity space per head of population.
- The proposal fails Policy SP2 (f, h, i and j, and part 5).
- Not sustainable development. Does not contribute positively to the overall physical, environmental and economic character of the area; potentially adversely affects the physical and environmental character of neighbouring properties and along the dyke/ditch structure; will add to the need to travel by car; will increase flood risk; will not enhance biodiversity or landscape; has the potential to impact protected species in adjacent fields; and has potential to adversely affect the health and well-being of local residents; fails to improve health and wellbeing of local residents.
- Would like to see s106 agreement remain for pedestrian crossing.

6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.2.1 No objections subject to conditions and a Travel Plan contribution, following submission of amended plans and Travel Plan. The new site access, sight lines; carriageway widening and footpath provision are acceptable and a safe access can be provided for all users of the site.

6.2.2 The new 2m footpath around the site access and leading from the site access to Lynwood Drive is acceptable. The new site access and off site works will need to be constructed under a section 278 agreement.

6.2.3 As part of the sustainability of the site a new zebra crossing and the upgrade of two bus stops are being offered on the A588 Mill Lane near the junction of Smithy Lane. The applicant has provided an acceptable Framework Travel Plan. Highways recommends a S106 contribution of £6,000 towards travel planning

6.3 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.3.1 No objections subject to conditions and the mitigation measures outlined in the HRA are complied with. GMEU have raised the following points and requirements:

- A condition requiring a Method Statement for measures to be taken during any groundworks or construction.
- Consider most important habitats on the site are the boundary hedgerows, ditches and trees, and that these should be retained and protected, or if to be lost compensatory habitats to be provided.

- State the area of open greenspace (public open space) proposed is satisfactory.
- Conditions suggested regarding timing of works for nesting birds, requiring that any mature trees scheduled for removal (whilst not proposed currently) must be inspected for the presence of roosting bats prior to any tree works commencing.
- Request a condition to ensure wildlife features are incorporated in the interests of achieving a biodiversity gain.

6.4 NATURAL ENGLAND

6.4.1 No objections - Originally requested a Habitats Regulations Assessment, and assessment of recreational disturbance. Following receipt of this, no objection subject to appropriate mitigation being secured. Without appropriate mitigation the application would have an adverse effect on the integrity of the Morecambe Bay and Duddon Estuary Special Protection Area (SPA), Morecambe Bay Special Area Conservation (SAC) and Morecambe Bay Ramsar site, and damage or destroy the interest features for which the Wyre Estuary Site of Special Scientific Interest (SSSI) has been notified. Conditions required for mitigation in the form of a Construction Environmental Method Statement (CEMP), and provision of homeowner packs.

6.5 UNITED UTILITIES

6.5.1 No objections raised. Conditions should be attached requiring the development to take place in accordance with the submitted Flood Risk Assessment, and that foul and surface water be drained on separate systems.

6.6 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.6.1 This proposal will generate 284 new patient registrations. The proposed development falls within the catchment area of Over Wyre Medical Centre (Preesall). This need, with other new developments in the area, can only be met through an extension and reconfiguration of the existing premises in order to ensure sustainable general practice. A financial contribution of £28,480 is required towards the provision of this infrastructure.

6.7 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY)

6.7.1 A financial contribution of £267,999.36 is required towards 16no primary school places towards Hambleton Academy and/or Stalmine Primary School. LCC will not be seeking a contribution for secondary school places.

6.8 LANCASHIRE FIRE AND RESCUE SERVICE

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

6.9 NATIONAL AIR TRAFFIC SERVICES (NATS)

6.9.1 No safeguarding objections to the proposal.

6.10 BLACKPOOL TEACHING HOSPITALS NHS FOUNDATION TRUST

6.10.1 Requests a contribution from this development of £148,030.00.

6.11 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY - LLFA)

6.11.1 No objection subject to conditions requiring the proposal to take place in accordance with the submitted Flood Risk Assessment; detailed surface water drainage scheme to be submitted; submission of a Construction Phase Surface Water Management Plan); and a Verification Report for drainage.

6.12 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (GREEN INFRASTRUCTURE)

6.12.1 Comments the revised illustrative planning layout which shows reduced dwelling numbers to 74 now correctly shows the green space at the front of site. Considers the tree survey to be very detailed and suitable to be followed. Concurs with its contents. Considers the landscaping plans, schedule and specifications for soft landscaping elements are appropriately covered and a desirable palette of suitable plant species has been provided. There is little impact on the existing boundary tree cover. But use of close board fencing, and posts can be positioned to avoid roots. Play provision in the form of a LAP (Local Area of Play) is required on site. Split of on-site and off-site Green Infrastructure is acceptable, with 0.3ha on site (out of the 0.73ha required and a financial contribution of £167,001.48 towards off site provision.

6.13 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.13.1 No objection in principle. As in the FRA para 3.1.4, all existing watercourses are to remain open with 5m easement for access. No existing watercourse shall be culverted. A condition should be attached requiring a Management regime for management of SuDS features, including existing ordinary watercourses. Notes Carr End Lane has a long history of frequent highway flooding from surcharging foul sewers close to the site access. As per FRA para 5.7.1 no surface water from the site shall discharge to the public foul system, either directly or indirectly - the system is currently at, or close to, full capacity.

6.14 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.14.1 Based on the information provided, should permission be granted it is recommended that the standard Post Phase 1 desk study condition should be attached requiring a site investigation, and remediation and verification if required, and also a watching brief condition.

6.15 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY)

6.15.1 No objections subject to conditions requiring a Construction Environmental Management Plan including that hours of work will be limited to 08.00 and 18.00 Monday to Fridays and 08.00-13.00 Saturdays and no working on Sundays and Bank (Public) Holidays. Conditions also requested to ensure noise levels comply with British Standard 8233:2014, and a scheme of lighting to control light spillage to be agreed.

6.16 WBC HEAD OF WASTE MANAGEMENT

6.16.1 There are no vehicle access concerns, but all the properties that have shared access driveways will have to present on the mouth/entrance to the shared driveways.

7.0 REPRESENTATIONS

7.1 The application has been advertised by press notice, site notices and neighbour notification letters, and re-consultation has also taken place. 51 letters of objection have been received from 39 individual objectors. Three letters have also been received from Stalmine with Staynall Residents Association strongly objecting to this application. The primary reasons for objection are:

Highways and traffic:

- The road infrastructure already cannot cope, and is unsuitable for further development.
- The A588 is one of the most dangerous roads in the country and is the only road in and out.
- Will result in additional traffic, pollution, congestion and queuing over Shard Bridge.
- There is reliance on the private car.
- Increase in traffic would have an unsustainable impact upon Carr End Lane.
- Access onto Carr End Lane is unsafe from the site and also the junction with the A588, and visibility is limited. It is narrow, cannot take two way traffic, is unlit, and would represent a hazard to drivers and pedestrians. Residents will be put off walking down Carr End Lane.
- Concern the proposed footway to connecting to the Malvern Avenue hammerhead will be unsafe with vehicles turning and cars parked.
- Construction will affect residents needing to access and use Carr End Lane.
- Combined construction of site together with the bypass and Halite gas storage will make traffic problems worse.
- Increased dangers to pedestrians to the school
- There should be additional safety measures incorporated (additional street lights, new bus stops and zebra crossings).
- Plans to widen Carr End Lane and provide a footpath are only at the point where the houses are being built
- Residents will be forced to travel further afield to school increasing traffic.
- Flood Risk and Drainage:
- The development would result in further flooding impact.
- Existing drainage is inadequate. There are drainage problems through to Hambleton. Carr End Lane and others in Stalmine has ongoing flooding problems and standing water. Dyke between Carr End Lane and the development already subject to flooding. Query who will maintain dykes.
- Existing drainage issues should be addressed before more building.
- Development will reduce space for absorption into the land and increase runoff.
- Utilities already cannot cope and there are existing sewerage problems in area, including sewerage flowing onto Carr End Lane and into the dyke. No upgrades have taken place.
- Two properties on Carr End Lane flooded in 2017. Significant concerns these will flood again.
- Disagree with the applicant's statement that flooding is very low risk.

- Site allocation:
- Concern there are more houses being proposed than previously
- A previous application on the site was refused.

Facilities:

- More houses needs better infrastructure
- Lack of/limited infrastructure such as schools, dentist, doctors surgeries, vicar, leisure facilities, shops, police and ambulance services, fire service, power supplies, and bus services. There are long waiting lists.
- Character of the area and Design:
- Stalmine will become a town - More houses are taking away from the rural area and character.
- The site is agricultural land and is at the end of a popular rural public footpath.
- To develop more housing is inconsiderate to everyone in Stalmine and will impact upon quality of life.
- Stalmine will be for commuter residents only and this will remove heart of the community.
- Design of the dwellings not in keeping with the area.
- Environment and Ecology:
- Loss of wildlife and habitat - such as for birds, deer, hare, hedgehogs, woodpeckers, protected species of bats, owls, and contains ponds and dykes which are habitat to wildlife (e.g., Great Crested Newts).
- Construction of the development will have an negative impact upon the environment and residents
- Housing Need:
- There are many empty properties in the UK. No need for new builds.
- Houses on the adjacent site are not yet built or occupied.

Amenity:

- Proposal will impact upon light and privacy to existing bordering properties.
- The longest and largest buildings should not be built next to bungalows
- Other matters that are not material planning considerations:
- Intentions of the applicant
- Loss of view and being able to see new development
- Reasons why properties were purchased and residents moved to the area
- The application should not have been allowed to be made
- Impact upon insurance premiums
- Assertions planning applications are approved based of the financial gain e.g. Council Tax
- Impact of pandemic and retention of the land for possible future food shortages.
- Request for the developer to provide defibrillators - development considered to add to longer ambulance response times
- Issues with adjacent developments and delivery
- Unhappy with design of houses already built

8.0 CONTACT WITH APPLICANT/AGENT

8.1 Ongoing contact and communication has been undertaken with the applicant Including requests for amended layout to achieve adequate separation

distances between plots, boundary treatments, and to show provision of on-site play area; request for clarification of green infrastructure provision particularly at the front of the site; request for extension of time to the application to take into account revisions to the scheme, and discussion and clarification requested as to whether further housing mix information to be submitted. Revised plans, and further Housing Mix information received.

9.0 ISSUES

9.1 The key considerations in the assessment of this application are:

- Principle of Development and Policy Compliance
- Location of the development and sustainability
- Loss of Agricultural Land
- Impact Upon the Highway Network, Safety, Access, and Parking
- Flood Risk and Drainage
- Infrastructure Provision
- Housing Mix and Adaptable Housing
- Visual Impact, Design and Layout
- Impact on residential amenity
- Ecology, nature conservation and trees

Principle of Development and Policy Compliance

9.2 The application site falls within the settlement boundary of Stalmine as defined in the Adopted Wyre Local Plan (WLP31). Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. The application site is included within allocation policy SA1/7, and is one of three parcels of land forming this allocation, identified as Phase 2. Outline planning permission has previously been granted on this phase at Appeal for up to 65 dwellings. Phase 1 has already been granted planning permission for 81 dwellings and is under construction. Two recent application for Phase 3 seeking full permission on part of the phase for 2 care homes, and outline for up to 50 dwellings on the other part have been refused. An Appeal has been lodged to the first of these applications.

9.3 The whole site allocation SA1/7 is allocated for housing. The principle of developing the site for housing has been established by WLP31. The site allocation sets a site capacity of 180 dwellings. 146 dwellings within the allocation have planning permission to date (previously permission of Phase 2, and 81 dwellings on Phase 1). There is a pending Appeal on phase 3 for up to 50 dwellings. This proposal seeks full permission for 74 dwellings, which (if any forthcoming Appeal on Phase 3 was allowed) would take the total number of committed dwellings to 205no. Whilst this exceeds the site capacity figure for this allocation, the housing requirements in the WLP31 are 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 the housing proposal would not be contrary to the Policy HP1 or site allocation Policy SA1/7. The principle of accepting a greater number of units on this phase than the previous outline approval for 65 dwellings on the site is therefore also acceptable subject to all other relevant policy requirements being met.

9.4 The proposal needs to comply with a number of Key Development Considerations (KDC's) in SA1/7 which are policy requirements. The first KDC is the

requirement for a masterplan covering the whole allocation which should be approved prior to the Council granting planning permission for any part of it. The Appeal Decision allowing outline permission for up to 65 dwellings on this Phase 2 site concluded as planning permission has already been granted on phase 1, it is not possible to comply with the wording of this part of the policy. This is the interpretation of a particular Inspector. In his reasoning the Inspector also considered that parcels 2 and 3 were severed from each other and so would be brought forward separately. The Inspector granted planning permission for phase 2 with no masterplan. In the particular circumstances of this site allocation, a masterplan is not considered to be required. The requirements of the other KDC's of Policy SA1/7 are considered throughout this report.

9.5 This full planning application proposes that the site would be accessed off Carr End Lane, and accessed separately from the rest of the site allocation. The internal spine road is proposed to terminate within the site and therefore the development would be served by a single new access point from Carr End Lane in approximately the same location as the existing agricultural access point on the western boundary of the site. There would be no road or pedestrian linkage to the site to the east in similarity to the previous outline application on the site (18/00899/OUTMAJ for the erection of up to 65 dwellings) which Members considered and resolved to approve subject to a S106 Agreement. In this regard this full application proposal would be no different to the outline application 18/00899/OUTMAJ.

9.6 KDC7 of Policy SA1/7 states that land should be made available for a new primary school if required. The fact that land is not reserved for a school in either phase 2 or 3 was queried in some of the responses received to the previous proposal on this site. As part of the Appeal for the original application on this site (application 18/00075/OUTMAJ) detailed discussions took place with LCC Education and it was confirmed that there is no longer a requirement for a new primary school in Stalmine, as LCC are comfortable that existing schools in the area can be extended to accommodate the level of planned development. There is no change to this position. Therefore the application does not conflict with of KDC7 as there is no longer a school requirement. Financial contributions towards education to mitigate the impact of the 74 dwellings are considered below in this report.

Location of the Development and Sustainability

9.7 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. As this application site is part of a housing allocation and is located immediately adjacent to existing housing to the north, it is considered to be well related to the existing settlement of Stalmine. The development would still be within reasonable distance of local and community services in Stalmine including a public house, post office, shop, church and village hall, as well as within walking distance of the existing school. In respect of walking distances it was confirmed under previous application 18/00899/OUTMAJ on this same site that the site is located within 1000m of the primary school, well within the 2000m maximum usually identified by the Highway Authority. It was also identified that in respect of the bus stops the application site is 690m away, the National Travel Survey identifies that the 85 percentile of walking distances to bus stops is 800m. The application site therefore also falls well within that distance. Objectors have raised concerns about facilities available in the area, such matters and sustainability and facilities are considered during the Local Plan process and allocation of sites, and this is an allocated site.

Whilst Parish Council concerns about car reliance is acknowledged, LCC Highways raise no concern about the sustainability of either development, as other nearby development have paid, a Travel Plan contribution would be required, and a footpath connection would be provided from the site into the village.

Loss of agricultural land

9.8 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 during the drafting of the Local Plan, prior to allocating the site. The application site is Grade 3 agricultural land which is defined as moderate quality and therefore the proposal would not lead to the loss of high value agricultural land. The proposal would not conflict with Paragraph 170 of the NPPF.

Impact upon the Highway Network, Safety, Access, and Parking

9.9 LCC Highways have been consulted and have considered the submitted transport and TRICS data. In summary (LCC) Highways originally objected on highway safety grounds, but have removed this objection following submission of amended plans and a Framework Travel Plan. The amended plans include the provision of a zebra crossing and the upgrading of two bus stops at A588 Mill Lane near the junction of Smithy Lane further north east of the site.

9.10 LCC Highways conclude that in terms of capacity the overall development of site whole allocation SA1/7 which includes this proposal will not have a severe impact on highway capacity on the local highway network. Also LCC note Highways England have started works on the highway improvements on the A585 Singleton by-pass road and they anticipate that this will significantly reduce the highway capacity issues at the A588 Shard Road junction. In terms of Highway safety LCC note that since their original response the A588 highway improvement works to improve highway safety and improve sustainable transport and links has now started. The originally requested contribution of £100,000 to the A588 Highway Safety Bid, is no longer requested as LCC have secured funding from the Department for Transport and these works have commenced. However they have confirmed that whilst the revised proposals will slightly reduce the impact of the development on the local highway network this will not be to the extent that the previously highway improvements should be removed. Therefore, the need to provide a zebra crossing on the A588 and the upgrading of bus stops as shown on the submitted plan are necessary for the development to be considered acceptable and for them to support this proposal. Whilst not expressly mentioned in the Highways response to his application, the reasoning for the need for this crossing and bus stop upgrade was provided by Highways under application 18/00899/OUTMAJ that they are necessary given that the removal of the internal link between the two sites means that these bus stops will be the closest to the development and it will enable a safer crossing to the southbound bus stop. These will need to be provided under a S278 Agreement. Members are advised that should the application be approved, a condition would be necessary to ensure the delivery of these upgrades before the development is occupied.

9.11 In terms of the site access LCC Highways state their data indicates there has not been any reported incidents near the access to the new development on Carr End Lane. During the course of the application amended plans have been submitted showing the sight lines, carriageway widening, footpath provision from the access northwards, and lighting for the access and new 2m wide footpath. A Travel Plan has

also been submitted. Overall Highways have removed their objection and are satisfied all of this provision is acceptable and will provide a safe access for all users of the site. The new site access will need to be constructed under a S278 Agreement.

9.12 Regarding sustainable links LCC Highways consider the proposed new 2m footpath leading from the site access to Lynwood Drive is acceptable, and all sustainable footway links serving the site to comply with the Inclusive Mobility Guidance. The 2m footpath will need to be constructed under a S278 Agreement. Highways also noted that the new zebra crossing and the upgrade of two bus stops also relate to the sustainability of the site, and as mentioned above this will also be required to be constructed under a S278 Agreement. No contributions are requested or required towards sustainable transport in this case as contributions have been secured as part of planning application 14/00226/OUTMAJ (Phase 1 of the allocation) to enhance the existing bus services through the village, and no further contributions are considered necessary. Should Members be minded to approve the application subject to conditions requiring the access and footpath works to be carried out as part of a S278 agreement it is considered the proposal would be acceptable in terms of highway capacity and safety on Carr End Lane.

9.13 A financial contribution of £6000 is requested towards Travel Planning. It is considered that this financial contribution request should be upheld. However, LCC also recommends the developer provides a commitment for funds to be made available for the full duration of the development buildout and made available for 5 years post completion of each dwelling and recycled if not spent. Members are advised this request for further monies is not considered reasonable, and should not be upheld.

9.14 The layout of the site has also been considered and most dwellings are proposed to be served by 2 external parking spaces, which is considered sufficient. The Shackleton House Type is now proposed with one external parking space and an integral garage. Provided the integral garage is conditioned to be retained as a parking space for this three bedroom house type it is considered there would be sufficient parking. However LCC originally considered the layout did not conform to driveway standards. The applicant has provided amended plans and Highways are satisfied the layout does now conform to required standards and all roads within the site are considered suitable for adoption.

9.15 As the proposal would result in new parking provision Policy CDMP6 is relevant and requires such proposals to make appropriate provision for electric vehicle charging points (EVCP). There is no information within the submission detailing EVCP. However should the application be approved this provision can be required by condition to ensure that the properties would be provided with electric vehicle charging points in accordance with Policy CDMP6.

Flood Risk and Drainage

9.16 The site is located within Flood Zone 1 on the Environment Agency's mapping service and therefore has the lowest probability of fluvial flooding. As the site exceeds 1 hectare in area, a Flood Risk Assessment (FRA) has been submitted. There is no requirement for the applicant to demonstrate accordance with the sequential or exceptions tests with regard to flood risk.

9.17 The Parish Council, Residents Association, and individual objectors have raised concerns relating to flooding, drainage, including existing drainage capacity

and sewage system, and the proposed drainage for the site. These observations have all acknowledged.

9.18 KDC4 of Policy SA1/7 states that residual surface water from the allocation should drain to the south into the River Wyre. However Members are advised that when considering the two previous applications on this site it has been accepted that drainage from this particular parcel of land can drain to the north separately from the remainder of the site allocation. The submitted FRA and Drainage Strategy states that foul would discharge to the public sewer network to the north of the site at Lynwood Avenue. In terms of surface water the submission states that on-site infiltration is not possible, and proposes that surface water would likely be drained to the land drain and Ordinary Watercourse network currently serving the site. The FRA acknowledges that full details would need to be provided, and run-off restricted to mimic a pre-development greenfield scenario, and restricted discharge rate will generate a requirement to provide onsite attenuation during the extreme storm events. Members are also reminded that they requested further drainage information for previous outline application on this site 18/00899/OUTMAJ. It was confirmed under that application that the stretch of ditch immediately adjacent to Carr End Lane does fall within the application site and it was envisaged that this length of ditch would be managed by a management company who would manage all amenity space on behalf of residents.

9.19 The Council's Drainage Engineer has been consulted on the proposals and has raised no objection in principle. It is noted that Carr End Lane has a long history of frequent highway flooding from surcharging foul sewers close to the site access. Therefore as stated in the FRA para 5.7.1 the Drainage Engineer considers no surface water from the site should discharge to the public foul system, either directly or indirectly as the system is currently at, or close to, full capacity. Should Members resolve to approve the application it is recommended the Council's standard pre-commencement drainage condition should be attached and can include these requirements. The Drainage Engineer also states that as in the FRA all existing watercourses need to remain open with 5m easement for access, and no existing watercourse shall be culverted. A condition is also recommended to be attached requiring a Management regime for management of SuDS features, including existing ordinary watercourses.

9.20 United Utilities (UU) and the Lead Local Flood Authority (LLFA) have also been consulted and raise no objections subject to conditions. In addition to the conditions set out above the LLFA have also requested conditions requiring submission of a Construction Phase Surface Water Management Plan, and a Verification Report for drainage. It is considered the Management Plan should be conditioned especially as the watercourses would need LLFA's Land drainage consent and an agreement on their maintenance. The requested verification strategy condition is not considered reasonable as the implementation of the drainage is a matter for the drainage bodies outside of the planning process. Notwithstanding the concerns raised by objectors about flooding, given this professional advice from all drainage consultees it is considered that surface water run-off could be adequately drained from the site without increasing flood risk elsewhere. Whilst local concerns in relation to flooding are acknowledged, based on the development satisfying Policy CDMP2 of the WLP31 and the comments from the relevant professional consultees, it is not considered that there would be an unacceptable flood risk from the proposal. As such and subject to conditions, no unacceptable drainage issues are anticipated. It will be a matter for UU to address any issues regarding the capacity of the foul sewer.

Infrastructure Provision

9.21 Policy SP7 of the WLP31 requires developments to make appropriate contributions where new or improved infrastructure is required to meet the needs arising directly from a development or to mitigate any adverse impacts of a development on existing infrastructure. The Fylde and Wyre Clinical Commissioning Group (CCG) have a policy which includes a methodology on assessing need directly from a development. The request for a contribution from the developments of £28,480 towards the Over Wyre Medical Centre (Preesall) is therefore supported. Blackpool Teaching Hospitals Trust have also responded requesting a contribution towards Blackpool Victoria Hospital. 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.

9.22 Policy HP3 of the WLP31 requires this development in Stalmine to include 30% affordable housing provision on site, meaning that 30% of the 74 plots proposed on the latest plans must be affordable to comply with Policy. This application proposes 22 affordable houses. This would equate to 30% affordable housing for the additional plots proposed, and the proposal would be Policy compliant. The provision of affordable housing, including the number, type and tenure, and occupation criteria, would be secured by a Section 106 Agreement.

9.23 Lancashire County Council (LCC) as the Local Education Authority (LEA) requires £267,999.36 towards 16 primary school places with the named infrastructure project as either Hambleton Academy and/or Stalmine Primary School, but do not require any secondary education contributions. This contribution will need to be secured by a section 106 agreement.

9.24 Policy HP9 of the WLP31 requires an appropriate quantity of green infrastructure (GI) to be provided on developments of 11 dwellings or more. The Policy also states that the most appropriate types of open space provision need to be determined, and that this should be meaningful useable green infrastructure as open space makes an important contributing to the health and wellbeing of communities. Therefore the aims of Policies SP8 and CDMP4 are also relevant.

9.25 In this instance the amount of green infrastructure required from the housing development is 0.73ha based on the submitted housing mix proposed. The application proposes 0.3ha on site. Through Officer discussions with the Parks and Landscape Officer it has been determined that a mix of on-site and off-site green infrastructure provision would be appropriate in this case, and that an on-site play area should be provided. Whilst KDC2 of Policy SA1/7 requires a landscape and green infrastructure plan and stipulates on-site open space to include formal Local Area of Play (LAP), in light of the overarching policy HP9 allowing for an off-site contribution in lieu of on-site provision where appropriate, and given that a hybrid approach is accepted in this instance, the proposal is not considered to be in conflict with the Local Plan. A landscape plan has been submitted to include the areas of green infrastructure which is considered to satisfy the requirement for a landscape and green infrastructure framework in this case. A condition securing provision of landscaping including this open space on-site can be attached. The submitted amended plans also propose an on-site play area and again this, and its design, can be secured by means of a condition. An off-site contribution of £167,001.48 is required. The Parks and Landscape Officer has also confirmed there are numerous projects in the area which these monies would go towards. These include;

improvements to Stalmine Playing fields to include enhancements to increase accessibility; upgrading and extending the existing play and exercise offer at Stalmine Playing Field (known as Douglas Avenue play area) to upgrade to play facilities for young children: and woodland/habitat enhancements such as native tree replanting, significant arboricultural work, creation of natural woodland trails and low key forest school areas for local school, trails/picnic seating areas and interpretation signage. There is therefore confidence that the full monetary contributions will be utilised. The off-site financial contribution would need to be secured by S106 Legal Agreement.

Housing Mix and Adaptable Housing

9.26 Policy HP2 of the 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 SHMA. The Policy also requires that developments exceeding 20 no. dwellings should 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. It is considered that the adaptable housing requirements can be secured by condition.

9.27 In terms of the housing mix, the application proposes a mix with 50% of the dwellings as larger (4 and 5 bedroomed) properties. This is not compliant with the mix set out in the SHMA which identifies a need for anywhere between 13-23% larger properties on a site. However Policy HP2 allows applicants to submit market evidence to demonstrate why an alternative mix should be supported. The applicant advised that they wish to submit market evidence in this case and this has been submitted and assessed. The applicant has provided a Market Demand report which suggests there is a local demand for the larger properties in the local market area. The submission also asserts that the existing housing mix in the area comprises mainly of smaller units. This has been considered and compared to data accessible to the Authority, and it is considered the applicant has justified the mix in terms of the current housing mix in the local market area. Further evidence submitted also includes letter from local agents of what properties they are being approached for. It is considered that whilst not all matters within the information submitted may be agreed with, overall there is sufficient evidence for the mix to be accepted by the Authority. It is acknowledged that in addition to the bedroom mix, the development is providing a wide choice of house types (detached, semi-detached, terraced and apartments) and floorspace sizes to appeal to different household needs. Thirteen different house types are proposed. There is a step up in floorspace size from the smallest three bedroom properties to the larger three bedrooms properties. There is also a range of four bedrooms properties from only slightly above the floor space size of the larger three bedroom properties, ranging up to through to much larger four bed properties. A variety of sizes of four bedroom properties is therefore proposed. Overall whilst the mix proposed is significantly different to the SHMA, there is sufficient evidence for the proposed housing mix and range of housetypes to be accepted, and the proposal would provide for an appropriate mix of size, tenure and type of housing to provide choice within the local market area as required by Policy HP2.

9.28 In terms of adaptable homes the applicant is proposing the Wren, Wrenbury, and Shackleton House Types as the adaptable units. This equates to 15no. units which equates to 20% provision on the site in accordance with Policy HP2. The applicant has been advised that such properties require wider parking space provision and that this information is required upfront to ensure such parking can be

provided. The submitted amended plans show the required wider driveways and parking spaces for the relevant plots, and are considered acceptable.

Visual Impact, Design and Layout

9.29 When viewed from the south looking north along the lane the site is read as an agricultural field with a backdrop of existing residential development. Heading in the opposite direction out of Stalmine, the site is viewed as adjacent to other agricultural fields to the south, east and west, although the field to the east will become urban in character following completion of the approved housing site there. In the summer months the site is visible from Carr End Lane and has a modest contribution to visual amenity along the lane as the boundary hedgerows are so established that their height makes it difficult to get wide views of the site, particularly from a pedestrian level. However in the winter months when hedgerows and tree boundary growth has died back the site would be widely visible from Carr End Lane, and the site would have a higher contribution to visual amenity from the lane. It is considered however that the site makes a modest contribution to visual amenity overall as although it would be widely visible from Carr End Lane immediately to the west of the site, it is not widely visible from the south or east screened being screened in part by existing individual housing development, and being viewed at a distance behind existing soft boundary features including trees, whether more or less established.

9.30 KDC3 of Policy SA1/7 requires the development to provide an organic extension to the village, to utilise important key vistas into the adjoining open countryside and provide a rural transition zone between the development and wider countryside. Particular attention should be given to boundary treatments. The proposal does not provide the most comfortable layout in terms of relationship to the existing village and development under construction, however any linkage to the site to east has been ruled out through the previous appeal decision on this site. Also the principle of developing the site for housing has been established by the site allocation, and this allocation is immediately adjacent to existing dwellings to the north. In this sense it would provide an organic extension and would not be detached from the existing settlement. The application proposes the majority of the dwellings, including apartment blocks buildings, at two storey height. However four properties as the Jenner House Type would be 2 and a half storeys. The applicant was asked to move these taller properties away from the more sensitive site boundaries with the countryside. Amended plans now proposed these taller units at focal points internally within the site, and on part of the eastern boundary where there would be a backdrop behind of houses on Phase 1. The scale of the dwellings in general across the site, and the amended location of these taller properties is considered acceptable. The applicant has submitted cross sections of the proposed land levels of the site. This show that the levels would be raised by 1m on average with the finished floor levels of the dwellings on average 0.2m above the proposed land levels. In general however the increase in levels proposed is considered appropriate. The proposed housing would also correlate with the design of the properties under construction to the east. The site frontage would comprise an area of green space averaging 8.5m depth with the served by private access roads behind. This is considered to help to provide a soft buffer to the site with Carr End Lane and the countryside further to the west. The existing soft hedgerow would also be retained to the site frontage with Carr End Lane except for the point where it would need to be removed to provide the access.

9.31 The submitted house type plans indicate that all of the dwellings and garages would be constructed in brick walls and grey roofing. This is considered

generally acceptable and to accord with other properties under construction and present in the settlement. A materials schedule has also been provided but only specifies the use of one brick type to the walls for all of the dwellings. It is not considered this is a sufficient range of wall materials for 74no. dwellings. Therefore as full details have not been provided, and as there needs to be a greater range of wall materials, should Members resolve to approve the application a condition would need to be attached requiring full details of proposed materials for the dwellings and garages.

9.32 Boundary treatment plans have been provided. These shown that the amenity open space would be bound in part by 0.45m high knee rail fencing and also sections of hedge planting. The open space would remain publicly accessible via the proposed paths and the open space frontage to the main internal access road. Rear garden boundaries would be 1.8m high timber close boarded fencing. Garden boundaries between rear gardens of adjacent properties would be 1.8m high close boarded plot divisional screen fencing. Corner plots and those with gardens side on to the internal roads would have low brick wall and piers, with timber infill panel to a total height 1.8m. Overall the proposed boundary treatments are considered acceptable and appropriate. However should the application be approved it is considered that to ensure the brick walls to boundaries match the brick used to the dwellings, these details should also be requested in any materials condition.

Impact on Residential Amenity

9.33 There are existing residential properties to the north of the site at the end of Lynwood Drive, Harwood Close, and Malvern Avenue. Objectors have raised concern about impact upon light and privacy to these properties. There are also properties that have been approved and are under construction on the Wainhomes site to the east at Linley Grange. South of the south west corner of the site is an existing detached property. The proposal has been considered against SPG4 in terms of separation distances between existing and proposed dwellings. The proposal complies with all required separation distances. There is one proposed dwelling which is 19.7m away from the existing property at the end of Harwood Close, however this is a side to rear relationship and therefore exceeds the 13m requirement of SPG4. Furthermore the proposed property would be sited partially westwards of existing dwellings and be orientated so that its main outlook would face away from the existing property. As such there would be no significant impacts in terms of overlooking, overbearing or loss of light upon this existing property or any other properties surrounding the site. All other residential properties in the area are located further away from the proposal well beyond the required separation distances.

9.34 Objectors have also raised concerns about the siting of the two storey apartment block in the north east corner adjacent to existing bungalows to the north. The apartment block, whilst two storey, would be side on to the side elevation of the nearest existing bungalow again complying with SPG4. The difference in scale between the existing and proposed buildings would only be apparent at very immediate views. The main windows and outlook from the front of these existing properties is onto Harwood Close, and would still be retained. Given the existing hedgerow to be retained along the north site boundary, together with the garden of the apartment block being to the rear of it in similarity to the adjacent existing property on Harwood Close, and the separation distances involved it is considered privacy would not be adversely affected.

9.35 Within the site the siting of the proposed properties has also been considered against SPG4. All required separation distances between front and side elevations, rear and side elevations, and rear to rear elevations meet with the required separation distances. Some properties within the site have a separation distance of 18m between their front elevations facing each other (such as plot 5 with plot 72, and plot 6 with plot 71) rather than the usually required 21m distance. The scheme has been considered by officers and the 18m separation distances proposed between front elevations in some parts of the site is considered acceptable as this layout has removed runs of frontage parking throughout the site so that the street scene is less car dominant. It has also enables some plots to be sited as key focal plots with the front elevations of the houses fronting the roads with lawn rather than a front elevation with cars parked directly in front.

9.36 The applicant has submitted amended plans to clarify the site boundaries so that the size of the proposed gardens was clear. Amendments to gardens sizes were also requested as some plots had insufficient garden space. These amended plans have been received. The majority of plots achieve the 10.5m garden length specified in SPG4. There are also a number of plots where gardens are proposed at 10m length however some of these have wider gardens (such as plots 1 and 8 and 31) which is considered to mitigate any shortfall in garden length. Plots on the southern boundary of the site which contain the existing land ditches have shorter gardens than required in the SPG4. The amended boundary plan also shows plots 13-17 on the northern boundary would also have gardens averaging 9.5m in length and therefore shorter than usually required, as the boundary fence has been brought inwards to retain the existing boundary hedgerow. However these plots with shorter gardens on the south and north boundaries would not result in any overlooking or issues with neighbouring amenity, and on this basis it is considered there would be no unacceptable amenity impact as a result of the proposal. Each dwelling would still be provided with its own private outdoor space.

9.37 The development would, during the construction phase, result in some impact upon residents of existing properties in the area. However this would be temporary. Environmental Health (Amenity) have been consulted and have no objections subject to conditions to ensure the proposal does not cause unacceptable harm to amenity during construction. These conditions require a Construction Environmental Management Plan including that hours of work will be limited to 08.00 and 18.00 Monday to Fridays and 08.00-13.00 Saturdays and no working on Sundays and Bank (Public) Holidays. Conditions are also requested to ensure noise levels comply with British Standard 8233:2014, and a scheme of lighting to control light spillage to be agreed. It is considered these conditions would be necessary and should be attached should Members resolve to approve the application.

Ecology, Nature Conservation and Trees

9.38 The application site is not within an area of ecological designation. As per KDC5 of Policy SA1/7 potential ecological impacts need to be considered as the site is greenfield and is bound by hedgerows and trees. Also as listed in KDC6 it is within 3.5km of the Morecambe Bay European Protected site. Both Natural England and GMEU have been consulted. Natural England requested a Habitats Regulations Assessment, and assessment of recreational disturbance. Following receipt of this, they have no objections subject to appropriate mitigation being secured to ensure there is no adverse effect on the integrity of the Morecambe Bay and Duddon Estuary Special Protection Area (SPA), Morecambe Bay Special Area Conservation (SAC) and Morecambe Bay Ramsar site, or the interest features for which the Wyre Estuary Site of Special Scientific Interest (SSSI) has been notified. The mitigation

measures required are a Construction Environmental Management Plan, and Homeowners Packs. These can be secured by condition.

9.39 GMEU have also responded with no objections. They state they are familiar with the site, and the development to the east. They consider the submitted ecology surveys have been carried out by suitably qualified consultants and are generally to appropriate standards, and that it is reasonable to have certain reliance on previous surveys of the site and adjacent sites undertaken in support of other development plans, given those surveys were relatively comprehensive and up-to-date, and the overall ecological character of the site and its current and recent land-use. The site is dominated by species-poor improved agricultural grassland. The site is within 2km of the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and the Wyre Estuary Site of Special Scientific Interest (SSSI). GMEU accept the proposal will not have any harmful impacts on these designated sites, providing that mitigation measures described in the HRA (as mentioned above) are implemented.

9.40 GMEU also consider the development is unlikely to cause harm to great crested newts but recommend a Method Statement should be required giving details of reasonable measures to be taken to avoid any potential harm to amphibians during the course of any groundworks or construction. This can be secured by condition. It is considered most the important habitats on the site are the boundary hedgerows, ditches and trees. GMEU advise these should be retained and protected, or compensatory habitats required to be provided if any of these features are lost. The plans show that the existing north, south and eastern hedge boundaries would be retained. The proposal would remove a very short section of hedgerow to form the site access. It is considered the removal of such a short section of hedgerow is acceptable, as there would be new and additional planting within the site to mitigate its loss.

9.41 Overall there are no ecology objections to the proposal subject to the HRA mitigation conditions, and conditions regarding timing of works for nesting birds, that any mature trees scheduled for removal (whilst not proposed currently) must be inspected for the presence of roosting bats prior to any tree works commencing. Whilst the landscape plans and area of public open space are considered reasonable GMEU also suggested a condition in the interests of achieving a biodiversity gain requiring further features for wildlife to be incorporated into the design of the scheme (e.g. bird boxes, bat boxes, nectar and fruit bearing plants in landscaping, porous boundaries). It is considered all such suggested conditions should be attached should Members resolve to approve the application.

9.42 Objectors have raised concerns about impact upon a protected tree TPO/179 (Land east of Carr End Lane, Stalmine) 2007. The Tree Officer has been consulted and considers the submitted tree survey to be very detailed and suitable to be followed. He agrees with its contents. The Tree Officer states that there is little impact on the existing boundary tree cover, but the use of close board fencing, and posts can be positioned to avoid roots. The Tree Officer also considered impact upon the protected tree during the course of previous application 18/00899/OUTMAJ to which he considered there was potential for impact on the protected oak tree from the widening of the carriageway and 2m footpath width. It is stated that although there is a ditch separating the tree from the carriageway the proposal would bring the footpath within the root protection area of the tree. It was suggested that details should be submitted as to how the tree would be protected during any works. This proposal is no different to the previous application as the same footpath and carriageway widening is proposed, and the siting of the houses themselves would not

affect the root protection area of the tree. These details of protection of the tree can be required by a condition.

Other Matters

Contamination

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

9.44 Environmental Health are satisfied with the submitted desk study, and have no objections to the application subject to conditions requiring the developer to submit a detailed site investigation, and detail any remediation measures if necessary prior to commencement of development, and a watching brief during the works. Should Members resolve to approve the application, subject to these conditions it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

Waste Management

9.45 The National Planning Policy for Waste 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.

9.46 Objectors have raised concern about waste collection and believe the applicants waste strategy is out of date as four bins are now required for each property. The council's Head of Waste Management has been consulted and has no vehicle access concerns, but has noted all the properties that have shared access driveways will have to present on the mouth/entrance to the shared driveways. Members are advised this is usual for major housing sites in the borough as the council's waste collection service collects from adopted roads. Therefore there are no waste collection concerns. In terms of waste storage the submitted plans demonstrate that bins will be stored in the rear gardens of each proposed two, three and four bedroom property. The plans show there is sufficient space for bin storage whether or not that needs to be for up to four bins. The apartment block would have its own bin store adjacent the parking spaces for these units. There are no concerns in relation to waste storage.

Emergency Services

9.47 The Lancashire Fire and Rescue Service has provided a consultation response advising that any potential development on the site should comply with Building Regulations in terms of facilities for the fire service (such as appropriate turning heads for vehicles), and that the proposal is provided with suitable provision of Fire Fighting water. Whilst objectors have raised concerns about provision for emergency vehicles, these building Regulations stand outside of planning considerations.

10.0 CONCLUSION

10.1 The principle of developing the site for housing is supported by Policy SP1 of the Wyre Local Plan as the site is allocated for such purpose in the Local Plan and is well-related to the existing settlement of Stalmine. Whilst the specific site allocation Policy SA1/7 allocates the site for housing subject to the production of a masterplan, the Appeal Inspector for application 18/00075/OUTMAJ considered that it was not possible for the Appellant to comply with this element of the policy as Phase 1 of the site allocation was a fixed element and prevented comprehensive development of the allocation. It was also considered under application 18/00899/OUTMAJ that, in similarity to this current application, the fact that there is no link between this site and an approved development to the east as shown on a "masterplan" document considered by the Inspector does not make it contrary to policy SA1/7.

10.2 The Local Highway Authority has raised no objections based on sustainability, highway capacity or safety subject to the necessary provision of a zebra crossing and the upgrading of two bus stops at A588 Mill Lane near the junction of Smithy Lane further north east of the site, the provision of a 2m wide footpath linking to Lynwood Drive, and widening of Carr End Lane. A Travel Plan contribution is also required. It is also considered that subject to a S278 condition and the financial contributions being secured by S106, the highways impacts of the development can be adequately mitigated.

10.3 Whilst the proposed housing mix does not conform with the SHMA, it is considered that overall there is sufficient evidence for the mix to be accepted, and that the proposal would provide an appropriate mix of size, type and tenure of housing in the local market area, thereby satisfying the aims and provisions of the WLP31.

10.4 A mix of on-site and off-site provision is considered acceptable in this case, with some green infrastructure on site including amenity open space, provision for play, and a frontage buffer with the countryside area to the west, and an off-site contribution which can be put towards a number of projects in Stalmine which is considered of benefit. It is therefore considered that subject to the financial contributions for green infrastructure the impacts of the development could be adequately mitigated.

10.5 It is considered that 74no. units can be adequately provided on site whilst also providing for sufficient parking and private amenity space for the units. Subject to the conditions requested by the relevant consultees it is considered the development would not result in risk to flooding on or off site, contamination risks, harm to ecology or impact upon trees, or harm to neighbouring residential amenity. It is also considered that subject to financial contributions the impacts of the development upon education provision and health care provision could be adequately mitigated, and that subject to conditions and an appropriate legal agreement to secure affordable housing provision the proposal would comply with the relevant housing policies of the Adopted Local Plan.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant full permission subject to conditions and a Section 106 Legal Agreement to secure education, health, travel plan, and green infrastructure contributions, and provision of 30% on site affordable housing. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the S106 legal agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 20.08.2020 including the following plans/documents:

- Drawing No. 00 Site Location Plan
- Drawing No. 01 Rev P12 Proposed Site Layout
- Drawing No. ET-P1 Eton House Type (Floor Plans)
- Drawing No. ET-P2 Eton House Type (Elevations)
- Drawing No. OX-P1 Oxford House Type
- Drawing No. STE-P1 Stephenson House Type (Floor Plans)
- Drawing No. STE-P2 Stephenson House Type (Elevations)
- Drawing No. SHA-P1 Shakespeare House Type
- Drawing No. NT-P1 Newton House Type
- Drawing No. JEN-P1 Jenner House Type (Floor Plans)
- Drawing No. JEN- P2 Jenner House Type (Elevations)
- Drawing No. WRE-P1 Wren House Type
- Drawing No. WREB-P1 Wrenbury House Type
- Drawing No. 3.352/P/BU/L10 300 Rev # Shackleton House Type
- Drawing No. TRE-P1 Trevithick House Type
- Drawing No. BRD-P1 Baird House Type
- Drawing No. BL-P1 Bell House Type
- Chinley House Type Floor Plans and Elevations

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

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

3. Prior express planning permission from the Local Planning Authority no development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of any dwelling and garage (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.

For the avoidance of doubt and brick walls to the gardens of the properties should match any brick used to construct the host dwelling and carried out in accordance with the approved details.

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

4. The development shall take place in accordance with the submitted Drawing No. 04 Rev B (Boundary Treatment Layout) and the following plans:

- Drawing No. FD-001 Rev P1 (1.8m Screen Wall/Fence)
- Drawing No. FD-004 Rev P1 (1.8m Feather Edged Fence)
- Drawing No. FD-007 Rev P1 (0.45m Knee Rail)

For the avoidance of doubt, the boundary screening walls and entrance feature walls shall be constructed in brick to match the proposed brick to the walls of the associated host property.

The approved boundary treatment to all individual dwellings and apartment blocks shall be completed before the associated dwelling is first occupied; the boundary treatments to the site entrance shall be installed prior to first occupation of any dwelling hereby approved; and the boundary treatments to the play area and shall be installed prior to their first use. 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 / neighbours in accordance with Policy CDMP3 of the Adopted Wyre Borough Local Plan (WLP31).

5. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards.

The scheme details shall include, as a minimum:

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

- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policy CDMP2 of the Adopted Wyre Borough Local Plan (WLP31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

6. Prior to the commencement of development save site soil strip and preparation, 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.

7. No development shall commence until details of how surface water and pollution prevention will be managed during construction have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere; and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

8. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Report (FRA) [Ref: HYD538_CARR.END.LANE_FRA&DMS Rev 1.0 Dated 10/09/2020] prepared by Betts Hydro and the following mitigation measures detailed, including those within section 4.8 of the FRA:

1. No surface water from the site shall discharge to the public foul system, either directly or indirectly
2. All existing watercourses are to remain open with 5m easement for access. No existing watercourse shall be culverted.
3. Finished floor levels of the buildings set 150mm above existing ground levels
4. No build offset of between 6m and 8m expected to be required to the watercourse parallel the western site boundary
5. Any overland flows generated by the development to be carefully controlled.

6. Surface water run-off generated by the proposals to be managed effectively with the peak rates of run-off being restricted to the pre-development greenfield situation
7. Onsite surface water drainage system sized to contain the 1 in 30yr return period event below ground with exceedance from storm events up to and including the 1 in 100yr return period storm event with a 40% allowance for climate change being contained onsite
8. Any drainage systems not be offered for adoption to either United Utilities, an appropriate maintenance regime should be scheduled with a suitably qualified management company for these private drainage systems

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

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

9. The development shall take place in strict accordance with the levels and road levels on approved Drawing No. 05 (Site Sections) received 14th February 2022 unless alternative ground and finished floor levels are submitted and approved in writing by the Local Planning Authority prior to such change taking place. The ground 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 a minimum risk of flooding, in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

10. Prior to first occupation of any dwelling hereby approved the following off-site works of highway improvement shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority, in which case the off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation: -

- a) Site access including provision of tactile paving
- b) Off-site works to include a zebra crossing and upgrade two bus stops on A588 Mill Lane near the junction of Smithy Lane, and provision of a 2m footpath, street lighting and changes to kerb line on Carr End Lane.

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).

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

- (a) dust and dirt mitigation measures during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

- (b) control of noise and vibration emanating from the site during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- (f) arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities, power wash, and road sweeping) including details of how, when and where the facilities are to be used;
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable, and periods when plant and materials trips should not be made to and from the site (developer to identify times when trips of this nature should not be made)
- (h) external lighting of the site during the construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from construction work
- (k) measures to protect watercourses against spillage incidents and pollution
- (l) measures to ensure that construction and delivery vehicles do not impede access to adjoining or nearby properties

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

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

12. The visibility splays of 2.4 metres by 49 metres in a northerly direction and 2.4 metres by 53m in a southerly direction from the site access (as shown on submitted drawing no. A117134-P001 Rev A) measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Carr End Lane, 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).

13. 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).

14. (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 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).

15. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved Drawing No. 01 Rev

P12 (Proposed Site Layout), has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

For the avoidance of doubt the two parking spaces incorrectly labelled as 19 on this plan shall be used as two parking spaces to serve plot 18.

Reason: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Adopted Wyre Borough Local Plan (WLP31).

16. 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 prior to the development of the site. In the event that remediation measures are necessary, validation of the approved measures 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).

17. 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).

18. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

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

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 7 years of planting, or any trees or shrubs planted as replacements shall be replaced

within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

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

19. No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a suitably qualified ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority before any vegetation is cleared.

Reason: In order to ensure that nesting birds are not unacceptably affected, in accordance with the National Planning Policy Framework, and Policy CDMP4 of the Adopted Wyre Local Plan 2011-2031.

20. Notwithstanding the submitted Arboricultural Impact Assessment and Appendices, prior to the commencement of development a Tree Protection Plan for TPO/179 (oak tree on Land East of Carr End Lane) and the extent of hedgerow to remain adjacent to the tree, 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. All other retained trees and hedgerows on and adjacent to the site shall be protected in accordance with the measures set out in the submitted Arboricultural Impact Assessment and Appendices.

Such measures, including the Tree Protection Plan for TPO/179, 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 the Tree Preservation Order and adjacent hedgerow and all trees and hedgerows identified as being retained 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, in particular for the Protected Tree.

21. (A) Prior to commencement of development, a method statement shall be submitted giving details of measures to be taken to avoid any harm to amphibians during the course of construction works. Once agreed, the method statement must be implemented in full.

(B) If any of the trees identified in the Ecology Survey and Assessment report as having the potential to support roosting bats need to be removed they must first be inspected for the possible presence of bats by a suitably qualified person. If bats are found a method statement must be prepared and submitted to the Local Planning Authority for written approval, giving details of measures to be taken to avoid or mitigate any possible harm to bats. Those approved mitigation measures shall then be implemented.

Reason: To prevent possible harm to ecology if the development were commenced without the necessary mitigation measures in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

22. Prior to the commencement of development a Scheme of ecological enhancement (otherwise referred to as a Landscape and Habitat Creation and Management Plan), 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):

- Bird nesting boxes
- Bat boxes
- Introduction of nectar and fruit bearing plants
- Porous boundaries (where possible)

Reason: To ensure the long term management and maintenance of open space within the site in the interests of ecology, in accordance with Policy CDMP4 of the Wyre Local Plan (2011-31).

23. Prior to first occupation, 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.

24. 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, and any EVCP should 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).

25. The development hereby approved shall be carried out in full accordance with Drawing No. 01 Rev P12 (Proposed Site Layout) showing plots 4, 12, 16, 17, 30, 32-34 (inclusive), 38, 39, 56, 61, 62, 67 and 68 (15no. units) as the adaptable plots along with wider parking space provision. These plots shall be provided to M4(2) standard of the Building Regulations as set out in the submitted Accessible Housing Statement (House Types - Adaptable Dwellings) by Anwyl Homes, and retained and maintained at all times thereafter as accessible and adaptable 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.

26. The development shall be designed so that noise levels at each and every dwelling do not exceed the following levels as assessed in accordance with British Standard 8233:2014 guidelines and WHO guidelines (or any subsequent replacement national standards/guidance):

- 50dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas, daytime
- 35dB LAeq 16 hours (07.00 to 23.00) - indoors, daytime
- 30dB LAeq 8 hours (23.00-07.00) - indoors, night-time
- 45dB LAFmax (23.00-07.00) - indoors, night-time
- 60 dB LAFmax 8 hours-(23.00-07.00) façade level night time
- 60 dB LAFmax 4 hours-(19.00-23.00) façade level night time

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

27. Prior to the construction of any dwelling on the site full details of the local area of play (LAP) shown on Drawing No. 01 Rev P12 (Proposed Site Layout) shall be submitted and agreed, and this play area shall be installed in accordance with the approved details and available for use prior to first occupation of the 35th dwelling, unless an alternative timetable is first agreed in writing with the Local Planning Authority.

Reason: To ensure there is sufficient provision for play for all occupants of the site in a timely manner in accordance with Policy HP9 of the Adopted Local Plan 2011-312 (WLP31).

28. An Open Space Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all areas of open space, other than privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling whichever is the sooner for its permitted use. The Management Plan shall be

implemented in accordance with the approved details during the lifetime of the development.

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

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order):

(a) no fences, gates or walls other than those shown on approved Drawing No. 01 P11 (Proposed Site Layout), shall be erected along the front or side boundaries of any dwellinghouse forward of the main front elevation or side elevation of that dwellinghouse; and

(b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking.

Reason: The development has been designed with an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development. The loss of front landscaping areas would also seriously detract from the overall streetscene which would become dominated by car parking. This would be contrary to Policy CDMP3 of the Wyre Borough Local Plan (WLP31) and the provisions section 12 of the NPPF.

30. Notwithstanding the provisions of Schedule 2 Part 1 Classes A-D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), the dwellings on plots 35-37 and 49-51 inclusive, hereby approved shall not be altered or extended, without express 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 / neighbours of these particular plots in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

31. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) hereby approved for plots 17, 32, 33, 38, 56, 61, and 62, shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose without prior express planning permission from the Local Planning Authority.

Reason: To ensure that there is sufficient off-highway parking for these three bedroom units which require two parking spaces and which without the garages would only have one external parking space, to ensure the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon, and in the interest of the amenity of the street scene, in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

Notes: -

1. You are advised that Montbretia, an invasive plant, has been recorded on site. Its spread is proscribed under the terms of the Wildlife and Countryside Act 1981 (as amended). It should be removed as part of any groundworks.