

Planning Committee

6 December 2017

<b>Item No</b>	<b>Site/ Video/ Photos</b>	<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Rec.</b>	<b>Decision</b>
1	S	17/00862/OUT	Land Adjacent Moss Hey Farm Mill Lane Hambleton Lancashire FY6 9DE	Outline application for the erection of one dwelling with associated access (all other matters reserved)	REF	
2	S	17/00745/FULMAJ	Lakeland View Laidleys Walk Fleetwood Lancashire FY7 7JL	Erection of a three storey residential care home for use within Use Class C2 including car parking with vehicular and pedestrian access and associated landscaping	PER	

arm/rg/pla/cr/17/0612nc3

**Committee Report****Date: 06.12.2017**

<b>Item Number</b>	<b>01</b>
<b>Application Number</b>	<b>17/00862/OUT</b>
<b>Proposal</b>	<b>Outline application for the erection of one dwelling with associated access (all other matters reserved)</b>
<b>Location</b>	<b>Land Adjacent Moss Hey Farm Mill Lane Hambleton Lancashire FY6 9DE</b>
<b>Applicant</b>	<b>Mr James Cornthwaite</b>
<b>Correspondence Address</b>	<b>c/o M L Planning Ltd 5 Bobbin Mill Cottages Stubbins Lane Claughton On Brock Preston PR3 0PL</b>
<b>Recommendation</b>	<b>Refuse</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor J Robinson. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The site which forms the subject of this application relates to an undeveloped parcel of agricultural land of approximately 0.33 acres (0.13 hec) which is located on the eastern side of Mill Lane, 30m south of the junction with Moss Lane on the outskirts of the rural settlement of Hambleton. The site is characterised as flat agricultural grazing land bound to the north and south by a mixture of mature trees, broken hedge lines and open field drains. Along the site frontage/western boundary there is a continuous mature Hawthorn hedgerow with an established field entrance towards the north western corner of the site.

2.2 The surrounding area is predominantly rural in character with open fields to the north, east and west. To the south is a residential dwelling known as Moss Hey Farm and 70m to the north east on the northern side of Moss Lane is a residential dwelling known as Hambleton Hall (Grade II Listed building) adjacent to which is a cluster of properties which make up the residential barn complex of Hambleton Hall Barns. The site lies approx. 480m west of the defined village settlement boundary in an area of Open Countryside as allocated within the Local Plan Proposals Map. There are no other designations or constraints which affect the application site.

### **3.0 THE PROPOSAL**

3.1 This application seeks outline planning consent for the erection of one detached residential dwelling with access applied for (appearance, landscaping, layout and scale are all matters reserved). The application has been accompanied by an indicative site layout plan and an illustrative artist impression of the dwelling to demonstrate how it could appear within the site. The proposal seeks to retain the existing field entrance for access to the land to the rear (this falls outside the applications red edge). A new access point is proposed which is centrally located along the site frontage and is shown to measure approximately 4.5m in width. Visibility splays have been demonstrated showing 2.4m x 59m. The new access will require 6m of the existing hedgerow to be removed.

### **4.0 RELEVANT PLANNING HISTORY**

4.1 The application site has no relevant planning history

### **5.0 PLANNING POLICY**

#### **5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

##### **5.1.1 Section 1 - Delivering sustainable development**

The NPPF was published by the Department of Communities and Local Government on the 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The ministerial forward to the NPPF states that "Development that is sustainable should go ahead without delay - a presumption in favour of sustainable development that is the basis for every plan and every decision".

5.1.2 There are three dimensions to sustainable development, including (paragraph 7):

- an economic role - contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available at the right time and in the right places to support growth
- a social role - supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, by creating a high quality built environment with accessible local services
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment and as part of this helping to improve bio-diversity.

To achieve sustainable development, economic, social and environmental gains should be sought jointly.

##### **5.1.3 Section 6 - Delivering a wide choice of high quality homes**

Boost significantly the supply of housing. Provide five years' worth of housing with an additional 5%. Housing applications should be considered in the context of the presumption in favour of sustainable development. Deliver a wide choice of high quality homes and plan for a mixed housing base. In rural areas housing should be located where it will enhance or maintain the vitality of rural communities. In the countryside isolated dwellings should be avoided unless there are special circumstances.

Paragraph 55 aims to promote sustainable development in rural areas, by locating housing where it will enhance or maintain the vitality of rural communities. It goes on to say that local authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- Essential need for a rural worker
- Viable use of a heritage asset
- Reuse of redundant or disused buildings and leading to an enhancement of the immediate setting
- Exceptional quality or innovative nature of design.

#### 5.1.4 Section 7 - Requiring Good Design

Paragraph 56 states the Government attaches great importance to the design of the built environment and stresses that good design is a key aspect of sustainable development and is indivisible from good planning. To emphasise the importance of this statement paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 60 states planning decisions should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality design and inclusive design goes beyond aesthetic considerations. Planning should address the connections between people and places and the integration of new development into the natural, built and historic environment.

#### 5.1.5 Section 10 - Meeting the challenges of climate change, flooding and coastal change

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without flood risk elsewhere. Sequential and exception tests should be used.

#### 5.1.6 Section 11 - Conserving and enhancing the natural environment

This requires the planning system to contribute to and enhance the natural and local environment. In particular, valued landscapes should be protected and enhanced and the impacts on biodiversity minimised. Paragraph 118 sets out a number of principles which should aim to preserve and enhance biodiversity. The guidance set out in paragraph 118 indicates that where development causes significant harm, with no adequate mitigation or compensation proposed and accepted as commensurate to the harm, that the development should be refused.

## 5.2 ADOPTED WYRE BOROUGH LOCAL PLAN (SAVED POLICIES)

5.2.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. The following policies are considered to be of relevance to the determination of this application. The weight to be afforded to these policies is discussed within subsequent sections of this report:

- Policy SP8 - Definition of Small Rural Settlements
- Policy SP13 - Development in the Countryside
- Policy SP14 - Standards of Design and Amenity

### 5.3 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

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

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

### 5.4 EMERGING LOCAL PLAN

5.4.1 The Council is in the process of preparing a new Wyre Local Plan. The 'Publication' draft Wyre Local Plan (2011 -2031) was approved by Full Council on 7th September 2017 for a six week public consultation on Friday 22nd September 2017 and thereafter submission to the Secretary of State for examination provided the public consultation does not raise issues which require substantive alterations to the draft Wyre Local Plan. The 'Publication' stage is an advanced stage in the local plan process. It sets out the Council's position with regard to how development needs will be accommodated and how they must be delivered. This position is supported by a comprehensive and robust evidence base. Although the draft Local Plan does not have the full weight of an adopted Local Plan it has been approved as a material consideration in the determination of planning applications from the date of publication, replacing the Core Strategy Preferred Options document.

5.4.2 The following policies contained within the draft Local Plan are of most relevance:

- SP2 -Sustainable Development
- SP4 - Countryside Areas
- CDMP1 - Environmental Protection
- CDMP3 - Design
- CDMP4 Environmental Assets

5.4.3 The draft Local Plan is prepared on the basis of the completed housing evidence. This includes the Strategic Housing Market Assessment (including the 2017 Addendum 3) which confirms that the figure of 479 dwellings remains a robust and appropriate objectively assessed need (OAN) figure. However the local plan sets an annual housing requirement of 411 dwellings for the period 2011 to 2031. The evidence supporting the Local Plan shows that the full OAN cannot be delivered. The 'Publication' draft Wyre Local Plan indicates that Wyre can only deliver 8,224 dwellings due to various constraints. It is considered that the identified annual housing requirement represents a robust and sound figure for the local plan within the context of constraints in the borough.

## 6.0 CONSULTATION RESPONSES

### 6.1 HAMBLETON PARISH COUNCIL

6.1.1 Objects - The proposed site is not within a sustainable location in walking distance of services, facilities or public transport and has no street lighting with Moss Lane being a narrow single road with no pavements. The site falls outside of the settlement boundary on agricultural land and the Parish Council believe that the proposed development does not respect street pattern or the scale and proportions of the surrounding buildings which in turn would be out of character with the area.

## 6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.2.1 No objections - The proposed dwelling and associated access will not have a significant impact upon highway safety, capacity or amenity in the immediate vicinity of the site. Mill Lane is narrow and parking on the road during construction should be avoided. A construction Management Plan should be conditioned and a Section 184 agreement will be required for the creation of the driveway over highway verge. If approved a number of conditions are recommended.

## 6.3 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.3.1 No objections - There are a number of water bodies within close proximity to the site, the submitted ecological statement adequately demonstrate that the development will not result in any loss of waterbodies or potential GCN Habitat as such no further surveys are required. As newts could be found in works area Reasonable Avoidance Measures (RAMS) should be conditioned to be adopted during construction. A condition relating to the bird nesting season should also be attached preventing the removal of the frontage hedgerow during the main breeding season.

## 6.4 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.4.1 No objections in principle subject to full drainage plans being submitted including the principle of SUDS.

## 6.5 WYRE BC HEAD OF OPERATIONS (TREES)

6.5.1 No objections - A section of the hedgerow along the road frontage will need to be removed for the site access however this will be suitably mitigated by the newly proposed planting along the southern boundary.

## 6.6 HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (POLLUTION CONTROL)

6.6.1 No objections subject to standard condition relating to a land contamination desk study being provided.

## 7.0 REPRESENTATIONS

7.1 At the time of compiling this report there has been 4 letters of support for proposal and 3 letters of objection received. The primary reasons for opposition are:

- Lack of passing places on any of the roads in the area and no footpaths
- Smells from sewage
- Drainage
- Visual Harm to the countryside
- Increase in traffic
- Already existing dwellings within the locality
- Access is close to a blind corner
- No street lighting
- Highway incidents have regularly occurred to cyclists, pedestrians and horses due to the narrow nature of the lane
- Flooding regularly occurs

- Removal of existing field drain may increase the risk of flooding
- Discrepancies in the submitted design and access statement
- Design of dwelling could result in two properties being constructed
- Restrictions of deeds preventing trees and hedgerow being removed or trimmed

The primary reasons for support are:

- Good level of natural screening preventing visual impacts
- Ideal position to build
- Site is only 1 mile walk from the amenities of Hambleton
- Lane is quiet and has clear visions
- Proposal would support a local occupant and family of the village

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

8.1 Contact has been made with the agent to set out the Case Officers Concerns regarding the principle of the development. An extension of time has also been agreed until the 8th December 2017

## **9.0 ISSUES**

9.1 The main key issues in the determination of this application are as follows:

- Principle of Development and Policy Compliance
- Design and Impact on the Character and Appearance of the Surrounding Area
- Impact on Residential Amenity
- Impact on Highway / Parking
- Flood Risk and Drainage
- Ecological Matters
- Impact upon Trees
- Contamination

Principle of Development and Policy Compliance

9.2 At a local level Saved Policy SP13 of the adopted Wyre Borough Local Plan sets out that unless otherwise justified by the polices within the local plan, development in areas designated as the countryside on the proposals map will not be permitted subject to the following exceptions:

- A) The essential requirements of agriculture or forestry, suitable forms of tourism and related activities
- B) Fulfilling a local housing need
- C) The re-use or refurbishment of listed buildings or institutional buildings
- D) The conversion of rural buildings
- E) The development of a single infill plot within an established frontage of not less than five dwellings

9.2.1 In this instance the provision of a new dwelling as proposed within this application fails to satisfy any of the criteria above nor is it justified by other policies within the development plan. Whilst Policy SP13 is a saved policy and was adopted some time ago recent appeal decisions have stated that it is considered to be broadly consistent with, and reflects the objective of Paragraph 55 of The Framework to avoid new isolated homes in the countryside unless the development is deemed to be sustainable development or accords with a number of identified special circumstances. The Council acknowledges that it cannot demonstrate a five-year supply of deliverable housing sites and as such In accordance with paragraph 49 of the National Planning Policy Framework in the event that such a supply cannot be demonstrated, relevant policies for the supply of housing should not be considered to be up-to-date and housing applications should therefore be considered in the context of the presumption in favour of sustainable development. The three dimensions to sustainable development are as set out paragraph 7 of the NPPF and seek to achieve economic, social, and environmental gains and positive improvements to the quality of the built and natural environment. These are not to be undertaken in isolation because they are mutually dependant. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

9.2.2 Paragraph 55 of the NPPF promotes sustainable development in rural areas, stating that housing should be located where it will enhance or maintain the vitality of rural communities, or, where there are groups of smaller settlements, that development in one village may support services in a village nearby. Hambleton does benefit from an array of public services and conveniences including a church, Primary School, shops, post office/petrol filling station, public house and recreational facilities. The application site lies within an area of pleasant countryside as identified within the Local Plan proposals map and is approximately 480m south east the defined village settlement boundary. The applicant has submitted and provided a detailed supporting Sustainability Assessment which has been given full consideration in the assessment of this application. However, despite the supporting information provided and notwithstanding the small number of sporadic houses within the area, the proposed dwelling would be remote from services, facilities and public transport at the same time as being physically and visually detached from the main built environment. In this turn it is considered to represent an isolated new dwelling within the countryside. In the balancing exercise of the planning assessment the sites geographical location has been given due consideration as mentioned above, however the sites connectivity to reach any services or public facilities which the occupants of the dwelling would realistically rely upon on a day to day basis has also been considered. Within the applicants Sustainability Assessment the distances to the local school and church have been annotated. Whilst the distance of 400m+ is not a significant distance away the only means of pedestrian access is via narrow windy roads with no pedestrian footpaths and a significant lack of street lighting. The pedestrian routes the applicant has demonstrated include a Public Right of Way to the west through an unlit farmers field with steps at the northern exist and also a route through the Bob Williamsons recreational site adjacent. All of these routes would not provide a safe or convenient means of pedestrian environment, especially for pushchairs or wheelchair users and during winter and periods of bad weather. Given the sites detachment it is likely that the occupants would heavily rely upon the use of private transport which fails to promote sustainable forms of development in conjunction with sustainable transport as set out in Paragraph 17 of the NPPF.

9.2.3 In principle whilst the council cannot demonstrate a 5 year supply of housing sites, in this case specific policies in the NPPF (paragraph 55) indicate that development should be restricted. In this regard, the limited social and economic



benefits associated with the provision of a single dwelling would not constitute "special circumstances" to justify the development. In respect to the environmental dimensions which contribute to sustainable development this is discussed and set out in more detail below in paragraph 9.2.4. However for the reasons set out above the proposal is considered to be contrary to the provisions of Saved Policy SP13 of the Local Plan and paragraph 55 of the NPPF. Whilst very limited weight can be attributed to the Emerging Local Plan at this stage it is a material consideration and In this case the proposal would also fail to comply with Policies SP2 and SP4.

#### Design and Impact on the Character and Appearance of the Surrounding Area

9.2.4 The application site is an undeveloped parcel of (Grade 3 - good to moderate) agricultural land in a rural location which is bound by natural vegetation, trees and hedge lines. Whilst the submitted site plan and artists impression is for illustrative purposes only they demonstrate that the introduction of new dwelling on this site would erode the open and intrinsic character of the countryside area and appear as an alien feature within the landscape. The site is prominent in views from along both Mill Lane and Moss Lane as well as the wider surrounding country lanes and is an attractive area of open land that contributes to the pleasant visual gap between the neighbouring properties to the north and south. The proposed dwelling would occupy a large plot that would result in the domestication of a significant area of countryside, in this regard the cultivation of the garden, removal of hedgerow and the introduction of domestic paraphernalia would have a significant visual impact in addition to the creation of the new dwelling. Saved Policy SP14 sets out that new development should be acceptable in the local landscape in terms of its scale, mass and style and should also be compatible with adjacent and existing land uses. In this case due to the extensive gap the proposed dwelling would relate poorly to the nearby property (Moss Hey Farm) to the south and also the Grade II Listed Building (Hambleton Hall) to the north. The proposed dwelling would be contrary to Saved Policies SP13 and SP14 which seek to ensure, amongst other things, that new development is appropriate to the countryside setting, and acceptable within the local landscape.

#### Impact upon Residential Amenity

9.2.5 The impacts upon residential amenity can only really be fully assessed at the reserved matters stage when layout, scale and appearance are applied for. The application has been accompanied by an indicative site layout plan which demonstrates how the site could accommodate the dwelling. Based on the spacing guidance demonstrated (approx. 22m) it is considered that the proposed dwelling is unlikely to result in any significant adverse or detrimental impact upon the occupants of Moss House Farm to the south and would satisfy the spacing standards set out in SPG4.

#### Impact on Highway / Parking

9.2.6 One concern that has been highlighted by neighbouring residents and Hambleton Parish Council is the narrow width of Moss Lane and the lack of pedestrian footpaths and passing places. However, Lancashire County Highways have advised that they do not have any objections to the proposal and are of the opinion that the development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The Highways Officer has acknowledged that Moss Lane is narrow and has recommended conditions including a Construction Management Plan to control construction traffic and prevent parking on the highway. In terms of parking provisions the development as shown on the

indicative layout plan is considered be acceptable and would provide sufficient off street parking.

#### Flood Risk and Drainage

9.2.7 The application site lies wholly in Flood Zone 1 which is the least susceptible area to flooding. Concerns have been raised by residents in terms of the development increasing the risk of flooding in the immediate vicinity of the site. The Councils Drainage Engineer has raised no objections in principle subject to full drainage plans and arrangements being conditioned including the provisions for Sustainable Urban Drainage System (SUDS).

#### Ecological Matters

9.2.8 The application has been accompanied by an Ecological Appraisal which has been fully assessed by Greater Manchester Ecology Unit. There are 3 ponds within 250m of the proposed development. 2 of the ponds could not be accessed for assessment as they are on private land however GMEU have advised that they are both on the opposite side of Mill Lane and Great Crested Newts would be unlikely to cross the lane which acts as a significant barrier. GMEU have advised that they do not believe the development would result in the loss of any water bodies or potential Great Crested Newt habitat and as such further surveys are not considered necessary. If Members are mindful to approve the application GMEU have requested that a condition is attached as there may be a small possibility newts or amphibians could be found in the development area. This condition requires full details of Reasonable Avoidance Measures (RAMS) to be provided prior to any works commencing on site. A further condition has been recommended relating to the protection of nesting birds setting out that any hedgerow works should not be undertaken during the main bird breeding season (March to July inclusive).

#### Impact upon Trees

9.2.9 To accommodate the new access a 6m section of hedgerow will be required to be removed. The submitted Ecological Assessment and also the Councils Tree Officer confirms that the hedgerow is not classified as important under the Hedgerow Regulations (1997) and the loss proposed in this application can be adequately mitigated against. The proposal seeks to provide a newly planted hedgerow and informal coppice of trees along the southern boundary. The Councils Tree Officer has confirmed that this would provide suitable mitigation for the gap created by the access.

#### Contamination

9.2.10 Environmental Health Pollution control have raised no objections to the proposal subject to a contaminated land desk top survey being conditioned.

### **10.0 CONCLUSION**

10.1 On the issue of sustainability, it is considered that, on balance the proposal would result in an unjustified and unsustainable form of development within the open countryside. The proposal would not comply with saved Policies SP13 and SP14 of the Local Plan, which seek to protect the local landscapes and countryside area from unjustified forms of development. In assessing the proposal against the NPPF, there would also be conflict with paragraph 55 which sets out the special circumstances which would justify new residential development in the countryside, and paragraph

17 as the development would not result in growth which would make the fullest possible use of public transport, walking and cycling. Whilst the dwelling would marginally contribute to the shortfall in housing within the borough and moderate weight is attached to this benefit, there are not considered to be any other benefits of the development proposed. The unsustainable location of the site and the visual impacts which would arise from the development being visually isolated would outweigh the marginal benefit of increasing the housing stock in the borough by one unit and as such it is recommended that the application is refused.

## **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.

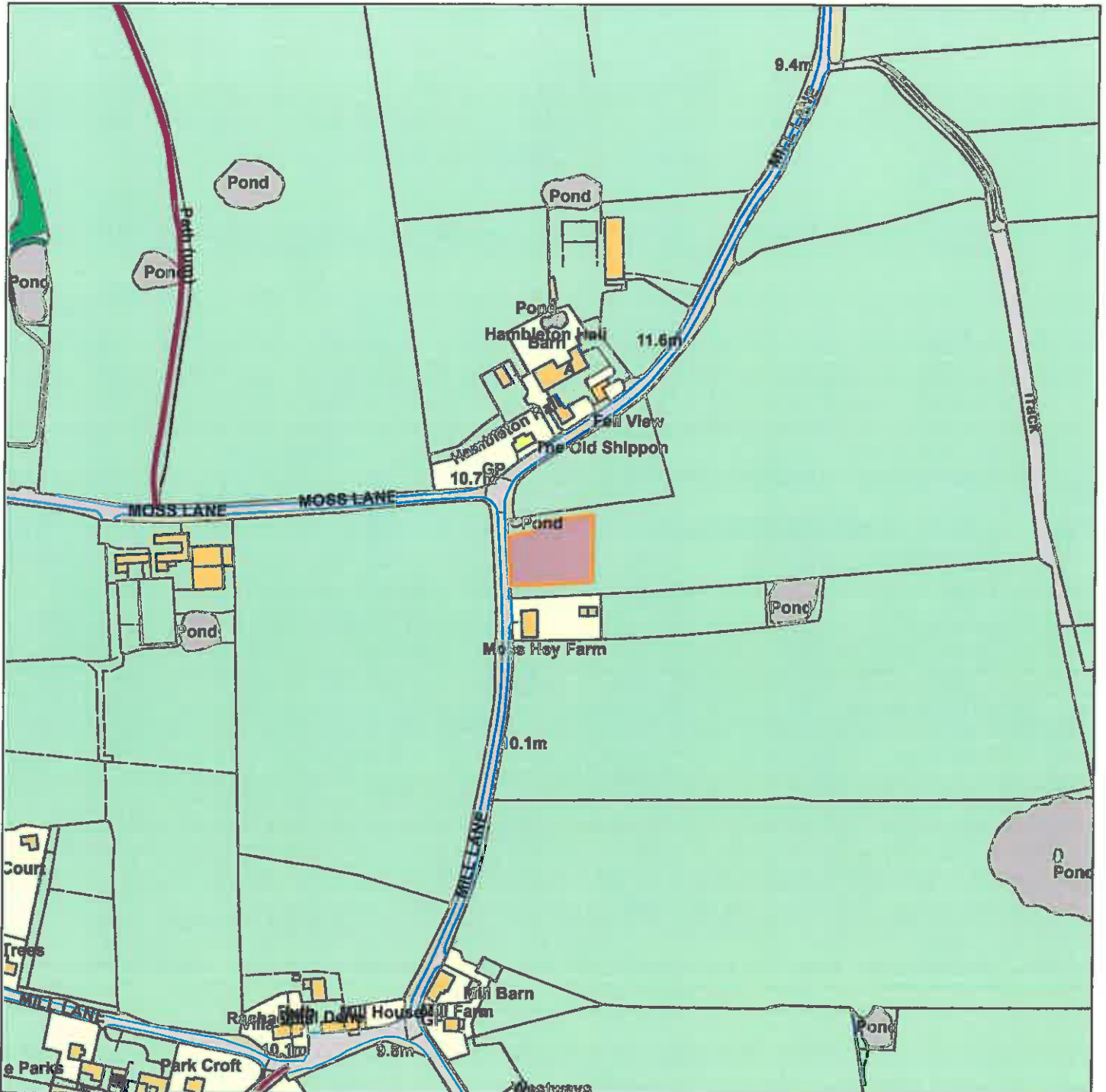
## **12.0 RECOMMENDATION**

12.1 Refusal

### **Recommendation: Refuse**

1. The application site relates to an undeveloped parcel of agricultural land and is located in a detached rural location within the defined countryside area of Hambleton approximately 480m outside of the defined village settlement boundary. The site is located on the eastern side of Mill Lane south of the junction with Moss Lane. These lanes are both narrow, winding and rural in character which are unlit and have no pedestrian footpaths. Consequently the development is considered to be sited in an unsustainable, detached and isolated location due to the lack of immediate, direct and safe access to key community services and infrastructure which realistically can only be accessible by using a private motor car. The development would not amount to sustainable development and would represent an unjustified and isolated new dwelling in the countryside, contrary to locational guidance contained within the National Planning Policy Framework, in particular paragraphs 17 and 55.

2. The application site is located in a prominent rural, countryside location and is visible from many surrounding public vantage points. It is the opinion of the local planning authority that the construction of 1 new dwelling on this parcel of undeveloped agricultural land would introduce an unjustified form of domestic development which is considered to be wholly out of keeping with and visually harmful to the intrinsic character and beauty of this area of countryside, which is characteristically rural and open. As such the development would be contrary to guidance set out within the NPPF and (saved) Policies SP13, SP14 of the Adopted Wyre Borough Local Plan.



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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 1
<b>Date</b>	22 November 2017
<b>SLA Number</b>	100018720

**Committee Report****Date: 06.12.17**

<b>Item Number</b>	<b>02</b>
<b>Application Number</b>	<b>17/00745/FULMAJ</b>
<b>Proposal</b>	<b>Erection of a three storey residential care home for use within Use Class C2 including car parking with vehicular and pedestrian access and associated landscaping</b>
<b>Location</b>	<b>Lakeland View Laidleys Walk Fleetwood Lancashire FY7 7JL</b>
<b>Applicant</b>	<b>TAS Ltd</b>
<b>Correspondence Address</b>	<b>c/o NJSR Chartered Architects LLP FAO Mr Butterworth 57-59 Hoghton Street Southport PR9 0PG</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Thorfinn Caithness****1.0 INTRODUCTION**

1.1 The application comprises a full planning application for the erection of a three storey care home falling within Class C2 of Use Classes Order.

1.2 A request has been made by Councillor Anderton for the application to be referred to planning committee for consideration.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application relates to 0.41 ha of land located to the south of Laidleys Walk and east of Macbeth Road at the northern edge of Fleetwood. The site is approximately 1 mile North West of the centre of Fleetwood. The site is rectangular in shape with a Laidleys Walk frontage length of 90 metres and a Macbeth Road side depth of 43 metres.

2.2 The majority of the existing site comprises vacant land, except for a small electricity substation building located on the southern boundary. There is an existing vehicular access into the site from Macbeth Road to the east which serves the substation. The site was historically occupied by Lakeland View, a residential care home, which was demolished a number of years ago.

2.3 The site is located within the 'Boundary of the Urban Area', as defined by the Adopted Wyre Borough Council Proposals Map, 1999. To the north of the site on the opposite side of Laidleys Walk there is designated recreational open space, with ponds and recreational paths, beyond which is the beach and sea. To the east, south and west of the site are residential streets and neighbourhoods. There are a number of other care homes and retirement flats in the area. In the Publication Draft Wyre

Local Plan Proposals Map, September 2017 the site is located within the proposed settlement boundary (Policy SP1).

2.4 The site lies in Flood Zone 1, and therefore has a low probability of flooding. The site is not within the Green Belt, is not within a designated Conservation Area and there are no Listed Buildings or other heritage assets either within or in close proximity to the site. There are no trees or hedges within or bounding the site and the site does not bear the characteristics of habitat for protected species. The site has no obvious constraints and is located in a sustainable and accessible location.

### **3.0 THE PROPOSAL**

3.1 The application seeks full planning permission for the erection of a three storey Use Class C2 residential care home, including new access, parking and landscaping at Lakeland View, Laidleys Walk, Fleetwood. The proposal would provide 80 beds and associated facilities, with a gross internal floorspace of 3,583 square metres, generating up to 50 full-time and 40 part time jobs. Associated infrastructure includes access from Macbeth Road, rear service yard, 15 off-street car parking spaces, including 2 disabled spaces, bin store and substation, and air source heat pump. The scheme also provides landscaped amenity areas.

3.2 The building will have maximum eaves and ridges heights of 8.25m and 12.0m respectively, and will be constructed of a mix of mixed red brick and weatherboarding for the principal facing materials, with a stone / concrete feature band, weathered grey roof tiles and aluminium windows. Foul will be discharged to mains sewer and surface water to soakaways / Sustainable Urban Drainage Systems (SuDS).

3.3 The applicant has stated that the key objective of the proposal is to provide additional care home accommodation for the elderly in a region where the proportion of elderly population exceeds the national average (over 85's population is 39% higher than the national profile and is set to double over the next 20 years). A more significant objective is to provide en-suite bedroom facilities for the elderly, for which there is a significant local demand and current under provision (Fleetwood has a shortfall of 200 en-suite beds). The applicant outlines that the average size of a closing care home in England is 27 beds, with many existing facilities limited to shared bedrooms and bathrooms. The application proposals seek to improve the quality of environment provision for the elderly in Fleetwood and aims to play an important role in terms of caring for those with dementia.

3.4 The application is supported by the following plans and particulars: -

- Application Forms
- Location Plan
- Proposed Site Plan and Roof Plan
- Proposed Floor Plans, Elevations, Site Sections and Street Scene Elevations
- Landscaping Plan
- Highway Works Plan
- Design and Access Statement
- Transport Statement and Addendum
- Swept Path Analysis
- Travel Plan
- Operational Site Management Plan

- Flood Risk Assessment and Drainage Strategy
- Demand Statement
- Noise and Odour Assessment

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 No relevant planning history. The site has previously accommodated a residential care home called Lakeland View. This was demolished several years ago.

#### **5.0 PLANNING POLICY**

5.1 National Planning Policy Framework

5.1.1 The Framework sets out a presumption in favour of sustainable development (para 14). Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

5.1.2 Twelve core planning principles are identified. These include supporting sustainable economic development to meet local need; securing high quality design and a good standard of amenity; recognising the different roles and characters of different areas; accounting for flood risk; conserving and enhancing the natural environment; actively managing patterns of growth to maximise use of sustainable transport modes; and delivering sufficient community and cultural facilities and services to meet local needs.

5.1.3 Section 4 promotes sustainable transport and the location of development to maximise use of sustainable travel modes.

5.1.4 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

5.1.5 Section 7 sets out that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness.

5.1.6 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in facilitating social interaction and creating healthy, inclusive communities including delivering the social, recreational and cultural facilities and services communities need.

5.1.7 Section 10 considers the challenge of climate change, flooding and coastal change. Inappropriate development in areas of flood risk should be avoided and the sequential test should be applied to direct development away from the areas of highest risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere.

## 5.2 Wyre Borough Local Plan 1999 (Saved Policies)

5.2.1 The following saved policies are of most relevance:

- SP2 - Strategic Location for Development
- SP14 - Standards of design and amenity
- ENV15 - Surface water run-off
- H13 - Open space in new housing developments
- CIS6 - Securing adequate servicing and infrastructure
- CIS7 - Wastewater Management

## 5.3 Emerging Local Plan

5.3.1 The emerging Local Plan comprises the Publication Draft Wyre Local Plan, September 2017. This consists of a Written Statement, setting out a spatial vision for the borough, objectives to meet that vision, and the policies (including site allocations) that will be used to manage future development across the borough. The Draft Plan also includes a Policies Map, which identifies site allocations and local designations such as Green Belt and countryside.

5.3.2 The following emerging policies are of most relevance:

- SP1(2) - Development Strategy - Fleetwood - Urban Town
- SP2 - Sustainable Development.
- SP7 - Infrastructure Provision and Developer Contributions.
- SP8 - Health and Well-Being.
- CDMP1 - Environmental Protection.
- CDMP2 - Flood Risk and Surface Water Management.
- CDMP3 - Design.
- CDMP4 - Environmental Assets.
- CDMP6 - Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP9 - Green Infrastructure

## 5.4 Supplementary Planning Guidance

5.4.1 SPG4 - Spacing guidance for new housing layouts - this document specifies the minimum separation distances considered to be acceptable to safeguard residential amenity and avoid physical dominance. In general for two storey developments, 21m should separate front and rear elevations, 13m should separate front/rear and side elevations, and 2m should separate side elevations.



## **6.0 CONSULTATION RESPONSES**

6.1 Fleetwood Town Council - No response.

6.2 Lancashire County Council (Highways) - No objections. The proposed development will not have any significant impact on highway safety, capacity or amenity. The proposal will generate an estimated 164 two way vehicular movements between 7am and 7pm, with an estimated peak flow of 13 two way vehicles between 8am and 9pm and 10 two way vehicles between 5pm and 6pm. The peak period is between 3pm and 4pm. The estimated peak flow will be 18 vehicles per hour, which equates to approximately one vehicle every three minutes. The recommended sight lines of 2.4m x 43m for the 30mph speed limit on Macbeth Road are achievable. The scheme shows an acceptable site access and turning head for emergency and twin axel refuse vehicles. The proposal will not have a severe impact on highway safety and a safe a suitable access to the site can be provided for all road users. Provision of a zebra crossing and carriageway narrowing on Laidley's Walk is desirable to promote sustainable forms of transport. The proposed off-street parking provision of 15 spaces is considered to be acceptable. Conditions are recommended with respect to provision of wheel washing facilities during construction, pre-and-post construction survey for Macbeth Road (and making good any damage), provision of on-site facilities for vehicular turning, submission and approval of a traffic management plan, submission and approval of a scheme for the construction of the site access, and no occupation until approved access and parking has been provided.

6.3 Lancashire County Council (Lead Local Flood Authority) - Awaited.

6.4 WBC Head of Engineering Services (Drainage) - No Objection. Consideration should be given to installing a rainwater harvesting system to reduce discharge volumes through soakaway. The site is in Flood Zone 1 (Low Risk).

6.5 United Utilities - No objections subject to conditions to agree foul and surface water disposal.

6.6 WBC Head of Environmental Health and Community Safety (Contamination)

- No objection subject to standard contamination condition.

6.7 WBC Head of Environmental Health and Community Safety (pollution) - No objections subject to conditions to control construction activities, hours of working and delivery times, piling, dust, community liaison, lighting, noise, sound insulation, and odour.

## **7.0 REPRESENTATIONS**

7.1 16 representations have been made by local residents. These all comprise objections to the application on the following grounds: -

- Inappropriate location for this land use. Better suited to a more central location in Fleetwood.
- Excessive size, scale and height.
- Loss of privacy.
- Loss of light.
- Poor design - too utilitarian.

- The building will dominate the site, is too bulky and will be the biggest building on the promenade.
- The area is not well-served by buses. No bus stops nearby.
- Employees are unlikely to use public transport, or walk or cycle to the site.
- Inadequate off-street parking provision in an area where there is existing on street parking problems.
- Inadequate access.
- Macbeth Road is too narrow to accommodate the access.
- Increased traffic and conflict with other local land uses such as residential care homes and a children's day nursery.
- Inadequate amenity space for future residents.
- Noise nuisance from air source heat pump.
- Noise nuisance from bin store.
- No details of where the waste is to go.
- Lack of undercover provision for mobility scooters.
- Adverse effects on the local highway during the construction period.
- Noise nuisance and disturbance during construction period.
- Odour and air pollution.

7.2 No representations have been received in support for the scheme.

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

8.1 The applicant engaged in pre-application discussions with the local planning authority. The applicant has submitted additional information post-submission to address third party concerns in relation to public transport, parking, traffic and waste. Public bus services are available on Poulton Road, approximately 10 minutes away. The #14 service provides 6 services per hour (each way), equating to 1 bus every 10 mins (each way). The application proposes 15 car parking spaces, which is one less than the 16 required. The proposal will generate a maximum of 12 vehicle movements during the weekday AM and PM peak periods, which equates to an average of 1 vehicle movement every 5 minutes. A bin store is located within the site.

## **9.0 ISSUES**

9.1 The key material planning considerations are considered to be:

- Planning Policy and Principle of Development
- Housing Land Supply
- Housing for Older People
- Sustainability
- Access, Highway Safety and Parking
- Design and Street Scene / Visual Amenity
- Neighbour Amenity
- Environmental Impacts
- Flood Risk and Drainage

Planning Policy and Principle

9.2 The principle of the application is considered to be acceptable and in accordance with national, adopted and emerging planning policy. The site comprises a location which has historically accommodated a residential care home, prior to its demolition a few years ago. This is a sustainable and accessible location within the Policy SP2 'Strategic Location for Development' defined by the adopted Wyre

Borough Local Plan and the Policy SP1(2) 'Development Strategy - Fleetwood - Urban Town' , defined by the Publication Draft Wyre Local Plan, September 2017.

9.3 Paragraph 14 of the NPPF states that the planning system should proactively drive and support the homes that the country needs. Furthermore, paragraph 47 of the NPPF states that local planning authorities should boost significantly the supply of housing, including both market and affordable housing. In addition, paragraph 50 of the NPPF states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including older people. In this respect, the application proposals accord with the aims and objectives of National Planning policies, responding to a recognised need for housing for older people, and moreover, helping to boost significantly the supply of housing in Wyre Borough. Housing for Older People

9.4 The application proposals will make an important and positive contribution to the provision of additional housing for older people in the Borough. The Wyre Older People Strategy, November 2009 confirms that Wyre has a higher than average older population set to become more pronounced as the population of Lancashire is set to see a significant change in profile, consisting of less younger people and a large increase in the 50+ population. Wyre has a higher than average retired population at 28% compared to the average in England of 18.5%. Wyre's over 50 population is forecast to increase by 14.8% by 2020 compared to 6.1% in Lancashire as a whole and 7.2% in England.

9.5 One of the identified outcomes of the Wyre Older People Strategy and Action Plan, December 2011 is that older people will have suitable and decent accommodation.

9.6 The Fylde Coast Strategic Housing Market Assessment, February 2014 states that the population of 65+ residents is expected to grow across the Fylde Coast authorities, with increases of 19.4%, 33.8% and 41.2% in Blackpool, Wyre and Fylde respectively. There is a particular proportional growth forecast in the 85+ age bracket, which will necessitate the provision of specialist accommodation to meet specific housing requirements. The assessment also states that it is necessary to provide more specialised older person's accommodation, reflecting the context of an ageing society in the UK. Furthermore, the assessment states that the older person population is forecast to grow significantly in the period to 2030, with the most substantial increases in Fylde and Wyre. Across the Fylde Coast the older person population in 2030 will grow by over 25,000 people, with Wyre and Fylde accounting for around 40% and 35% of this growth respectively.

9.7 The Council's Annual Monitoring Report 2015 / 2016 also outlines that Wyre's population is projected to age considerably by the year 2032. The age groups of 55+ are all projected to increase, especially the 75+ age group, which is estimated to increase by 41%.

9.8 At a national planning policy level, the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), Housing Update, Written Statement to Parliament, 2015 and Housing White Paper: Fixing our Broken Housing Market, 2017 all highlight an ageing population and the need for the planning system to play an important role in providing the right amount and type of housing for older people.

9.9 Set within this national and local context of an ageing population, it is considered that this current application responds positively to these particular trends and needs through the provision of 80 residential care beds on the site. It is considered that this provision weighs heavily in favour of the application proposals.

#### Sustainability

9.10 The application proposals will have a number of positive sustainability benefits. Economic benefits include employment for the construction instruction and allied trades and the creation of up to 50 full-time and 40 part time jobs. There will also be positive economic multiplier effects for local shops and businesses. Social sustainability benefits include the provision of an additional residential care home in a location where an ageing population is acknowledged and where under-provision and need has been demonstrated. Employment creation should also be regarded as a social sustainability benefit. With regards environmental sustainability the proposals will introduce an inevitable change to the character and appearance of the street scene, however it is not considered that this would be harmful to the local environment. The site does not suffer from any identified environmental constraints, for example, it is not at risk of flooding and surface water can be managed to ensure there is no increased risk of flooding to neighbouring land and property, it will not have any effects on protected species or their habitats and will have no effects on heritage assets. Whilst there will be some effects on the environment during the construction and operational phases of the development, these can be managed and controlled using appropriate planning conditions dealing with matters such as noise, dust, lighting, waste and construction activities. Overall, it is considered that there are several positive sustainability outcomes which weigh in favour of the application proposals.

#### Access, Highway Safety and Parking

9.11 A number of local residents have expressed objections about the size and scale of the proposal and the potential for large increases in traffic on the local highway network, leading to conflict and congestion and potential demands for increased on-street car parking. Objections are also submitted on the grounds that the site is not accessible by more sustainable modes of travel. With regards to the option of more sustainable modes of travel, public bus services are available on Poulton Road, approximately 10 minutes away. The #14 service provides 6 services per hour (each way), equating to 1 bus every 10 mins (each way), therefore it is considered that there are some feasible more sustainable travel options available. The County Highways Authority has been formally consulted and has no objections. The Highways Authority is satisfied that the proposed development will not have any significant or severe impacts on highway safety, capacity or amenity and a safe a suitable access to the site can be provided for all road users. The proposal will generate an estimated 164 two way vehicular movements between 7am and 7pm, with an estimated peak flow of 13 two way vehicles between 8am and 9pm and 10 two way vehicles between 5pm and 6pm. The peak period is between 3pm and 4pm. The estimated peak flow will be 18 vehicles per hour, which equates to approximately one vehicle every three minutes. The local highway is considered to have sufficient capacity to accommodate these predicted flows. With regards the access from Macbeth Road the required sight lines of 2.4m x 43m for the 30mph speed limit on Macbeth Road are achievable. The scheme shows an acceptable site access and turning head for emergency and twin axel refuse vehicles to turn and manoeuvre off the highway. The proposed off-street parking provision of 15 spaces is one less than the 16 spaces required, however the provision is considered to be acceptable. The

Highways Authority has outlined that the provision of a zebra crossing and carriageway narrowing on Laidley's Walk would be desirable to promote sustainable forms of transport, however it is not essential to render the proposal acceptable in planning terms. It should be noted that there is an existing zebra crossing a short distance away to the east providing opportunities for safer crossing in close proximity to the application site. The nature of the proposed land use is also such that residents are likely to be accompanied and chaperoned if / when they leave the site for shopping or recreational activities, therefore it is not considered that a zebra crossing is necessary or reasonable in planning terms.

9.12 Overall, the access, highway safety and parking implications of the proposal are considered to be acceptable. The Highways Authority has recommended a number of conditions with respect to provision of wheel washing facilities during construction, pre-and-post construction survey for Macbeth Road (and making good any damage), provision of on-site facilities for vehicular turning, submission and approval of a traffic management plan, submission and approval of a scheme for the construction of the site access, and no occupation until approved access and parking has been provided.

#### Design and Street Scene / Visual Amenity

9.13 The proposal will introduce a large new building into the street scene and in so doing has the potential to change the character and appearance of the street scene. The proposed eaves and ridge heights are 8.25m and 12.0m respectively, and the building is to be constructed of a mix of mixed red brick and weatherboarding for the principal facing materials, with a stone / concrete feature band, weathered grey roof tiles and aluminium windows. Despite being a large building, it is considered that the size, scale, bulk and mass of the building is successfully broken up by architectural articulation techniques, comprising varied ridge heights, a series of rhythmic projecting elements with lower roof heights, a central glazed feature and a mix of materials, including a contrast of bricks, weatherboarding and glazing. In addition, a detailed site landscaping scheme has been submitted showing areas of lawn, shrub and tree planting within and on the boundaries of the site, which will help to soften the visual effects of the building. The proposed parking, service yard, bin store and air source heat pump are all located to the rear of the building; set within the site away from public vantage points. Within the locality there are a number of other larger scale buildings along Laidley's Walk, including an apartment block immediately to the east. Overall, it is considered that the siting, size, scale, mass, bulk, and detailed design and appearance of the development is acceptable and is capable of being satisfactorily accommodated into the street scene.

#### Flood Risk and Drainage

9.14 The site is located in Flood Zone 1 and thus is not at risk of flooding. It is proposed to discharge foul water to the local mains sewer. A surface water strategy has been submitted which outlines that soakaways and sustainable urban drainage systems are likely to be a feasible method of managing and discharging surface water. The County Council's Lead Local Flood Authority, United Utilities and the Council's Drainage Engineer have been consulted. United Utilities and the Drainage Engineer have no objections subject to conditions to agree detailed schemes for the disposal of foul and surface water. At the time of writing the response of the lead local flood authority is awaited. Members of the planning committee will be updated with this outstanding consultation response at the committee meeting.

9.15 Overall in relation to flood risk and drainage it is considered that the site will not be at risk from flooding throughout its lifetime and will not increase the risk of flooding to adjacent land and property. Furthermore it is considered that foul and surface water can be satisfactorily managed using planning conditions.

#### Neighbour Amenity

9.16 Several neighbour objections have been submitted on the grounds of the size and scale of the proposal and the potential for loss of light, overlooking and loss of privacy, overbearing effects and noise nuisance and disturbance from both the constructional and operational phases of the development, including noise from the air source heat pump and activities in the rear service yard, including the bin store area. Notwithstanding these concerns, the back to back distances to existing properties to the south are in excess of 21 metres and up to 26 metres in places. The distance from the rear elevation of the proposed building to the side elevation of the nearest property to the south west is 18 metres. Whilst there will be a degree of back to back and back to side intervisibility between existing properties and the proposed building, this will be across acceptable distances, this is commonplace in urban environments, and direct overlooking and loss of privacy would not occur. The separation distance from the western elevation to the front elevations of existing properties on the opposite side of Macbeth Road is 21 metres. The separation distance from the eastern elevation to Laidley's Manor apartments to the east is 16 metres, however there is at least a 21m interface distance to the nearest habitable rooms on the western elevation of these adjacent apartments. Overall, the separation distances are considered such that harmful overlooking, loss of privacy and physical overbearing effects are not envisaged and are within acceptable parameters.

9.17 Noise nuisance and disturbance concerns in relation to activities in the rear car park and service yard, including the air source heat pump and bin store are noted, however the nature of the proposed land use is not considered to be one which would be likely to generate significant harmful effects on residential amenity. Despite being a large building, the land use is anticipated to be low key and low intensity in nature and character. The Council's Environmental Health Officer has been formally consulted and notes that there are adjacent residential properties with the potential to be adversely affected. However, these effects can be mitigated using planning conditions, which includes a noise condition requiring that cumulative noise from all noise sources shall not exceed specified acceptable parameters. Other conditions are recommended to agree specific measures to control noise, light, any piling construction methods and dust, construction and operational hours and deliveries, a construction environmental management plan, sound insulation for one of the proposed care rooms to be located adjacent to a kitchen and odour controls. It is considered that these measures and conditions will ensure that any potential harmful effects on residential amenity can be satisfactorily controlled and mitigated. A condition to secure submission and approval of details of the air source heat pump is also recommended.

#### Environmental Impacts

9.18 The Council's Environmental Health Officers have been formally consulted. They have not raised any objections to the application proposals. A standard contamination condition has been recommended, as well as conditions to control construction activities, hours of working and delivery times, piling, dust, community liaison, lighting, noise, sound insulation, and odour. Subject to these conditions it is considered that the environmental effects of the proposals can be satisfactorily

managed and controlled. A condition is also recommended to secure submission and approval of details of the proposed air source heat pump to ensure no loss of residential amenity through noise nuisance to existing neighbouring residents.

## **10.0 CONCLUSION**

10.1 The application seeks full planning permission for a three storey residential care home with 80 beds and associated facilities.

10.2 The site is considered to comprise a sustainable and accessible location for the proposed land use.

10.3 It is considered that the application proposals will deliver a number of economic and social sustainability benefits, including employment opportunities for the construction industry and allied trades, employment creation within the operational residential care home, increased spending in local shops and businesses, and increased residential accommodation for older people to meet acknowledged shortfalls and needs. With regards to environmental effects, it is considered that none of the identified harms would significantly and demonstrably outweigh these benefits.

10.4 In light of the assessment set out above, the application proposals are considered to comprise sustainable development. No other material planning considerations have been identified that would out-weigh this view. On this basis, planning permission should be granted.

## **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 That planning permission be granted subject to no objections being received from Lancashire County Council as Lead Local Flood Authority, and that the Head of Planning Services be authorised to issue the decision upon the receipt of the response from the Lead Local Flood Authority subject to the following conditions, and any additional conditions recommended by the Lead Local Flood Authority.  
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 hereby permitted shall be carried out in accordance with the following approved plans:

- A105 - Location Plan
- A106 - Existing Site Plan

- A107 Rev 1 - Proposed Site Plan
- A108 - Proposed Bin Store and Substation
- A110 Rev 1 - Ground Floor Plan GA Plan
- A111 Rev 1 - First Floor GA Plan
- A112 Rev 1 - Second Floor GA Plan
- A113 - Roof Plan
- A115 Rev 1 - Proposed Elevations
- A116 - GA Sections
- A101 Rev 2 - Street Elevations
- 5541.01 Rev A - Landscaping Proposal
- TR003 - Swept Path Analysis
- 29179-650 - Section 278 Works

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

3. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reasons - In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

4. The hereby approved car parking, turning and access arrangements shall be laid out and made available for use before the development is first occupied. The approved access, parking and turning arrangements shall thereafter be retained in perpetuity.

Reason - In the interests of highway safety.

5. Prior to the commencement of development, the developer shall carry out a survey (in conjunction with the highway authority) to determine the condition of Macbeth Road. A similar survey shall be carried out within one month of the first occupation of the development hereby approved, and the developer shall be liable for the repair/making good of any damage to Macbeth Road to return it to the pre-construction state.

Reason - To maintain the construction of Macbeth Road in the interests of highway safety.

6. Prior to the commencement of development a Construction Traffic Management Plan (TMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMA shall include and specify the provisions to be made for the following:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)



- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reasons - to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

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

Reason: To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required prior to the commencement of the development because they were not submitted with the application.

8. 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 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development in the interests of the visual amenity of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

9. Prior to the commencement of development, a drainage scheme, which shall detailed measures for the attenuation and the disposal of foul and surface waters, 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 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 and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) 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.

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

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, 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 the National Planning Policy Framework.

11. No development shall commence (including any demolition works), until a site specific Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan shall include, but not be limited to:

- Procedures for maintaining good public relations, including complaint management, public consultation and liaison.
- Arrangements for liaison with the Council's Environmental Protection Team.
- The intended hours of work. It should be noted that the standard permitted hours of operation expected in relation to all works and ancillary operations (including deliveries to and removal of plant, equipment, machinery and waste), which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, are:

- Between 08.00 hours and 18.00 hours, Monday to Friday
- Between 08.00 hours and 13.00 hours on Saturdays
- At no time on Sundays and Bank and Public Holidays.
- Measures for controlling and monitoring:
  - Noise and vibration.
  - Dust and air borne pollutants having regard to the location of nearby sensitive receptors and industry best practice.
  - Measures for controlling the use of site lighting whether required for safe working or security purposes.
  - Parking and storage arrangements for contractor's vehicles and materials / plant / equipment.
  - Procedures for emergency deviation of any agreed element within the plan.

- The approved plan shall be strictly adhered to throughout the demolition / construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To safeguard the amenity of the area in accordance with saved policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

12. The development hereby permitted shall be designed so that the rating levels for cumulative noise from all noise sources associated with the development shall not exceed the existing background noise level (LA90) when measured as an LAeq, 15 min in any one third octave band at the external façade of nearby noise sensitive premises as assessed in accordance with British Standard 4142 (2014) or any subsequent replacement national standards.

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

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

13. No development shall take place until full details of measures to control noise emissions from the premises have been submitted to and approved in writing by the Local Planning Authority. The details to be provided shall include a full report and detailed plan of the kitchen exhaust / extraction system and the height of any extraction flue to indicate how noise will be prevented from affecting sensitive premises in the vicinity. Details of the fixings used to attach any extraction flue to the wall of the building shall also be provided. Extraction flues shall be a minimum of 1m above the level of the eaves of the nearest sensitive premises. It is important that these are designed so as to prevent vibration. The extraction system shall be designed in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'.

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

14. Prior to the commencement of development, details of the proposed sound insulation scheme to be implemented between the kitchen and the bedroom numbered 20 on the ground floor shall be submitted to and approved in writing by the local planning authority. Upon completion of the approved details the developer shall certify to the local planning authority that the approved noise mitigation measures have been installed. The agreed sound insulation measures shall be implemented prior to the first occupation of bedroom 20 and shall be permanently maintained thereafter.

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of future occupiers of the proposed development, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

15. The odour arrestment plant as stated in the email dated 11 July 2017 from Darren Hall@kitchenequip.co.uk shall be in accordance with DEFRA: Odour Guidance for Local Authorities March 2010 and shall be installed prior to the first occupation of the development hereby approved. The odour arrestment plant shall be retained thereafter in the approved form.

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework.

16. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

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

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (1999) and paragraphs 17 and 125 of the National Planning Policy Framework.

17. Prior to commencement of development hereby approved, a desk study shall be undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall be submitted to and agreed 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 in writing by the Local Planning Authority and the scheme implemented in accordance with the approved details prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason - The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with saved Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

18. No part of the development shall be first occupied until the bin store provision shown on the approved plan A108 has been provided, and the bin storage shall thereafter be maintained and retained in accordance with the approved details.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

19. No development of the air source heat pump shall take place until full details of the design and manufacturer's specification (including noise output levels) of the air source heat pump have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

arm/rg/pla/cr/17



Scale : 1:1733

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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 2
<b>Date</b>	22 November 2017
<b>SLA Number</b>	100018720