

Planning Committee

7 June 2017

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	S	16/00742/OUTMAJ	Land Off Brockholes Crescent Poulton-le-Fylde Lancashire	Outline application for the erection of up to 108 no. dwellings (Use Class C3) with all matters reserved except for access, which will be off Brockholes Crescent following demolition of numbers 61 & 63 Brockholes Crescent	PER	
2	S	17/00070/FULMAJ	Royal Oak 64 Breck Road Poulton-Le-Fylde Lancashire FY6 7AQ	Variation of condition 2 on application 14/00928/FULMAJ to allow for the full demolition of existing building and the erection of a three storey and part two storey apartment block (12 apartments) including associated access/parking provision and a cycle store.	PER	
3	S	17/00246/FUL	Land Off Ingol Lane Hambleton Poulton-Le-Fylde Lancashire FY6 9BJ	Erection of one detached dormer bungalow with associated access and landscaping	REF	

arm/rg/pla/cr/17/0706nc1

Committee Report**Date: 07.06.2017**

Item Number	01
Application Number	16/00742/OUTMAJ
Proposal	Outline application for the erection of up to 108 no. dwellings (Use Class C3) with all matters reserved except for access, which will be off Brockholes Crescent following demolition of numbers 61 & 63 Brockholes Crescent
Location	Land Off Brockholes Crescent Poulton-le-Fylde Lancashire
Applicant	The Strategic Land Group Ltd
Correspondence Address	c/o Euan Kellie Properties Solutions 5300 Lakeside Cheadle Royal Business Park SK8 3GP
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr John Studholme****1.0 INTRODUCTION**

1.1 This application is before Members for determination at the request of Councillors R Berry, B Birch and S Bridge. A site visit is proposed to help Members understand the proposed development and how would sit within its surroundings.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site comprises 3.87ha of greenfield agricultural land but also includes two semi-detached houses, 61 and 63 Brockholes Crescent. It is located approximately 1.5km south east of Poulton-le-Fylde town centre.

2.2 The site is well contained and has an urban fringe character. The northern boundary of the site is defined by the urban area and existing residential properties on Brockholes Crescent. Part of the eastern boundary is defined by a pumping station and beyond that and forming the rest of the eastern boundary is open land to the rear of Holts Lane. Outline planning permission (16/01043/OULMAJ) was granted in April 2017 for a residential development of up to 130 dwellings on this land. To the south the boundary is formed by a water course and beyond that there is open agricultural land and the end of Oldfield Carr Lane. To the west work is underway on a new Redrow residential development of 100 houses.

2.3 The Local Plan proposals map identifies the site as being within the countryside, directly adjacent to the main settlement of Poulton-le-Fylde. There are Public Rights of Way footpaths adjacent to the southern boundary (2-2-FP6) and eastern boundary (2-2-FP5). The watercourse along the southern boundary is a Designated Main River. The site falls within Flood Zone 1.

3.0 THE PROPOSAL

3.1 This is an outline application for the erection of up to 108 dwellings. Access to the site is proposed from Brockholes Crescent following demolition of 61 and 63 Brockholes Crescent. All other matters of layout, landscaping, scale and appearance are reserved for later consideration.

3.2 Under the consideration of access it is also relevant to consider pedestrian access. The illustrative masterplan submitted with the application shows a pedestrian access to be provided to the eastern boundary to link to the public right of way and potential future residential development site. Another potential pedestrian (and vehicle) access is shown to the western boundary, however as this is only a suggestion, and the adjoining Redrow development does not make the same provision, this access point is not considered further as part of this application.

4.0 RELEVANT PLANNING HISTORY

4.1 There have been no previous applications on the site but the following relate to adjacent sites.

Substation site on land at Holts Lane, Poulton-Le-Fylde:

- 07/00967/LCC - To construct a new control building, substation, access road and security fencing
- 08/01134/LCC - To construct a new control building, substation, access road and security fencing
- 11/00711/LCC - Variation of Condition 7 of planning permission (08/01134/LCC)

Land off Holts Lane (to the east of the current application site)

- 16/00233/OULMAJ - outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings - non-determination appeal withdrawn April 2017.
- 16/01043/OULMAJ - outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings (re-submission of 16/00233/OULMAJ) - approved by Planning Committee April 2017.

Land off Carr Head Lane (to the west of the current application site)

- 14/00607/OUTMAJ - outline application for a residential development of up to 100 dwellings with access applied for as a detailed matter and following demolition of number 115 Carr Head Lane - refused December 2014 - allowed on appeal (APP/U2370/W/15/3003166) January 2016
- 16/00444/RELMAJ - Reserved matters application for appearance (dwelling types), landscaping (hard and soft), layout and scale (dwelling types and street scenes) for residential development of 100 dwellings following planning permission 14/00607/OUTMAJ - approved November 2016.

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF):

5.1.1 The NPPF was published by the Department of Communities and Local Government (DCLG) on the 27th March 2012. The NPPF 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 presumption in favour of sustainable development is at the heart of the NPPF. The following sections are of particular relevance to this application:

5.1.2 Section 4: Promoting sustainable transport - paragraph 30 states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

5.1.3 Section 6: Delivering a wide choice of quality homes - paragraph 49 requires housing applications to 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 when a 5 year supply of deliverable housing sites cannot be demonstrated. Paragraph 50 requires a wide choice of high quality homes for inclusive and mixed communities, with a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Paragraph 55 promotes sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of communities.

5.1.4 Section 7: Requiring good design - paragraphs 56 and 57 highlight the importance of high quality and inclusive design for all development. Paragraph 61 identifies that securing high quality and inclusive design goes beyond aesthetic considerations...and decisions 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 8: Promoting healthy communities - paragraph 70 requires decisions to plan positively for the provision of shared space, community facilities and other local services; guard against the unnecessary loss of valued facilities and services; and ensure an integrated approach to considering the location of housing, economic uses and community facilities.

5.1.6 Section 11: Conserving and enhancing the natural environment - paragraph 109 states the planning system should contribute to enhance the natural and local environment by...minimising impacts on biodiversity. Paragraph 118 identifies principles to conserve and enhance biodiversity including adequate mitigation and compensation.

5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG) 2014:

5.2.1 This guidance was launched on 6th March 2014. The guidance presents 41 categories, from Advertisements to Water Supply, with each category containing a number of sub-topics. Relevant sections include design and natural environment; the need for landscape character assessments, transport assessments and travel plans; and minimising impacts on biodiversity.

5.3 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES):

5.3.1 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. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.3.2 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:-

- SP13 - Development in the Countryside
- SP14- Standards of Design and Amenity
- ENV7 - Trees on Development Sites
- ENV13 - Development and Flood Risk
- ENV15 - Surface Water Run-Off
- H13 - Open Space in new Housing Developments
- CIS6 - Securing Adequate Servicing and Infrastructure
- CIS7 - Wastewater Management

5.4 EMERGING LOCAL PLAN:

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between 17th June and 7th August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 The relevant policies are:

- CS1 - Spatial Strategy for Wyre: Distribution of Development
- CS2 - Spatial Strategy for Wyre: Settlement and Centre Hierarchy
- CS6 - Strategy for Poulton-le-Fylde
- CS13 - Sustainable Development
- CS14 - Quality of Design
- CS16 - Transport, Accessibility and Movement
- CS17 - Infrastructure and Community Facilities
- CS18 - Green Infrastructure
- CS19 - Biodiversity and Geodiversity
- CS20 - Housing Mix
- CS21 - Affordable Housing
- CS24 - The Countryside
- CS25 - Flood Risk and Water Resources

5.5 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

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

Supplementary Planning Guidance 2 - Trees and Development

5.6 WYRE AFFORDABLE HOUSING VIABILITY STUDY (OCTOBER 2010)

5.6.1 This identified that the level of viability for residential developments across the Borough could sustain a maximum of 30% affordable dwellings, although in some areas and for smaller developments it would be a lesser percentage.

5.7 FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (2013)

5.7.1 This document was produced for the Fylde Coast Authorities (Wyre, Fylde and Blackpool) to provide evidence as to how many dwellings of different tenures may be needed over the next 15 years and beyond. The report presents an understanding of the sub-regional housing market and identifies a need for new housing across the Fylde Coast. The 2013 Fylde Coast SHMA and Addendums I & II represents the most up-to-date assessment of Objectively Assessed Need (OAN) for Wyre. Addendum II completed in February 2016 takes account of the 2012 Household projections and updated economic growth projections in the 2015 Employment Land Study Update and Addendum. The SHMA Addendum II indicates that Wyre's OAN lies between 400 - 479 dwellings per annum from 2011 - 2031 with a recommendation that the OAN figure should be at the upper end of the range. The Council has accepted 479 dwellings per annum as the OAN figure for the Local Plan. There is an estimated need for 300 affordable homes per year (over the next 5 years).

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY – initially objections were raised, although further responses (17.02.17 + 24.03.17) confirm no objections. Satisfied the development including proposed attenuation pond will be outside their 8 metre easement. They provide advice to the applicant on requiring an Environmental Permit and regarding their Main River Easement. This advice can be included in an informative.

6.2 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - no overall objections. The submitted surveys are satisfactory and more detailed surveys are not required. The low conservation status of great crested newts is capable of being protected and no significant impact on local bat populations is identified although further precautions are justified and conditions are recommended requiring a statement of reasonable avoidance measures for the protection of amphibians, provision of a Landscape Creation and Management Plan, and no vegetation clearance during the bird nesting season.

6.3 HIGHWAYS ENGLAND (HE) - further response (30.11.16) which includes a review of the technical note dated 22.11.16 states based on the Transport Assessments provided HE are unable to find that the proposals in isolation would result in a severe impact on the Strategic Road Network and therefore offer no objection subject to a condition requiring a Travel Plan and Travel Plan Co-ordinator.

6.4 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE - do not anticipate any archaeological remains would be found but recommend the application is not determined until a heritage statement is submitted and considered.

6.5 LANCASHIRE CONSTABULARY - no objections but security measures are recommended.

6.6 LCC EDUCATION - further response (15.05.17) provides updated assessment and confirmation of intended locations for the use of contributions. Contributions of £568,692.40 for 40 additional primary school places and £342,772.32 for 16 additional secondary school places are sought. The intention would be that contributions would be used at the Breck Primary School and at Cardinal Allen Catholic High School. Confirmation is provided that the named projects would satisfy the CIL Regulations 2010. These figures assume that all the proposed dwellings would be four bedroom houses. The contribution amounts would have to be reassessed at the reserved matters stage once accurate bedroom numbers are agreed.

6.7 LCC HIGHWAYS - following discussions with the applicants, LCC Highways advise that initial concerns have been overcome and no objections are offered subject to conditions. Further detail of this response is contained in the highways assessment section of this report.

6.8 LCC LEAD LOCAL FLOOD AUTHORITY - further response (24.03.17) confirms no objections subject to conditions requiring (1) submission of a surface water drainage scheme, (2) a surface water lifetime management and maintenance plan, and (3) a construction phase surface water management plan. Informatives are also provided.

6.9 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (PARKS & LANDSCAPING) - provision of play facilities or an off-site contribution should be considered.

6.10 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (TREES) - welcomes indications that the majority of existing trees within hedgerows and hedgerow boundaries will be protected by retention, enhancement and provision of suitable native new tree planting. Details need to be submitted for later consideration.

6.11 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY - no objections but recommend conditions relating to air quality (including requirements for a travel plan, electric vehicle charging points, energy efficient boilers and dust management), contamination, and lighting.

6.12 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - latest response (29/03/17) confirms no objections.

7.0 REPRESENTATIONS

7.1 There was a total of seven responses received from members of the public including two anonymous objections that duplicated other responses and another which duplicated a response from the same address. All object. Objections and concerns raised are based on the following:

- Additional traffic, on top of traffic from the Holts Lane proposals, would worsen existing problems at Brockholes Crescent, Holts Lane, Garstang Road East, Carr Head Lane and Oldfield Carr Lane and would create dangers and hazards for children and around schools.
- A green corridor on the northern boundary would be needed to protect the privacy of Brockholes Crescent residents.

- A play area would be needed for the increased number of children.
- Building work would cause damage to properties as happened when United Utilities carried out drainage work on the development site.
- There are already too few doctors, dentists, schools, hospitals and jobs.
- The proposals are hare-brained and the authority would benefit from bonuses for the dwellings.
- Noise and residential amenity - Brockholes Crescent is a quiet semi-rural residential road with a pleasant outlook, sunny aspect, rural nature and wildlife flora and fauna.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 There have been discussions with the applicants and agent regarding progress with both the planning application and to resolve issues particularly regarding drainage and highways issues.

9.0 ASSESSMENT

9.1 The main issues to be assessed are:

- Principle of Development
- Impact of development on character of the area
- Impact on residential amenity
- Impact on the local highway network and sustainable travel
- Flooding & Drainage
- Ecology & Trees
- Affordable Housing, Public Open Space and Planning Obligations
- Health & Safety
- Other issues
- Sustainability and Planning Balance

9.2 THE PRINCIPLE OF THE DEVELOPMENT

9.2.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan and material considerations in this case comprise the saved policies of the Wyre Borough Local Plan (1999), the National Planning Policy Framework (NPPF) and to a degree Wyre's emerging Local Plan. In accordance with the NPPF 'due weight' should be given to the relevant saved policies within the Local Plan, with the weight given to these policies depending upon the degree of consistency with the NPPF. The policies contained within the emerging Local Plan should be given due weight according to their stage of preparation and degree of consistency with the NPPF. The starting point for determining planning applications therefore remains the saved policies of the Local Plan to be read as a whole and in the context of the NPPF.

9.2.2 The Local Plan Proposals Map identifies the site as being within the countryside, directly adjacent to the main settlement of Poulton-le-Fylde. As such Policy SP13 - Development in the Countryside applies, which presumes against the development of land in the countryside unless it meets certain criteria, none of which are applicable in this instance. Therefore on the face of it the development would be contrary to this policy. However as stated above, Local Plan policies should also be considered in the context of the NPPF, specifically the housing growth objectives and

the presumption in favour of sustainable development, which is a significant material consideration.

9.2.3 When considering the housing objectives of the NPPF the most up to date evidence of housing need in Wyre is the Fylde Coast Strategic Market Assessment (2013) (SHMA), the findings of which are summarised earlier in this report. The provision of up to 108 dwellings would help to meet the future housing needs of Wyre. Against the objectively assessed need identified, the Council cannot currently demonstrate a 5 year supply of housing. Therefore, notwithstanding the countryside area designation of this site, one of the key issues is whether the proposal would deliver sustainable development.

9.2.4 To support sustainable development, the NPPF requires housing to be located where it will maintain or enhance the vitality of communities and not in isolated locations unless exceptional circumstances exist. The site is located adjacent to, and would serve as an extension to, the urban settlement of Poulton-le-Fylde, an existing residential area. It is close to a main road (A586 - Garstang Road East) with associated bus routes and is within reasonable distance of local and community services in Poulton-le-Fylde including a train station. It is considered that the site is in a generally sustainable location in accordance with the NPPF. Therefore, whilst the development would be contrary to Policy SP13 of the adopted Local Plan, in this instance there is greater weight to be given to the NPPF due to the site's sustainable location and the NPPF housing growth objectives and presumption in favour of sustainable development.

9.2.5 It is relevant to note that the Wyre Local Plan Issues and Options Paper (2015) identifies the site as part of a larger potential housing site, reference IO_32. However, given that the emerging Local Plan is at an early stage of development, this can be afforded only very limited weight. The remainder of the IO_32 housing site comprises two parts. Immediately to the east is land at Holts Lane. An outline planning application (16/01043/OULMAJ) for development of up to 130 dwellings was approved in April. To the west outline planning permission (14/00607/OUTMAJ) for development of up to 100 dwellings was granted following an appeal and the reserved matters application 16/00444/RELMAJ was approved in November 2016. That development has now commenced. Importantly, development of this application site in isolation would not prejudice or hinder future development of wider lands in this area should this be proposed in the emerging Local Plan.

9.2.6 The site is classified as Grade 3b agricultural land which does not fall under the definition of "best and most versatile land" as set out within the NPPF. Within Wyre there are substantial tracts of Grade 2 land along with large areas of Grade 3 land, so development of the site would not be significantly detrimental to the borough's supply of quality agricultural land and, as such, its loss as agricultural land is not considered to weigh against the proposal.

9.2.7 On the basis of the above it is considered that the proposed development would be acceptable in principle. Nonetheless, it is necessary to consider other policies to establish whether there would be any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

9.3 THE IMPACT ON CHARACTER OF THE AREA

9.3.1 The development site falls within the defined countryside, which should generally be recognised for its intrinsic character and beauty in accordance with the NPPF. However, it is an urban fringe site and the visual quality of the land within the

site is considered to be relatively low, comprising flat grassland. Whilst the proposed residential development would have a significant impact on the openness of the site, the submitted Planning Statement and Illustrative Masterplan demonstrate that the proposed density would be compatible with the surroundings.

9.3.2 Whilst landscaping details are a reserved matter, the Illustrative Masterplan demonstrates the creation of landscaped areas of open space along the west, south, east and part of the north boundaries of the site. Scale, layout and design are also reserved matters. These will be important considerations to enable the development to sit comfortably in the surrounding landscape. In the event of approval of this planning application, any reserved matters application for approval of landscaping should be broadly in line with the Illustrative Masterplan and the principles set out in the Design and Access Statement. The scale of any proposed dwellings and their plot sizes shown on future plans should respect the immediate context of built development and additional landscaping and open space provision would help to reduce the impact.

9.3.3 The Illustrative Masterplan shows that a development of up to 108 units is physically achievable on this site. This indicates that a compatible residential density, satisfactory interface distances (in accordance with the SPG on new housing layouts), appropriate levels of open space (in accordance with policy H13), landscaping and parking provision (preferably with more broken up and landscaped parking bays than illustrated) can be provided and that interlinkage options with the adjacent potential future development site to the east can be designed into a detailed scheme at a later date.

9.3.4 With no adopted policy requirement on housing mix, this scale of development would be expected to provide a mix compatible with the 2013 SHMA (page 125 in particular) which includes reference to the need for more 'older person accommodation' and smaller homes. This can be assessed at the reserved matters stage. The need for affordable housing is considered later in this report.

9.3.5 The site is identified as Post Medieval Enclosure in the Lancashire Historic Landscape Character Assessment. Although not a designated heritage asset identified by the NPPG, the NPPF requires the effect of a development on the significance of a non-designated heritage asset to be taken into account. The visual remnants of any such artificial enclosures within the site such as hedges or fencing are absent from aerial photographs and those surrounding the site boundary would be retained as forming the development envelope. Therefore this is not considered a constraint to development. LCC Archaeology advise that a Heritage Assessment should be submitted for consideration although in light of the above, having regard to the site characteristics this is not considered to be reasonably required. Such assessments were not provided for either of the adjoining developments. Instead it is suggested that a condition relating to an archaeology programme of work could be imposed.

9.4 IMPACT ON RESIDENTIAL AMENITY

9.4.1 In assessing the Illustrative Masterplan for 108 dwellings, there is no reason to believe at this stage that the development would not be able to comply with the interface distances set out in the Council's adopted 'Spacing Guidance for New Housing Layouts' SPG and so impact on residential amenity is not a cause for concern. The relationship between the proposed dwellings along the northern boundary and existing properties on Brockholes Crescent can be given particular attention at the reserved matters stage.

9.4.2 An air quality assessment has been submitted that considers the potential impact of construction activity and additional traffic on air quality levels in Poulton including nitrogen dioxide and dust impacts. This is necessary given the scale of development and its proximity to Chapel Street in Poulton town centre, which is a designated air quality management area. Environmental Health conclude that the assessment methodologies are appropriate and reasonable assumptions have been made. No objections are raised subject to conditions requiring a travel plan, electric vehicle charge points (EVCP) and a dust management plan (which should be in line with the recommendations in the air quality assessment report). In this instance a condition relating to EVCP is considered reasonable given the site's proximity to Chapel Street. A condition stipulating high performing, energy efficient boilers is also recommended but it is considered this cannot be reasonably justified given this is a building regulations issue. No other constraints are identified that would render residential development fundamentally unacceptable in terms of air quality.

9.4.3 With regard to noise and disturbance, whilst the development would only be served by one access point, a considerable landscaping buffer is indicated to either side of the proposed access off Brockholes Crescent which should help mitigate any impacts on the adjacent neighbours. This mitigation was accepted by the Inspector on the adjoining Carr Head Lane site for a similar scale development. The Inspector concluded that noise levels would not be uncharacteristic of the residential area as a whole and could not be described as presenting a significant adverse impact. Bearing in mind that the application is outline only and landscaping is a reserved matter, opportunities for noise mitigation will need to be considered further at the reserved matters stage. For this scale of development it would be appropriate to mitigate noise and disturbance from construction activity through a condition requiring a construction management plan. A similar condition is also recommended by LCC Highways.

9.4.4 Environmental Health have requested a condition requiring a scheme that demonstrates how light spillage will be avoided in a manner that complies with the Institution of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" and that any light intrusion through residential windows would not exceed certain levels. Bearing in mind that the proposed development is a residential development adjacent to a residential area, in the absence of any specific policy requirements, and provided the development is considered satisfactory in other respects at the reserved matters stage, it is not considered that such a condition would be necessary from an amenity perspective. Any impact from car headlights on existing properties adjacent to and opposite the proposed access is not considered to be adverse.

9.5 IMPACT ON THE HIGHWAY NETWORK AND SUSTAINABLE TRAVEL

9.5.1 The application seeks approval of site access. A single point of access onto Brockholes Crescent is proposed. This would be achieved by the demolition of 61 and 63 Brockholes Crescent.

9.5.2 The scheme has been assessed by LCC as local highway authority with regard to the accessibility of the site, the acceptability of the proposed highway works, and the impact on highway safety and the capacity of the local road network. Highways England (HE) has assessed the impact on the Strategic Road Network.

9.5.3 HE initially raised concerns about the transport evidence submitted by the applicants, in particular the impacts of the proposal on the Little Singleton junction.

To address these concerns the applicant provided additional information in a Technical Note dated 22nd November 2016. This includes information on traffic flow data, committed development figures, growth factor adjustments, trip distribution proportions and build out rates for developments. Having reviewed the applicant's assessment HE have advised that, whilst the existing performance of the Little Singleton Junction is a significant concern, which is part of the reason for their proposed but not yet committed A585 improvement scheme, and although the cumulative impacts of the committed developments would be likely to have a material impact on the Little Singleton junction and other junctions in the area, they are unable to find that the proposed development in isolation would result in a severe impact on the Strategic Road Network and therefore offer no objection subject to a condition requiring a Travel Plan and Travel Plan Co-ordinator.

9.5.4 LCC Highways have had extensive discussions with the applicant and their transport consultant seeking additional assessment information on various areas of concern, some of which were raised previously in connection with the development of the adjacent Carr Head Lane and Holts Lane applications. Following these discussions and further work, including a further technical note produced by the applicant in January 2017 and work undertaken by LCC (namely the Poulton Mitigation Strategy which has resulted in a limited level of additional capacity in the Poulton area that can be supported subject to delivery of various mitigation measures), LCC Highways confirm that they have no objection to the development subject to delivery of various mitigation measures and contributions of £6,000 for Travel Plan support and £85,000 towards the Poulton Mitigation Strategy. The mitigation measures include a number of pedestrian, cycling and public transport improvements close to the development and on the route to the town centre and local amenities including employment and retail locations to the east.

9.5.5 The required mitigation measures are indicated on drawings 0520-01C, 0520-04C, 0520-05 & 0520-06B and are as follows:

Pedestrian Improvements - to encourage walking as a sustainable transport initiative the following improvements are considered necessary:

- Repatch and repair existing footway on east side of Holts Lane between Brockholes Crescent and proposed pedestrian refuge on Garstang Road East, including provision of tactile paving at crossing points;
- Repatch and repair existing footway on south and west side of Brockholes Crescent between Holts Lane access and Main Drive, including provision of tactile paving at crossing points;
- Repatch and repair existing footway on south side of Main Drive between Brockholes Crescent and Carr Head Lane Drive, including provision of tactile paving at crossing points;
- Revise layout of Main Drive / Brockholes Crescent junction to reduce bell mouth and introduce dropped kerbs and tactile paving to provide a safer environment for pedestrians;
- Introduce pedestrian / cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane. Pedestrian / cycle refuge to be sited on the desire line of residents of the proposed development undertaking trips to Tesco, Hodgson Academy and Poulton town centre.

It should be noted that some of the above improvements are the same as some of those conditioned for the adjoining Holts Lane development.

Public Transport Improvements - to encourage public transport as a sustainable transport initiative the following improvements are considered necessary:

- Upgrade 2 bus stops (with shelters) on Garstang Road East located at:
 - (i) Westbound services: 90m east of Holts Lane;
 - (ii) Eastbound services: 120m west of Holts Lane;
- Introduce a new stop on Carr Head Lane - details to be agreed.

These are the same improvements that were conditioned for the adjoining Holt Lane development.

Highway Improvements - to mitigate the impact of the development the following highway improvements are considered necessary as follows:

- Garstang Road East / Holts Lane junction - introduce right turn lane waiting areas on Garstang Road East to cater for movements into Holts Lane and Argyle Road;
- Hardhorn Road / Highcross Road / Beech Drive junction - widening of Hardhorn Road to provide right turn facility into Highcross Road;
- Lower Green / Garstang Road East junction - widen Lower Green approach to signals to increase length of two lane approach;
- Hardhorn Road / Garstang Road East junction - minor kerbing works and provision of "Z" marking to facilitate safer turning movements.

Travel Plan - LCC Highways advise that providing the contents of the submitted Interim Travel Plan (TP) are adhered to a successful TP can be produced as the development progresses.

9.5.6 Access arrangements are shown on drawing 520-F03 Rev A. LCC Highways note the developer has considered that observed speeds on Brockholes Crescent are a little higher than the 20mph speed limit and has shown that sightlines of 2.4m x 43m (and greater) are achievable within highway limits. The access plan shows the access to be 5.5m wide with 2m wide footways on both sides with 10m radii at the junction. It is recommended that given the residential nature of the development the radii should be tightened. However, as the access works will need to be carried out under a s278 agreement and with technical details of the junction to be agreed, LCC Highways have no objections to the access arrangements as shown at this stage.

9.5.7 The internal layout and level of car parking to be provided will be determined at reserved matters stage. LCC Highways advise that the developer should refer to the Manual for Streets and Creating Civilised Streets and be aware of the wish to see all residential roads limited to a 20mph design speed without the use of vertical traffic calming measures. With regard to car parking and cycle parking levels can be agreed in connection with the submission of reserved matters details should outline permission be granted. Garages should have minimum internal dimensions of 6m x 3m to be accepted as a car parking space and cycle space.

9.5.8 The identified pedestrian, public transport and highway improvements can be secured through a condition / Section 278 agreement; while the £6,000 for Travel Plan support and £85,000 towards the Poulton Mitigation Strategy work can be secured by Section 106 contributions. Additional conditions will require a Construction Method Statement to ensure safety during preparation and construction work; submission, approval and implementation of a timescale for the proposed improvements; Travel Plan implementation; and provision of linkages to the adjacent

development sites (as set out earlier in the report, this pedestrian linkage would only be to the public footpath and potential future development site to the east, as no such linkage can be made with the Redrow development to the west). Whilst there is no proposed direct pedestrian link to the public footpath running along the southern site boundary the link to the east would enable convenient access onto this. Furthermore the Illustrative Masterplan demonstrates that the development can be achieved without compromising the route of either of these public footpaths. The suggested Construction Method Statement requirements can be included in a Construction Environment Management Plan condition along with the requirements relating to noise, dust, vibration, light and air quality as raised by Environmental Health. The Travel Plan requirement was also raised by Environmental Health in connection with air quality.

9.6 FLOODING AND DRAINAGE

9.6.1 The proposal is located within Flood Zone 1 and therefore has a low probability of flooding. As the site exceeds 1ha 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. Since April 2015 new legislation has required any major development to be supported by SuDS, unless this is demonstrated to be inappropriate. A drainage scheme accompanies the application and the proposal includes provision of SuDS ponds. Lancashire County Council (acting as the Lead Local Flood Authority) and the Council's Drainage Engineer have no objections in principle subject to conditions and informatives regarding surface and foul water drainage. The Environment Agency has highlighted its requirements for an Environmental Permit for works within an 8m easement of its designated Main River and for maintenance access. These requirements can also be referenced in informatives.

9.7 ECOLOGY AND TREES

9.7.1 The majority of the site comprises flat grassland with hedgerows and trees along the west, southern and part of the eastern boundaries of the site. The Design and Access Statement and Planning Statement set out that street and garden trees and landscaping are proposed. Hedges and trees would remain, be supplemented with additional planting and be maintained to integrate the development into the landscape and preserve ecological value. At this stage however these proposals are indicative only as layout and landscaping are reserved matters.

9.7.2 Greater Manchester Ecology Unit (GMEU) has assessed the application and advised that the submitted Ecology Survey has been prepared by suitably qualified consultants to appropriate and proportionate standards. GMEU consider that Great Crested Newts (GCN) can be protected through retention of habitat and connectivity between ponds in the wider landscape but an amphibian mitigation strategy should be submitted based on the GCN reasonable avoidance measures set out in section A2.19 of the ecology survey but also including measures to enhance habitats and include details of SUDs. GMEU consider that the development proposal is capable of being implemented without having a significant impact on local bat populations, providing that valuable habitats are retained, recreated or enhanced and in this connection it is recommended that a comprehensive Landscape Creation and Management Plan is prepared which includes details of: new ponds/wetland; hedgerow, tree and wetland protection during construction; planting plans which contribute to landscape connectivity and creation of a coherent local ecological network; specifications for plant and grass establishment; schedules of plants

including species, sizes, numbers and densities; and implementation timetables. It is also recommended that there is no vegetation clearance during March to July inclusive in order to protect nesting birds. These issues can be addressed through conditions. In respect of the impact on the Wyre Estuary SSSI & Morecambe bay SPA / Ramsar site, the development is not considered to result in Likely Significant Effects on, or be detrimental to, these designated sites.

9.8 AFFORDABLE HOUSING, PUBLIC OPEN SPACE AND PLANNING OBLIGATIONS

9.8.1 A development of this scale would typically generate requirements for affordable housing, public open space and education contributions.

Affordable Housing

9.8.2 The NPPF at paragraph 50 requires Local Authorities to identify the affordable housing need for an area and then, "set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities." There are no saved policies relating to affordable housing in the adopted Local Plan. However, the Council's affordable housing viability study which forms part of the evidence base for the emerging Local Plan, states that for developments to come forward provision of 30% affordable housing ensures that the site remains viable. As this is the most up to date evidence, and is set out in policy CS21 of the Core Strategy Preferred Options document, it is considered that 30% is the appropriate starting point.

9.8.3 The council's Affordable Housing Officer has confirmed that applying the 30% threshold to a scheme for 108 units would generate a requirement for 32.4 affordable dwellings which can be rounded down to 32 affordable dwellings. The preference would be for a split between affordable rented and intermediate housing. Therefore the mix should be 16 affordable rent units (a mix of 2-bed houses/apartments and 3-bed houses) and 16 intermediate houses (a mix of 2-bed and 3-bed houses). Actual numbers would need to be assessed on the basis of the overall number of dwellings proposed at the reserved matters stage. A condition would need to be attached to any outline planning permission to secure an appropriate scheme of affordable housing provision.

Education

9.8.4 LCC as the Local Education Authority has adopted a methodology for claiming education contributions against those housing developments which are projected to create a shortfall of school places within the local area. In this case the contributions sought are £568,692.40 for 40 additional primary school places and £342,772.32 for 16 additional secondary school places. LCC intend that contributions would be used at the Breck Primary School and at Cardinal Allen Catholic High School. Currently there is already one secured Section 106 contribution for Breck Primary School. There are none secured for Cardinal Allen Catholic High School but one is proposed (in relation to application 16/00650). The figures quoted were calculated on the basis of information available at the time of the assessment (15th May 2017) and assume that all the proposed dwellings would be four bedroom houses. The contribution amounts would have to be reassessed once accurate bedroom information is available. Contributions would be secured through a section 106 agreement which would not specify a sum but would instead include

methodology for calculating the sum once bed numbers and the number of units is confirmed.

Public Open Space

9.8.5 In line with saved policy H13 of the Local Plan, 0.004 hectares per dwelling of amenity space for each of the proposed 108 dwellings would equate to 0.432 hectares (1.06 acres). Whilst layout is not a matter for detailed consideration at this stage, the Illustrative Masterplan shows that there is scope to provide 0.693 hectares which is 60% more than that required by saved Local Plan Policy H13. The Design and Access Statement and the Illustrative Masterplan propose that the open space would interlink with adjacent areas and the proposed dwellings would overlook the public open space and thereby provide added surveillance. This would be consistent with the approach adopted on the adjacent sites and would help connectivity and encourage walking as a sustainable form of travel. The Council's Open Space Officer says provision of play facilities or an off-site contribution should be considered. For a development of this scale and in this location, on-site provision would be preferred as supported by the policy. This detail, including the type of open space provision, can be considered at the reserved matters stage. Conditions are required in order to ensure the provision of an appropriate amount of public open space as well as its management and maintenance and to ensure linkages are provided to adjoining development.

9.8.6 Representations have been made about the additional strain that the development could place on health services. There is currently no policy requirement for health services provision or contributions. Respective organisations responsible for the provision of health services such as the CCG need to plan their own response in terms of the provision of services to meet demand and at present they have no identified mechanism to secure such provision or contributions from new developments.

9.8.7 Highway / sustainable travel contributions have been identified by LCC Highways as reported elsewhere in this report.

9.9 HEALTH AND SAFETY

9.9.1 A Desk Study submitted with the application says there are limited potential sources of contamination owing to the undeveloped nature of the site but there may be some sources of contaminants and ground gases. Environmental Health have reviewed the report and recommend contaminated land conditions.

9.10 OTHER ISSUES

9.10.1 Lancashire Constabulary has reviewed the application and provided comments. Paragraphs 58 and 69 of the NPPF note that planning decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Given the outline nature of the application, minimal information has been provided in relation to proposed security measures. One recommendation however contradicts the earlier comments in the Public Open Space section on provision of footpath links to neighbouring development. The Police advice is that footpath links offer fast and easy access on and off site for intruders. It is considered that this concern is outweighed by the benefits of connectivity and the encouragement of walking as a sustainable form of travel. Relevant advice can be included in an informative.

9.11 ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.11.1 Section 38(6) of the Planning and Compulsory Purchase Act, 2004 requires the determination of this application to be made in accordance with the development plan, unless material considerations indicate otherwise. For the purposes of Section 38(6), the Development Plan for Wyre comprises the:

- Saved Wyre Local Borough Local Plan policies (1991 - 2006)
- Fleetwood - Thornton Area Action Plan (2009); and
- Joint Lancashire Minerals and Waste Local Plan (2009)

Although the NPPF does not change the statutory status of the development plan it constitutes an important material consideration in the determination of planning applications.

9.11.2 When assessed against the development plan, the proposed development is contrary to saved Local Plan policy SP13. Therefore, in assessing the application in accordance with Section 38(6), the scheme should be refused unless other material considerations outweigh the statutory presumption in favour of the development plan.

9.11.3 In coming to a balanced view, careful consideration must be given to the weight to be afforded to any conflict with the Local Plan, taking into account all material considerations in the overall planning balance, with particular reference and weight afforded to the Council's housing land supply position and the weight to be afforded to development plan and its relevant policies, particularly its policies regarding the supply of housing. The Wyre Local Plan was adopted by the Council on the 5th July 1999 and covers the period between 1991 and 2006. A number of the policies in the Local Plan were saved under the terms of the Secretary of State's Direction, including policy SP13. These policies were however saved subject to two caveats:

- a) Firstly, that the saved policies would be replaced promptly; and
- b) Secondly, where policies were adopted some time ago material considerations, in particular the emergence of new national policy and evidence will be afforded considerable weight in the decision-taking process.

9.11.4 In respect of the first caveat, although the Council published its Core Strategy Preferred Options Report in March 2012, the Council is now in the process of preparing its new Local Plan. Once adopted, the Local Plan policies will replace those which are extant within the current Local Plan. The new Local Plan is however in its very early stages of preparation and there has been no draft Plan produced to date. In terms of the Core Strategy Preferred Options Report, only very limited material weight can be afforded to it in the determination of this application.

9.11.5 In respect of the second caveat, the Local Plan was prepared to be in general conformity with the Lancashire Structure Plan (1991 - 2006); and with National Planning Policy in place at that time. The Local Plan policies and allocations address the land requirements to deliver the objectively assessed needs of the borough during the plan period, which ended in 2006. Policy H1 (Housing Land Provision) was not saved under the terms of the Secretary of State's Direction and as such the development plan is silent as to the amount of new housing that

should be provided. The publication of new evidence, including the Fylde Coast Strategic Housing Market Assessment indicates that there should be a significant increase in the number of dwellings to be provided annually compared to that which is provided by the current Local Plan. In addition to this, the NPPF has been published which requires local planning authorities to "boost significantly the supply of housing" by "use(ing) their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing..." This up to date evidence therefore suggests that there is a clear need to rebalance the existing protection of land in order to address the current housing requirements of the Borough.

9.11.6 When applying the relevant Local Plan policies in the overall planning balance the weight to be afforded to the relevant policies, and any conflict with these needs to be clearly understood. Although paragraph 211 of the NPPF is clear that, "the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of this Framework" NPPF paragraph 215 is clear that due weight should be given to relevant policies in existing development plans according to their degree of consistency with national policy.

9.11.7 In respect of saved Local Plan policy SP13, there are many references within the NPPF to the need to conserve and enhance the natural environment and as such the fundamental aim of protecting the countryside is therefore supported by the NPPF. Notwithstanding this, the policy provides blanket protection to all areas of the countryside, with no landscape features or geographical areas afforded any greater degree of protection than another. The policy does not include criteria, as required by NPPF paragraph 113, against which proposals for development affecting a landscaped area can be assessed.

9.11.8 The site does not carry any special landscape designation as identified by NPPF paragraph 115, and as such can only be defined as a local landscape. The degree of harm upon the open countryside needs to be weighed in the overall planning balance, taking into account the relevant weight to be afforded to the policy, as discussed further below.

9.11.9 Policy SP13 imposes significant restrictions on developing land across the whole of the countryside. As noted previously, paragraph 49 of the Framework states that, "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." The Council is unable to identify a supply of deliverable housing land when assessed against the most recent evidence and on this basis; the housing land supply policies are "out of date."

9.11.10 There is no definition in the NPPF of what constitutes a relevant policy for the supply of housing. In the case of policy SP13 it is considered that its primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the Framework; however the extent of the geographic coverage is such that it would have a significant effect on the location of development by preventing the use of any land outside settlement boundaries and, in that respect, it is a policy relevant to the supply of housing. On the basis of its geographic extent, it is considered that the policy is "out of date" in the context of NPPF paragraphs 14 and 49 and therefore the presumption in favour of sustainable development set out in NPPF paragraph 14 is engaged. NPPF paragraph 14 indicates that for decision-making, the presumption in favour of sustainable development means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, then the presumption in favour of sustainable development means that planning permission should be granted unless:
 1. 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; or
 2. Specific policies in the Framework indicate development should be restricted, as explained by example in footnote 9 of the NPPF.

9.11.11 The site is not allocated by, or subject to, a saved protective designation in the Local Plan other than the SP13 'countryside' allocation and there are no policies within the NPPF which indicate that development on this greenfield site should be restricted. The presumption in favour of sustainable development identified by NPPF means that it is necessary to consider whether the proposed development represents 'sustainable development'. NPPF paragraph 7 sets out the three dimensions to sustainable development as being:

- Economic
- Social
- Environmental

9.11.12 The NPPF advises that these roles should not be undertaken in isolation, because they are mutually dependent. Furthermore, to achieve sustainable development, economic, social; and environmental gains should be sought jointly and simultaneously.

(i) An economic role - the government has identified the delivery of housing as a key driver of future economic growth and stimulation of the economy. It is recognised that there are economic benefits associated with the development through both direct and indirect employment opportunities. The applicants say in the Planning Statement that the development would provide more housing which is needed in the borough. In addition it is also accepted that there would be some, albeit limited, economic benefits associated with the construction period and following completion of the works through spending in the local and wider area.

(ii) A social role - the scheme will deliver up to 108 dwellings and make 30% affordable housing provision which will make a positive contribution towards meeting the housing needs of the borough. There would also be public open space which would be beneficial to new and existing residents.

(iii) An environmental role - no environmental benefits as such are identified by the applicants in the submitted. Rather, subject to mitigation as appropriate, there would be no unacceptable adverse impacts in terms of visual impact, highways, flood risk, ecology, contamination, air quality impacts or loss of best or most versatile agricultural land.

On the basis of the above the development must be regarded as sustainable.

10.0 CONCLUSION

10.1 The development of the site is considered to be acceptable in principle and the residential land use proposed is judged to be appropriate. The scheme would contribute towards meeting the borough's requirement for both market and affordable housing. It is considered that with the agreed mitigation measures there would not be any severe adverse impacts on the capacity and integrity of the local and strategic highway network. Paragraph 14 of the NPPF says that permission should be granted for sustainable development unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the document as a whole. Paragraph 32 sets the threshold of highway impact above which a refusal is justified as severe. Bearing in mind the benefits of the proposal as set out above and the comments from LCC Highways confirming that the impacts of the development on the local highway network can be mitigated so that they are not severe, it is considered that on balance the proposed development is acceptable.

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 the outline application be approved subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education and sustainable travel and highway improvement works. That the Head of Planning Services be authorised to issue the decision on the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

1.a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

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 19th August 2016 including the following plans: -

- 16/040/L01 - Location Plan
- 0520-F03A - Potential Access Arrangement off Brockholes Crescent.

3. Prior to commencement of development hereby approved, a scheme for the provision and retention of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided and thereafter retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- b) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing];
- d) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;
- e) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

4. Prior to the commencement of any development, full details of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), 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 existing greenfield 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 where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable;
- h) Details of related measures to enhance habitats for amphibians.

The scheme shall be fully implemented and subsequently maintained in accordance with the approved details and the details to be agreed by condition 5 and in accordance with the timing / phasing arrangements embodied within the scheme, or

within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

5. (i) Prior to the commencement of development, a management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, this plan 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 its on-going maintenance of all elements of the sustainable drainage system (including mechanical components and designed biodiversity features) and will include elements such as on-going inspections relating to performance and asset condition assessments, 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;

d) The maintenance and management of any designed biodiversity features.

(ii) The maintenance and management plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved maintenance and management plan.

6. Prior to the commencement of development a scheme for the disposal of foul waters within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

7. No dwelling shall be first occupied until an electric vehicle charging point has been provided for the dwelling to which it relates, and such electric vehicle charging point shall be maintained and retained for that purpose thereafter.

8. No tree felling, tree works or works to hedgerows shall be removed / cleared during the optimum period for bird nesting (March to July inclusive) unless, before the removal / clearance commences, a report undertaken by a suitably qualified ecologist has been submitted to and approved in writing by the Local Planning Authority demonstrating that the nesting / breeding birds have been shown to be absent.

9. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, and notwithstanding any information submitted with the application, an Amphibians Reasonable Avoidance Measures Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall give full details of how any harm to amphibians is to be avoided during the course of the development. The development shall be carried out in accordance with the approved Method Statement.

10. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, a Landscape Creation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Landscape Creation and Management Plan shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- a) Details of new ponds / wetland creation
- b) Details of how retained hedgerows, trees and wetlands are to be protected during any construction period
- c) Planting plans, taking into account the need to contribute to landscape connectivity and the creation of a coherent local ecological network
- d) Written specifications (including cultivation and other operations associated with plant and grass establishment)
- e) Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate
- f) Implementation timetables.

The Landscape Creation and Management Plan shall be carried out as approved.

11. Prior to the commencement of development hereby approved, a scheme which provides for the assessment, retention and protection of trees, shrubs and hedges within (or overhanging) the site, which may be affected by the construction process (apart from those whose removal is approved through the reserved matters application(s)), shall be submitted to and approved in writing by the Local Planning Authority in the form of a Tree Protection Plan and Arboricultural Impact Assessment. The measures contained within the approved Arboricultural Impact Assessment and Tree Protection Plan for the protection of any retained tree shall be undertaken 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.

12. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate environmental effects. The following matters shall be addressed:

- a) the times of construction activities on site
- b) the parking of vehicles of site operatives and visitors
- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

- f) wheel washing facilities
- g) measures to control the emission of dust and dirt during construction to ensure that dust and dirt does not travel beyond the site boundary
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works
- i) potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction
- j) management of silt and run-off during the build out of the development
- k) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- l) measures to avoid light pollution
- m) routes to be used by vehicles carrying plant and materials to and from the site and measures to be taken to ensure that drivers use these routes as far as is practicable.

The development hereby approved shall be carried out in accordance with the approved CEMP.

13. Prior to commencement of development hereby approved, a desk study shall be undertaken and submitted to 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 first have been 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.

14. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include, as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring must be carried out over a period of at least three months and include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided.

15. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any subsequent replacement Local Plan policy for the provision of public open space, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

16. No development shall take place until a programme of archaeological work has been carried out in accordance with a written scheme of investigation (which shall include the timetable for the investigation) and which has been submitted by the applicant and approved in writing by the Local Planning Authority.

17. No part of the development hereby approved shall commence until a timescale for the construction of the site accesses and the agreed scheme of off-site works of highway improvement has been submitted to, and approved in writing by the Local Planning Authority. The highway improvements shall thereafter be constructed in accordance with the agreed timescale and agreed scheme of off-site works of highway improvement. The agreed scheme of highway improvements/works are as shown on drawings 0520-01C, 0520-04C, 0520-05 & 0520-06B and include:

- Repatch and repair existing footway on east side of Holts Lane between Brockholes Crescent and proposed pedestrian refuge on Garstang Road East, including provision of tactile paving at crossing points;
- Repatch and repair existing footway on south and west side of Brockholes Crescent between Holts Lane access and Main Drive, including provision of tactile paving at crossing points;
- Repatch and repair existing footway on south side of Main Drive between Brockholes Crescent and Carr Head Lane Drive, including provision of tactile paving at crossing points;
- Revise layout of Main Drive / Brockholes Crescent junction to reduce bell mouth and introduce dropped kerbs and tactile paving to provide a safer environment for pedestrians;
- Introduce pedestrian / cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane. Pedestrian / cycle refuge to be sited on the desire line of residents of the proposed development undertaking trips to Tesco, Hodgson Academy and Poulton town centre;
- Upgrade 2no bus stops (with shelters) on Garstang Road East. These are located at
 - Westbound services: 90m east of Holts Lane;
 - Eastbound services: 120m west of Holts Lane;
- Introduce a new bus stop on Carr Head Lane. Details to be agreed;
- Garstang Road East / Holts Lane junction - introduce right turn lane waiting areas on Garstang Road East to cater for movements into Holts Lane and Argyle Road;
- Hardhorn Road / Highcross Road / Beech Drive junction - widening of Hardhorn Road to provide right turn facility into Highcross Road;
- Lower Green / Garstang Road East - widen Lower Green approach to signals to increase length of two lane approach;
- Hardhorn Road / Garstang Road East junction - minor kerbing works and provision of "Z" marking to facilitate safer turning movements.

18. The approved Travel Plan must be implemented in accordance with the timetable contained within it unless otherwise agreed in writing by the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum period of at least 5 years.

19. As part of any reserved matters application where layout is applied for, details of footpath links between the application site and the adjacent land to the east, including details of their maintenance and management, shall be provided. The footpath links shall be constructed in accordance with the approved details prior to first occupation of any of the approved dwellings or completion of the development, whichever is the sooner. Thereafter the footpaths shall be managed and maintained in accordance with the approved details.

Reasons: -

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt and in the interests of proper planning.

3. To ensure the adequate provision and delivery of affordable housing in accordance with the National Planning Policy Framework (March 2012)

4. The condition is required to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users, to ensure that water quality and bathing water quality is not detrimentally impacted by the development proposal and to secure opportunities for the enhancement of nature conservation in accordance with the National Planning Policy Framework (2012). The information is required to be agreed prior to commencement to ensure that adequate drainage is in place throughout the lifetime of the development in order to minimise flood risk.

5. In order 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, to identify the responsible organisation/body/company/undertaker for the sustainable drainage system, and to ensure nature conservation value is maintained in accordance with the National Planning Framework (2012). It is necessary for this information to be agreed prior to commencement so that the management plan for the drainage system is in place for the lifetime of the development.

6. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding with saved Local Plan policy CIS7 and the National Planning Policy Framework (March 2012)

7. 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 Saved Policy SP14 of the Wyre Borough Local Plan and the NPPF.

8. To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and the National Planning Policy Framework (March 2012).

9. In order to ensure that legally protected species are not unacceptably affected in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended)
10. To secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework (March 2012)
11. To safeguard the amenity, appearance and character of the area in accordance with saved Local Plan policies ENV7 and SP14 and the Trees and Development Supplementary Planning Guidance (1998).
12. In the interests of highway safety and ecology, to safeguard the amenity of the area and to avoid an undue flood risk on site during construction in accordance with saved policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) the National Planning Policy Framework.
13. 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).
14. The development is within 250 metres of a closed landfill site. Works are therefore required in the interests of public safety and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
15. To ensure that public open space areas are adequately provided and effectively managed and maintained in accordance with the provisions of saved policy H13 of the Wyre Borough Local Plan (1999) and the NPPF.
16. To ensure that any archaeological remains at the site are recorded to ensure an understanding of the significance of the heritage asset before it is lost, in accordance with the National Planning Policy Framework.
17. 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.
18. To ensure that the development provides sustainable transport options and to minimise impact on air quality caused by the development in the surrounding area in accordance with Saved Policy SP14 of the Wyre Borough Local Plan and the NPPF.
19. To ensure a proper planned approach is adhered to maximising site access/connectivity to the existing and future network to encourage travel by sustainable modes in accordance with the objectives of the NPPF and the provisions of Policy SP14 of the Wyre Borough Local Plan (1999).

Notes: -

1. LANCASHIRE COUNTY COUNCIL - LEAD LOCAL FLOOD AUTHORITY

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

This response does not grant the applicant permission to connect to the highway drainage network. Neither does this response cover the suitability of any highway drainage proposal. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 are for the Local Highway Authority to comment on.

2. ENVIRONMENT AGENCY

The applicant will require an Environmental Permit for the proposed surface water outfall into Oldfield Carr Lane watercourse. Oldfield Carr Lane watercourse adjacent to the site is designated a Main River. In particular, any development within our 8 metre easement, measured from the top of the bank of the watercourse, including any new outfall structures, pipelines, landscaping (including trees and shrubs), fences, lighting columns, or any other structure, will require an Environmental Permit. The applicant is advised to refer to <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact Flood Risk Officer, Pippa Hodgkins, on 020 302 51397 to discuss our requirements if a permit or advice is required.

The Environment Agency has a right of entry to Oldfield Carr Lane watercourse by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

It should be noted that the grant of planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

3. LANCASHIRE CONSTABULARY

The following security measures are recommended; Physical Security

- All external doors and windows should be PAS 24/2012 certificated or an alternative accepted security standard. This includes pedestrian doorsets linking garages to dwellings and the doorsets for the 12 apartments. Reason: to comply with Building Regulation Approved Document Q and reduce the opportunity for burglary.
- Ground floor glazing on rear and side elevations should be laminated and windows should be fitted with restrictors. Reason: to deter attempts at burglary and opportunist crime.
- The rear garden should be fitted with a 1.8m high close boarded timber fence and a 1.8m high lockable gate should be fitted flush with the front of the dwelling. Reason: to prevent easy access to the rear and side of the dwelling and to deter attempts at burglary.
- Lights should be installed at all external doors. Reason to promote natural surveillance and make a less attractive target for an intruder as the chance of being seen is increased. External lighting is often provided at the front doors however as most dwelling burglaries target the side and rear elevations, external lighting should be installed at all doors.
- Utility meters should be located as close to the front elevation as possible. Reason: To remove the need to access private areas to obtain readings.

- 13 amp non-switched fused spurs should be installed to enable easy installation of an intruder attack alarm by the homeowner. Reason: To deter potential intruders from targeting the dwellings for burglary.
- If sheds are provided they should be located in visible areas of the garden, fitted with a lockable door and have no windows. Reason: Windows allow intruders a view of valuables stored inside.
- Garages should be fitted with a light and the vehicular doorset should be certificated to LPS 1175 Issue 7 Security Rating 1 or STS 202 Issue 3 Burglary Rating 1. Reason: to promote natural surveillance and prevent forced entry.
- The Design and Access incorporates a section on crime prevention which details general security measures such as enhancing natural surveillance. Further comment will be made on these issues at the Reserved Matters stage.

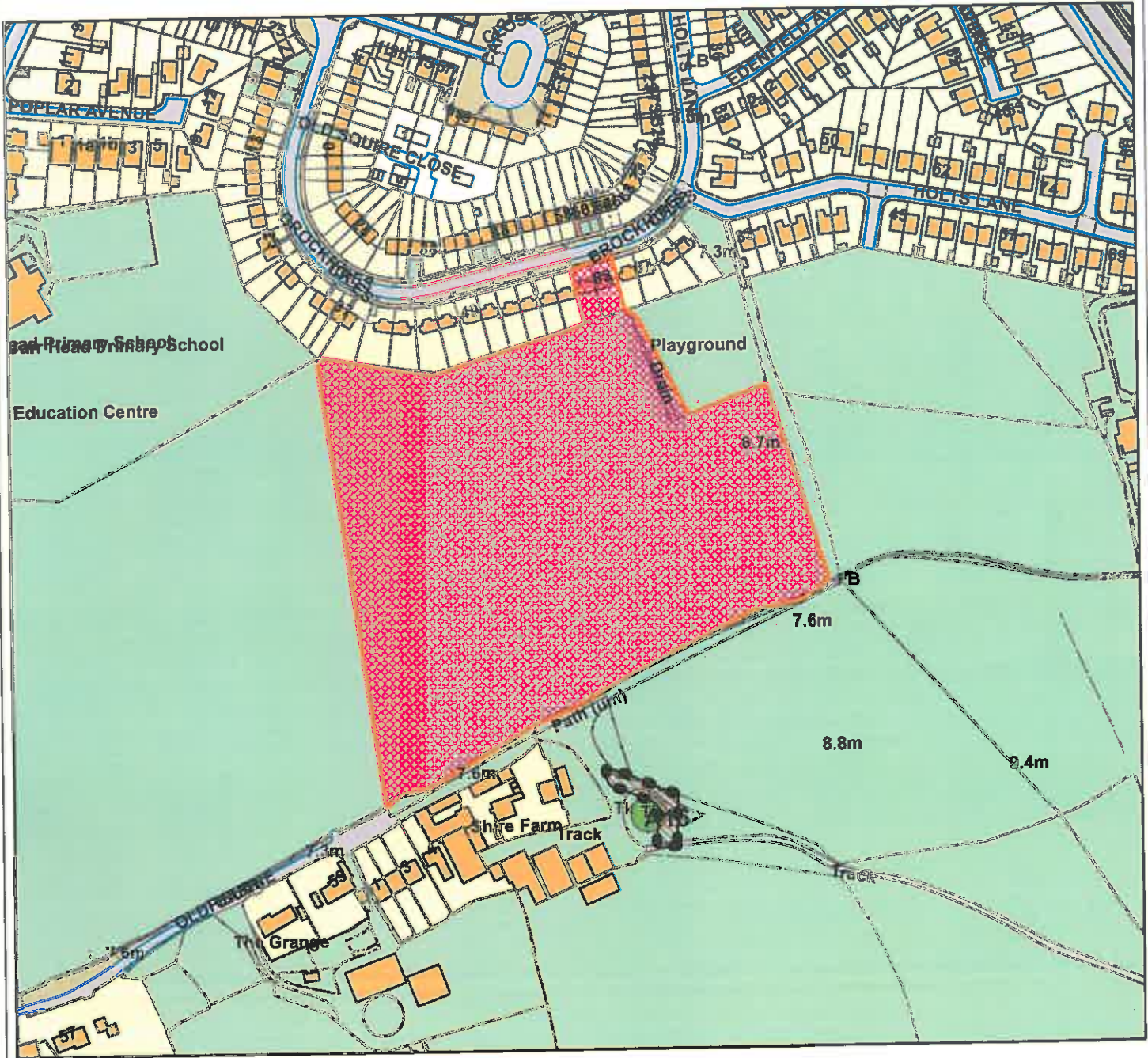
4. ENVIRONMENTAL HEALTH

All site investigations and assessments shall be carried out by appropriately qualified personnel, in accordance with British Standard 10175:2001 "Investigation of Potentially Contaminated Sites - Code of Practice".

arm/rg/pla/cr/17/0706nc7 app1

Item 01

16/00742/OUTMAJ



Scale: 1:3,000

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Organisation	Wyre Council
Department	Planning Department
Comments	Not Set
Date	26/05/2017
MSA Number	100018720

Committee Report**Date: 07.06.2017**

Item Number	02
Application Number	17/00070/FULMAJ
Proposal	Variation of condition 2 on application 14/00928/FULMAJ to allow for the full demolition of existing building and the erection of a three storey and part two storey apartment block (12 apartments) including associated access/parking provision and a cycle store.
Location	Royal Oak 64 Breck Road Poulton-Le-Fylde Lancashire FY6 7AQ
Applicant	Mr Graham Smart
Correspondence Address	c/o Keystone Design Associates Ltd Development House 261 Church Street Blackpool FY1 3PB
Recommendation	Permit

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 Beavers. A site visit is proposed to help Members understand the current condition of the existing building and how it sits within its surroundings, including the proximity to neighbouring properties.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application relates to the former Royal Oak Public House and its associated car park located on the corner of Breck Road and Station Road in Poulton-le Fylde. The Royal Oak was a former public house/hotel that was built in the early 1840s at the time of Poulton's first railway station on the opposite side of Station Road and has historically been used for various functions such as inquests and sales of livestock from local farms. The building itself is built of three and two storeys, with the property rendered and painted white with black timber boarding detailing on all elevations and black painted decorative corner quoins.

2.2 At present the building stands in a derelict and rundown condition with all of the windows and doors boarded up and security fencing lining the site boundaries. To the rear the building has a centrally located 2 storey pitch roof extension with a single storey lean to attached. There is also a white painted flat roof outbuilding which adjoins a redbrick structure which was historically used as a stable block/workshop and is also in a derelict condition with most of its roof collapsed. To the north and south of the site are residential properties, to the east currently under construction is an apartment block for extra care retirement units and to the west is

the Civic Centre and Wyre Borough Council Offices and Lockwood Surgery. The subject building is not a Listed Building but is located within the Poulton-le-Fylde Conservation Area. No other constraints or designations affect the site.

3.0 THE PROPOSAL

3.1 This application seeks consent for the variation of condition 2 (approved plans condition) on planning permission ref: 14/00928/FULMAJ to allow for the full demolition of the existing building and the erection of a three storey and part two storey apartment block (comprising of 12 open market residential apartments) including associated access/parking provision and cycle store.

3.2 The proposal is to demolish the existing building (and associated out buildings) in its entirety and to rebuild/replicate the original footprint and external envelope of the former public house whilst at the same time increasing the height of specific elements and extending out to the side and rear to accommodate the 12 apartments. This proposed height increase and footprint extension is identical to that previously approved. The replacement building would measure approximately 22m in width along the frontage on Breck Road with an overall projection to the rear of 27m (total overall footprint 445sqm). The overall height of the building is approximately 11m to the ridge which then steps down to 9m fronting Breck Road. The ridgeline fronting Station Road along the eastern boundary steps down from approximately 11m to 9.7m and the elevations are staggered into the site. The rebuilding now proposed seeks to replicate the former public house by incorporating notable features including window positions and sash style, decorative stonework corner quoins and the existing entrance column. Materials proposed include white painted rough cast render reconstituted stone to the plinths and decorative banding under a natural grey slate roof, again to replicate the existing building. To the rear, the extended element of the development proposes red brick materials with upvc sash style windows in a vertical alignment. All windows on the western elevation are shown to be obscure glazed.

3.3 The rear car park is proposed to be re-configured to provide a secure 14 bay car park and an area for the parking of motor cycles with new landscape planting areas along the southern, western and eastern boundaries. A cycle store is also proposed along the western boundary measuring 4.7m in width x 4.7m in length x 2.2m to the flat roof ridge. A new enclosed bin store is proposed to the south eastern corner of the site adjacent to the access and along the north and eastern boundaries a 1m high red brick boundary wall with a 0.5m high decorative cast iron railing detail above is proposed.

4.0 RELEVANT PLANNING HISTORY

4.1 14/00928/FULMAJ - Part demolition of the existing building, inclusion of a third storey to the side elevation, two storey side extension and conversion into 12 apartments including car parking spaces and a cycle store - Permitted 28.01.2015

4.2 10/00097/FULMAJ - Part demolition and rebuild of existing building, two and three storey extensions and conversion into 12 residential flats and associated works - Permitted

4.3 10/00098/CON - Conservation Area Consent for the partial demolition of building - Permitted

- 4.4 09/00447/FULMAJ - Erection of 14 residential flats following the demolition of existing public house - Refused (design and noise issues)
- 4.5 09/00548/CON - Conservation area consent for the demolition of building - Refused
- 4.6 97/00059/FUL - Change of use of public house with ancillary owners accommodation to public house, hotel accommodation and owners accommodation and creation of new access on to Station Road - Permitted

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 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 following sections are relevant to this application:

5.1.2 Section 1 - Delivering sustainable development

Planning should operate to encourage and not act as an impediment to sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business.

5.1.3 Section 4 - Promoting sustainable transport

A balance in favour of sustainable transport modes however the Government recognises that different policies will be needed in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

5.1.4 Section 6 - Delivering a wide choice of high quality homes

There is a need to 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.

5.1.5 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.

5.1.6 Section 8- Promoting healthy communities

Paragraph 70 requires decisions to guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs; and ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community in order to deliver the social, recreational and cultural facilities and services the community needs.

5.1.7 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.

5.1.8 Section 12 - Conserving and enhancing the historic environment

Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise (Paragraph 129). Paragraph 133 states that, 'Where a proposed development will lead to substantial harm to or loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.'

Paragraph 134 states that, 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 135 states that, 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 136 states that, 'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'

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. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.2.2 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:-

SP14 - Standards of Design and Amenity

ENV9 - Conservation Areas

ENV13 - Development and Flood Risk

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 4 - Spacing Guidelines for New Housing Layouts

5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17th of June and the 7th of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 Relevant policies in the emerging Local Plan include:

- CS13 - Sustainable development
- CS14 - Quality of Design
- CS17 - Infrastructure and Community Facilities
- CS20 - Housing Mix
- CS21 - Affordable Housing

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY

6.1.1 No observations to make on the proposal as the development is not listed within Schedule 4 of the Town and Country Planning Act on when to consult the Environment Agency.

6.2 POULTON-LE-FYLDE HISTORICAL & CIVIC SOCIETY

6.2.1 Pleased to support the plans for the site on the corner of Breck Road and Station Road, and agree with the comment included in the Revised Heritage Statement which states "Rebuilding in facsimile following accurate recording would have a very minor impact on the heritage values of the conservation area as a designated heritage asset."

6.3 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.3.1 Initial response advised that emergence surveys of the main building were required during determination. Further repose following submission of most

recent bay surveys confirms no reason to disagree with the findings that no bats were recorded as roosting in the buildings. No further precautions are required as regards the prevention of harm to bats.

6.4 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.4.1 No objections

6.5 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.5.1 No objections

6.6 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE)

6.6.1 No objections subject to condition requiring a noise management plan relating to the demolition and clearance of land to be submitted for approval to reduce the effects of noise and vibration.

6.7 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY)

6.7.1 No objections subject to condition requiring a dust management plan to be submitted for approval.

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

6.8.1 No objections subject to a condition requiring a desk top survey to be carried out.

6.9 WYRE BC SERVICE DIRECTOR PEOPLE AND PLACES (TREE OFFICER)

6.9.1 Do not foresee any additional arboricultural issues presented by full demolition. A landscape plan should be conditioned which should include a schedule and specification relating to tree planting.

6.10 WYRE BC HEAD OF BUILT ENVIRONMENT (BUILDING CONTROL)

6.10.1 Observations provided relating to the assessment of the submitted structural surveys. These include:

- In parts the surveys contradict each other (e.g. Keystone - walls need to be underpinned and others rebuilt, Hermolle - structural envelope of the building has remained relatively stable and are in reasonably good condition).
- Since the original report was commissioned in 2010 there appears to have been no onsite monitoring to confirm the amount and rate of movement to the walls in question.
- It appears that the state of the existing foundations and actual wall construction are based on assumptions without any trial holes or opening up parts for further investigation.
- The 2014 report states that the external walls are currently restrained by the internal walls, floors and roof structure, but once these are removed the walls in question will be unstable. This will be true but there has been no exploration of

façade retention support systems (e.g. steel frame, which may be an option in this case) that can support the walls until the new construction is built and tied to the existing walls.

7.0 REPRESENTATIONS

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

- Existing wall should be retained in full
- Sliding gate at access (noise nuisance and road congestion)
- Increase in congestion on the highway and parking problems
- Increase in pollution and noise
- Bin store in close proximity to neighbouring properties (odours)
- Obscure glazing should be on the rear elevations
- Extension should be no higher than the Station Road properties
- Nuisance from building works
- Rebuilding of the facade will result in a loss of authenticity
- The Georgian façade should be retained
- Demolition is a fundamental change to the nature of development
- Loss of privacy and overlooking
- Poor use of the site
- Missing / misleading plans
- Development contrary to SPG4 and SPG5
- Development too close and too tall
- Windows will be 1-4 metres from neighbouring garden
- Development out of scale and height with neighbouring property
- Obscure glazing does not overcome the overbearing impacts
- Heritage Statement is inaccurate
- Building is one of the oldest remaining buildings in Poulton
- Development should be redesigned to be more sympathetic and to safeguard what remains of the Royal Oak

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 There were discussions with the agent at the validation stage regarding whether the proposal could be a Section 73 application (appeal decision supplied). During the course of the application an additional emergence bat survey was requested, there has been further clarification on the viability of the development and queries raised relating to the submitted structural survey. The applicant has agreed to an extension of time on the application until the 8th June 2017.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Procedural Matters
- Principle of Development
- Impact upon the Conservation Area & Heritage Assets
- Scale, Design and Visual Impacts
- Impact on Amenity of Neighbouring Properties
- Flood Risk and Drainage
- Highway Safety and Parking
- Ecology and Trees

Procedural Matters

9.2 This application has been submitted under Section 73 of the Town and Country Planning Act 1990 which allows for the variation or removal of conditions attached to previous permissions. In this instance the variation relates to condition 2 attached to permission 14/00928/FULMAJ which requires the development to be carried out in accordance with the list of approved plans. Application 14/00928/FULMAJ permitted an identical scheme to this current proposal however that involved the retention of the front and side facades of the existing building. This retention was annotated and listed on the approved plans.

9.3 Paragraph 30 of the National Planning Practice Guidance (NPPG) sets out that applicants/agents can apply to remove or change a condition following a decision. In deciding such application (known as a section 73 application), the local planning authority must only consider the disputed condition/s that are the subject of the application and that it is not a complete reconsideration of the application. Paragraph 13 of the NPPG states that one of the uses of a Section 73 application is to seek minor material amendments, where there is a relevant condition that can be varied. Upon receipt of this application officers disputed that the full demolition of an existing building could not be considered to represent a minor variation of a planning permission and that a full application would be required. However, the applicant then undertook further research and provided an appeal decision for a comparable scheme in Tottenham Court, London (appeal ref: APP/X5210/A/14/2219830) where the local planning authority there refused an application on similar grounds and circumstances. The appeal was allowed and planning permission was granted. Within the Inspectors decision, the following paragraph is of particular relevance with regards to the acceptability of the procedure:

"The NPPG provides advice on s73 applications and says that one of the uses of a section 73 application is to seek a minor amendment where a relevant condition can be varied. The application was submitted on the basis that it sought a minor material amendment. The guidance says there is no statutory definition of a minor material amendment but it is likely to include an amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved... I recognise that the Council attach great importance to the retention of the façade to the great weight that should be attached to the conservation of heritage assets, however I am of the opinion that the proposed variation to fully demolish and rebuild the development does not fundamentally change either the scale or the nature of the permitted scheme, and it is not substantially different from what was approved".

9.4 Based on this appeal decision in this instance the submission of a Section 73 has been accepted to allow for the proposed demolition and re-build of the structure. The submitted plans are identical to the previously approved plans on application 14/00928/FULMAJ with the only exception being that instead of the retention of the front and side elevations the proposal now seeks full demolition and rebuild.

Principle of Development

9.5 The principle of 12 open market apartments in the scale, design and layout arrangement proposed has already been established and approved under application 14/00928/FULMAJ. Members of the Planning Committee also approved a very similar scheme under application 10/00097/FULMAJ. Both of these applications sought the exact form of development providing 12 apartments whilst retaining the

main external envelope of the existing structure of the pub. In 2009 an earlier application and accompanying conservation area consent was refused for the full demolition of the building and the erection of 14 flats. Conservation area consent (a form of application that no longer exists) was refused at that time based on the important and positive contribution the building was considered to have on the character and appearance of the Poulton Conservation Area, contrary to Planning Policy Guidance 15 (now replaced by the NPPF) and Policy ENV9 of the Wyre Borough Local Plan.

9.6 Since 2009 planning policy has evolved with the introduction of the NPPF. The NPPF places a strong emphasis on the presumption in favour of sustainable development and places significant weight on the need to support sustainable economic growth. It highlights that sustainable development has three roles - an economic role, a social role and an environmental role and that these roles are mutually dependent. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. In addition, 9 years on from that refusal decision the Royal Oak has remained unoccupied and is considered to have structurally and visually fallen into disrepair. The applicant has provided supporting structural surveys which demonstrate that following internal fire damage and lack of maintenance and upkeep the building is no longer structurally sound to be converted into residential units as previously approved and that to support and retain the existing facades would deem the development unviable.

9.7 The building occupies a prominent sensitive corner position on the main access route into and through Poulton at the junction of Breck Road and Station Road. Sensitive redevelopment of the site, replicating and preserving the historic integrity of the existing building, would provide a valuable enhancement to the amenity of the area and an opportunity to positively contribute to the local townscape and character of the Conservation Area. This comes at a time where the site opposite is also currently under redevelopment to provide extra care housing along with new residential housing further south along Station Road. The continued use of the building as a public house is considered to be economically unsustainable, given its position out of the Town Centre and its long term dereliction. Demolition and reconstruction of the building is considered to be more realistic to help bring the site forward for redevelopment and is therefore considered acceptable in principle and in accordance with the presumption in favour of sustainable development.

Impact upon the Conservation Area & Heritage Assets

9.8 The former Royal Oak Public House is considered to be a significant and important heritage asset that represents a valuable structure in the setting of the Poulton Conservation Area. Observations received from neighbouring residents provide an interesting insight into the history associated with the use of the building which was constructed in the early 1840s. These have been considered alongside the supporting Heritage Statement. In assessing the acceptability of the full demolition of the heritage asset and the consequent impact upon the Conservation Area consideration is given to the NPPF and the duty under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, and the professional advice of the Conservation Officer has been sought. The advice is that the proposal will preserve the appearance of the Conservation Area and sustain the significance of this designated heritage asset as the resultant building will appear as it would otherwise have done in accordance with

the previously granted approval 14/00928/FULMAJ. The Conservation Officer considers that the proposal is acceptable.

9.9 The application has been submitted with a Heritage Statement which highlights the historic importance and value of the building. It sets out that the dismantling and rebuilding of the structure is an overriding requirement in the interest of human safety. It states that the building internally has deteriorated and the site poses a safety risk particularly in the event of unauthorised access and also to construction/site workers. The Heritage Statement sets out that rebuilding in facsimile following accurate recording would have very minor impact on the heritage values of the Conservation Area as a designated Heritage Asset. There would be minor loss of authenticity as a result of rebuilding as there would be no historic fabric remaining; however the safety risks and structural condition of the building are seen to outweigh the harm and loss of the original fabric.

9.10 The application site is located on the edge of the Conservation Area. It is considered that in its current form the derelict and neglected appearance of the existing building and associated car park is harmful to the character of the conservation area. In light of the professional advice of the Conservation Officer that the proposal will preserve the appearance of the conservation area and sustain the significance of the designated heritage asset it is therefore seen to comply with paragraph 133 of the NPPF and also Saved Policy ENV9 of the Wyre Borough local Plan and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Scale, Design and Visual Impacts

9.11 Given that the resultant building will appear as it would otherwise have done had the existing façade been retained, the scale, layout, design and appearance of the proposed development is considered essentially the same as that approved under application 14/00928/FULMAJ. This replicate design is considered to be a sensitive and appropriate solution. A number of the existing features and openings are to be replicated as part of the rebuild. To the rear where the more modern extended elements project out into the car park the building is set in and subservient to the former original building. The design is seen to be sympathetic to the Conservation Area, the stone heads above the windows harmonise with the vertical emphasis and window arrangement at each floor level. A number of other key design elements include the continuation of the decorative band course above the first and second floor windows on the south western elevation and a new natural slate roof will also assist in enhancing the appearance of the building. All of these features contribute in sustaining and enhancing the proposed development within its setting in the Conservation Area, in keeping with Saved Policies ENV9 and SP14 of the Wyre Borough Local Plan and the provision of Section 12 of the NPPF.

9.12 Whilst the existing building is to be fully demolished and rebuilt there is also an addition of a two-storey extension to the Breck Road elevation, identical to an addition previously approved. This is to be constructed in white render and reconstituted stone plinths and banding to match the main building. This remains an appropriate treatment for this elevation given the adjacent residential property on Breck Road to the southwest is of similar materials and scale. The extension to the rear and along the Station Road frontage is to be three storey, identical to that previously approved. The extension nearest to the main building will be constructed in similar materials to the main building. This will be set in from Station Road and roughly occupies the space where the existing two storey extension is at present. The remainder of the extension is to be set even further into the site by approximately 4m and is to be constructed in brick with a slate mansard roof with

sash style windows, brick coins and stone head cills and banding detailing. Again this is identical to that previously approved. This remains an appropriate treatment as it results in a clear differentiation between the replicated main building and the new additions, thus emphasising the character and impact on the conservation area that the existing building provided. Brick remains an appropriate material given the amount of brick used in the area and three storeys also remains acceptable given the height of the main building and the distance from the extension to the nearest properties on Station Road.

9.13 The previous application 14/00928/FULMAJ proposed to retain the outline of the ground floor window openings in the original side elevation immediately abutting Station Road but to block up these windows by replacing the would be glazing with render. This design feature was seen to retain the character of this elevation. The agent initially proposed to open these up to serve the two bedrooms at ground floor. However having given consideration to loss of privacy and overlooking from the public footpath, along with air quality concerns, false windows identical to the 14/00928/FULMAJ scheme as seen as the best solution.

9.14 The boundary treatment to the front of the building along Breck Road wrapping round to Station Road would be unchanged from the previous permission and consist of a new 1m high brick wall with 0.5m decorative cast iron detail railing above. This remains to be considered in keeping with the character and appearance of the area. Landscaping and planting would be located between the retaining wall and the building along Station Road which would further enhance the visual appearance and reduce the bulk and massing of the building. This can be secured by condition. Further into the site a 2m high wall would be constructed set back 4m from the highway at the point of the vehicular entrance to screen the proposed bin store and provide improved privacy.

Impact on Amenity of Neighbouring Properties

9.15 There has not been any material changes to the relationship between the site and existing neighbouring properties since the previous approval and whilst the impacts upon neighbouring amenity has been reassessed as part of this submission the assessment and conclusion remains unchanged. The two main dwellings which are seen to be predominantly affected by the development are 62 Breck Road and 1 Station Road. The concerns from neighbours have been acknowledged and a site visit was carried out from the rear garden of 62 Breck Road. One element of the proposal would include the demolition of a two storey red brick building which is currently built up on the eastern boundary. This is considered to result in more natural light being available in the rear garden of this property and will help to mitigate the overbearing impacts of the proposed three storey rear extension which would be set in approximately 4m from the neighbouring boundary. It is acknowledged that the proposal would be in close proximity to the rear garden of number 62 and the development would result in an increase of bulk and massing close to the shared boundary, however it is not considered to be so severe that it would result in undue harm on the residential amenity of the occupants of this property. All of the proposed windows on the side elevation would be obscure glazed so it is not anticipated that there will be any loss of privacy or overlooking as a result of the development. These windows can be conditioned to be obscure glazed and non-opening at all times. Each of the windows which are to be obscure glazed serve either kitchens / bathrooms or act as secondary windows to habitable rooms primarily served by windows on the southern elevation.

9.16 There is a separation distance between the proposed extension and that of 1 Station Road of approximately 20m, which is generally in accordance with SPG4 which specifies 21m, so it is not considered that there would be any unacceptable impacts upon amenity in terms of overbearing, overlooking or loss of privacy. It is considered that residential flats in this location would be a more acceptable end use compared to the former use as a public house in terms of noise and disturbance. The location of the car park, cycle store and bin storage is unchanged and remains to be considered acceptable. The cycle shelter would be positioned at a splayed angle against the rear wall of 62 Breck Road however it would only project slightly above the boundary wall and is not seen to result in any detrimental impacts. Concerns have been raised by neighbouring residents in relation to the proximity of the proposed bin store in the south eastern corner of the site to existing properties and the impacts arising from odour. The proposed bin store is to be partially enclosed and will also be adjacent to the existing high level boundary wall which will assist in preventing impacts arising from odours. The Environmental Health officer has raised no objections or concerns relating to odour.

Flood Risk and Drainage

9.17 The application site is located within Flood Zone 1 which is not considered to be at high risk of flooding. The Councils Drainage Engineer has raised no objections to the proposal subject to full details of both foul and surface water being conditioned.

Highway Safety and Parking

9.18 Lancashire County Highways have raised no objection to the proposed development and have recommended that the conditions imposed on application 14/00928/FULMAJ should be reattached to this application if members are minded to approve the application. Concerns raised by nearby residents that there is insufficient parking available has been discussed with the Highways Officer who has confirmed that in this accessible location 14 parking spaces is sufficient to serve the proposed 12 residential units. The site lies in close proximity to Poulton Town Centre which is served by bus and train and has a number of useable car parking facilities. There is also a secure cycle provision proposed as part of the application.

Ecology and Trees

9.19 The application was submitted with a bat survey to identify potential structures within the site that could be used by bats. The initial survey identified that the building was of low risk however it recommended an additional emergence survey should be carried out. Greater Manchester Ecological Unit advised that this should be carried out and submitted prior to determination. The applicant has since provided such report which concludes that there was no evidence of bat activity within the building. GMEU have confirmed that the recent survey has been conducted by a suitably qualified ecologist and that they have no reason to disagree with the findings. There are no trees located within the site which will be affected by the proposal. The submitted site plan demonstrates areas of landscaping around the site boundaries which will provide a visual buffer from the development and assist in reducing the impacts upon the street scene. The landscaping details can be secured by condition.

Other Matters

Air Quality

9.20 The application site is located close to, but outside, an area of Air Quality Management (AQM) and is located close to the highway on a busy junction with Breck road and Station Road as well as being opposite a site currently under construction for extra care retirement apartments which would create additional vehicle movements. Discussions have taken place with the Environmental Health Officer in relation to the potential air quality impacts. Ideally the application would have benefitted from the submission of an air quality assessment to enable the impacts to be fully assessed, however given the previous approval, requiring this assessment was not considered to be necessary or reasonable. The agent has amended and removed the windows on the ground floor bedrooms which immediately abut Station Road to prevent fumes from vehicles waiting at the traffic lights entering the bedrooms. In any event, any impacts arising from air quality would be negligible and outweighed by the planning gains of this development.

Noise/Dust

9.21 The Environmental Health Pollution Control Officer has requested that conditions are attached requiring noise management and dust action plans to safeguard the amenity of neighbouring residents from the impacts of noise and dust during the demolition and construction phase. It is therefore considered necessary to require a Construction Environmental Management Plan to be submitted and agreed prior to any demolition/works being undertaken.

Planning Obligations/Contributions

9.22 As set out earlier in this report, the NPPG highlights that the procedure for Section 73 applications only allows for the assessment of the minor amendments and it is not a complete reconsideration of all other matters unless a significant material change has occurred since the previous approval. No contributions were sought from the development permitted by 14/00928/FULMAJ. Since that decision there have not been any material changes in circumstances, such as new planning policy or local plan evidence, to justify a different approach in this instance.

10.0 CONCLUSION

10.1 The full demolition and rebuild of the former Royal Oak Public House is considered to sustain the character and significance of Poulton Conservation Area. The proposal seeks to replicate the key features of the existing building whilst at the same time extending the footprint in a subservient and sensitive way which would not result in any unacceptable detrimental impacts upon neighbouring amenity. The existing building in its current form fails to positively contribute to the character of the area, and whilst its retention would be preferable, it is considered no longer structurally capable of being converted. The proposal is seen as a sensitive and appropriate solution to help bring this derelict site forward for redevelopment. The development would comply with local and national planning policy and is recommended for approval.

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 this s73 variation of condition application subject to conditions.

Recommendation: Permit

Conditions: -

1. The development must be begun not later than the expiration of three years from the 28 January 2015.
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 25/01/2017 including the following plans:
 - Proposed Elevations (Revised) Drawing Number: A009/040/P/02 Revision T
 - Floor Layout (Revised) Drawing Number: A009/040/P/03 Revision R
 - Site Layout/Street Scene Drawing Number: A009/040/P/01 Revision P
 - Existing Site Layout Drawing Number: A009/040/S/01 Revision C
 - Existing Floor Plans Drawing Number: A009/040/S/02 Revision B
 - Existing Floor Layout Drawing Number: A009/040/S/02 Revision A
 - Site Location Plan Scale 1:1250
- The development shall be retained hereafter in accordance with this detail.
3. No development shall be commenced until a desk study has been 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 first have been 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 by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority 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.
4. No development shall take place until samples of all the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.
5. No first occupation or use of the development hereby approved shall occur until all of the windows on the south western elevations (as shown on approved plan number A009/040/P/02 Rev T) have been installed as non-opening and fitted with obscure glazing equivalent to Grade Level 5 (most obscure) and these shall be maintained and retained thereafter. Any subsequent repaired or replacement windows shall be installed as non-opening and with glazing to the same level of obscurity.
6. No development shall take place until full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local

Planning Authority and these works shall be carried out as approved. These details shall include hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

7. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority and shall thereafter be retained and maintained. Any trees or shrubs planted in accordance with this condition or any trees or shrubs planted in replacement which are removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of similar size and species to those originally required to be planted.

8. Prior to first occupation of the development hereby approved all windows on the Breck Road and Station Road elevations shall be installed as recommended in the conclusions and recommendations of the Noise Assessment submitted as part of the application received on 25/01/2017. Any alternatives to the recommendations proposed shall be agreed in writing with the Local Planning Authority.

9. Prior to commencement of built development on site, details of the form and design of the windows (including sectional details of the stiles, rails and glazing bars) shall be submitted to and agreed in writing by the Local Planning Authority. This condition relates to the windows in the Breck Road and Station Road elevations of the proposed development, which shall be of a sliding sash design, constructed of timber and supported on cords and weights (not spring balances), and shall be set in a reveal of 4 inches (100mm). The development shall be carried out in accordance with the approved details and retained and maintained thereafter. After installation, only the agreed type of window shall be subsequently refitted as a repair or replacement.

10. Prior to the first occupation of the development hereby approved, the vehicular access and parking / manoeuvring areas shall be laid out and surfaced or paved in accordance with the approved layout scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The approved parking spaces/ manoeuvring areas shall thereafter not be used other than for the parking of private motor vehicles.

11. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be concurrently reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads.

12. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Such works shall be constructed and completed in accordance with the approved scheme prior to the first occupation of the building and maintained and retained thereafter.

13. Prior to the first occupation of the development hereby approved the cycle store shall be constructed and available for use in accordance with the

approved plan (Drawing Number: A009/040/P/01 Revision P) and shall be retained and maintained at all times thereafter.

14. Prior to the commencement of development, including any site clearance or demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction/demolition to manage and mitigate the main environmental effects and to protect the amenity of the adjacent residents. The following matters shall be addressed:

- 1) The parking of vehicles of site operatives and visitors
- 2) Loading and unloading of plant and materials
- 3) Storage of plant and materials used in constructing the development
- 4) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- 5) Measures to control the emission of dust and dirt during the demolition of the building in the form of a Dust Management Plan
- 6) Measures to control the emission of noise during the demolition of the building
- 7) A scheme for recycling/disposing of waste resulting from demolition and construction works
- 8) Measures to prevent disturbance to adjacent dwellings from noise and vibration and measures to prevent the pollution of watercourses
- 9) Hours and days of construction work for the development
- 10) The routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable

The development hereby approved shall be carried out in accordance with the approved CEMP.

15. Prior to commencement of the development, a scheme for the design and future maintenance of a mechanical ventilation system to all habitable rooms to the ground and first floors fronting onto Station Road, to give the occupants of these rooms the option of mechanical ventilation which will allow for air to be drawn from a suitable location within the development boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall subsequently be carried out in accordance with the agreed details and thereafter maintained and retained.

16. The development hereby approved shall not commence until a building record completed to level 2 of the current Historic England Guidance on the recording of buildings (or any subsequent replacement guidance) has been submitted to and approved in writing by the Local Planning Authority. This shall include a full measured survey of the exterior of the building and a full photographic record using the aforementioned Historic England standards. A copy of the completed report shall be submitted to the Lancashire County Council Records

Office. The reconstruction of the building thereafter shall be carried out and completed in accordance with the completed measured survey drawings. Any deviation from these drawings must be agreed in writing in advance by the Local Planning Authority.

Reasons: -

1. 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. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
3. The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and Policy CORE 11 of the Wyre Borough Local Plan 2001 - 2016 (first deposit draft).
4. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
5. To protect the amenity of the occupants of the nearby residential properties.
6. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
7. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
8. To protect the residential amenity of future occupiers of the flats hereby approved.
9. To preserve or enhance the appearance of the building or the area in which it is situated in accordance with Policy SP14 and ENV9 of the adopted Wyre Borough Local Plan (July 1999)
10. To prevent loose surface materials from being carried on to the public highway thus causing a potential source of danger to other road users, and to allow for the effective use of the parking areas and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)
11. To limit the number of access points to, and to maintain the proper construction of the highway, and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)
12. To ensure a satisfactory means of drainage, and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

13. For the avoidance of doubt and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework.

14. In the interest of the amenity of the area and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

15. To safeguard the amenity of the future occupants of the development and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

16. To safeguard the appearance of the Poulton-le-Fylde Conservation Area and to safeguard the historic character thereof. This condition is required prior to commencement because the existing building details must be recorded prior to demolition to allow for an accurate and faithful rebuild thereafter.

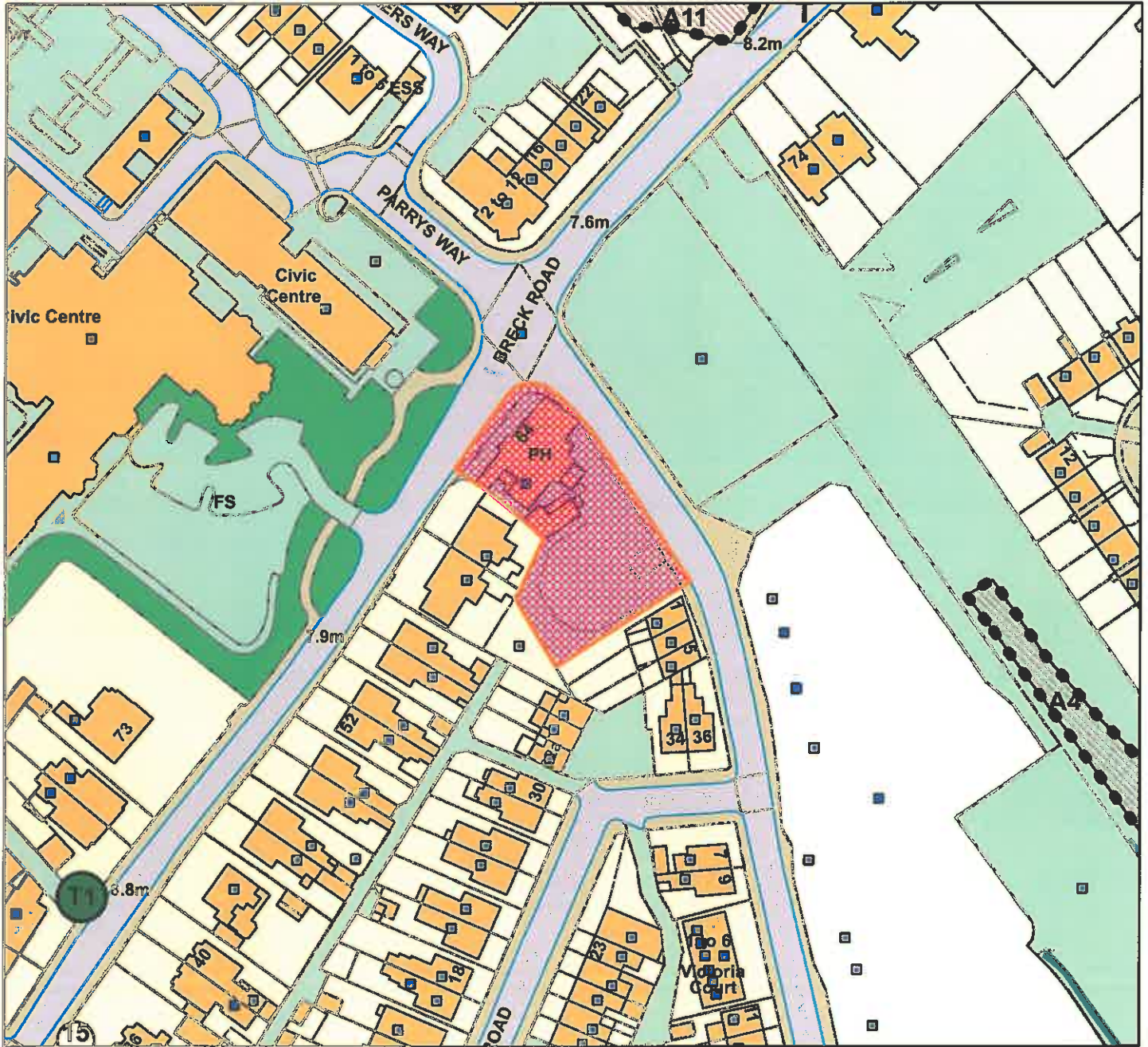
Notes: -

1. In the event of any species being unexpectedly encountered before and during site clearance or development work, then work shall stop until specialist advice has been sought regarding the need for a license from Natural England and/or the implementation of necessary mitigation measures.

Arm/rg/pla/cr/17/0806nc7 app2

Item 02

17/00070/FULMAJ



Scale: 1:1,250

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Organisation	Wyre Council
Department	Planning Department
Comments	Not Set
Date	26/05/2017
MSA Number	100018720

Committee Report**Date: 07.06.2017**

Item Number	03
Application Number	17/00246/FUL
Proposal	Erection of one detached dormer bungalow with associated access and landscaping
Location	Land Off Ingol Lane Hambleton Poulton-Le-Fylde Lancashire FY6 9BJ
Applicant	Mr Stanley Cookson
Correspondence Address	c/o M L Planning Ltd 5 Bobbin Mill Cottages Stubbins Lane Claughton On Brock Preston PR3 0PL
Recommendation	Refuse

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 Robinson. A site visit is proposed to help Members understand the proposed development and how it sits within the context of the surrounding built form and its location within the landscape.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application relates to a 0.0459 hectare (459sq m) parcel of undeveloped agricultural grazing land located approximately 100 metres (m) north of Ingol Lane and north of the rural village settlement of Hambleton. The site is located down a long narrow field access track (approximately 5m in width) which adjoins Ingol Lane and passes immediately to the rear (east) of a new housing development currently under construction located on the eastern side of Carr Lane. The site forms the south western corner of an existing agricultural field with a low lying Hawthorne hedgerow and 2 mature trees located along the western boundary.

2.2 The surrounding area is predominantly rural and open in character; to the north, east and south are open and undulating agricultural fields. To the south west is a new housing development and to the west is an agricultural field with dwelling beyond fronting Carr Lane. At the point where the access track adjoins Ingol Lane the surrounding area is predominantly residential with a dwelling known as The Bungalow located immediately to the west of this access point. The site is defined as countryside area on the Wyre Borough Local Plan Proposals Map approximately

100m north of the defined village settlement boundary. There are no other designations or constraints which affect the site.

3.0 THE PROPOSAL

3.1 The application seeks full planning permission for the erection of a detached residential dormer bungalow located at the end of the existing field access track. The dwelling measures approximately 17m in length x 11m in width x 2.5m to the eaves and 5.5m to the ridge. It would be constructed of reclaimed red brick under a natural slate hipped roof; to the front at ground floor either side of the entrance are two projecting bay windows. Within the roof space to the rear (east) facing elevation a lead clad pitched roof dormer is proposed measuring 2.8m in width x 1m to the eaves and 2m to the ridge. The dwelling would be sited 7m from the western boundary and the proposed plans demonstrate a shared access to the field to the north.

3.2 The submitted plans demonstrate that to accommodate the dwelling the land levels would be reduced by approximately 1m across the site and seven new native trees and hedgerows would be planted within the site and along each of the boundaries along with additional tree cover to the north and east of the dwelling outside the site boundary but on land owned by the applicant. The plans also demonstrate that surface water would be collected and fed into the existing field drains running north into an existing ditch which then connects west to Wardleys Creek. Foul water is shown to run along the access track and connect to the existing mains within Ingol Lane.

4.0 RELEVANT PLANNING HISTORY

4.1 The site has no relevant planning history

4.2 The housing development to the south-west of the site was granted planning permission in 2016 (ref: 15/00500/FULMAJ) for 51 dwellings.

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 The NPPF was published by the Department of Communities and Local Government (DCLG) in 2012. The NPPF sets out the Government's planning policies for England and Wales and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The following sections are of particular relevance to this application:

5.1.2 Section 6: Delivering a wide choice of high quality homes - There is a need to 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.

5.1.3 Section 7: Requiring Good Design - Paragraph 56 states that 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 clearly 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 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.

5.1.4 Section 9: Promoting Healthy Communities - Paragraph 69 indicates that the planning system plays a vital role in facilitating social interaction and creating healthy, inclusive communities. In relation to housing development, planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. Development proposals should contain clear and legible pedestrian routes and high quality public space in order to encourage active and continual use of public areas. In order to promote healthy communities the Framework also states that Local Planning Authorities should take a proactive, positive and collaborative approach to meet education requirements (school places) to meet the needs of existing and new communities (paragraph 71).

5.1.5 Section 11: Conserving and enhancing the natural environment - 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, 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. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.2.2 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 SP13 - Development in the Countryside
- Policy SP14 - Standards of Design and Amenity
- Policy ENV13 - Development and Flood Risk

- Policy ENV15 - Surface Water Run-off

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 4 - Spacing Guidelines for New Housing Layouts

5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17th of June and the 7th of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 Relevant policies in the emerging Local Plan include:

- CS13 Sustainable development
- CS14 Quality of Design
- CS24 The Countryside

6.0 CONSULTATION RESPONSES

6.1 HAMBLETON PARISH COUNCIL

6.1.1 No objections but would like the visual intrusion this property will cause in the countryside to be considered.

6.2 UNITED UTILITIES

6.2.1 The development should be in accordance with the surface water drainage hierarchy and sustainable drainage principles as set out within the National Planning Practice Guidance (NPPG).

6.3 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.3.1 The application site itself is not of substantive nature conservation value and the scale of the development planned is relatively small. Therefore there are no overall objections to the scheme on ecological grounds. Precautionary measures during construction have been recommended in relation to the protection of common amphibians.

6.4 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.4.1 No objections, the erection of one additional dwelling will not significantly impact the highway network in terms of safety and operation

6.5 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.5.1 No objection in principle. Foul should discharge to the existing foul system (Ingol Lane or the new housing development) and full details of surface water drainage to be submitted for approval.

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

6.6.1 No objections subject to a condition requiring a desk top survey being carried out.

6.7 WYRE BC SERVICE DIRECTOR PEOPLE AND PLACES (TREE OFFICER)

6.7.1 The trees located along the western and southern boundaries of the application site appear to be in poor condition and as such are of a low retention value. It is noted from the site plan an indication of 7 no. newly planted native trees and newly planted hawthorn hedgerow to the boundaries. There is no objection to the removal of the low retention value tree as shown on the revised site plan but a landscaping condition should be attached if approved incorporating a schedule of specifications relating to new tree planting and hedgerow planting.

7.0 REPRESENTATIONS

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

- Narrow access point
- More development in the Greenbelt
- Another development close to an existing housing development
- Applicant does not have titular right on the access track
- Applicant is not a farm worker

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 There has been contact with the agent throughout the course of the application with early indication of the Case Officer's concerns in relation to siting and visual impacts. A number of amended plans have been received including revised site layout and elevation plans. An extension of time has also been agreed until the 9th June 2017. Following the observations from residents regarding the access ownership this has been queried with the applicant who advises that the whole of the access is within their ownership.

9.0 ISSUES

9.1 The key considerations in this application are:

- Principle of Development
- Design and Visual Impacts upon the Character of the Area
- Impacts upon Residential Amenity
- Flood Risk and Drainage
- Highway Safety and Parking
- Ecology and Trees
- Contamination

Principle of Development

9.2 Saved Policy SP13 of the adopted Wyre Borough Local Plan sets out that unless otherwise justified by the policies within the Plan, development in areas designated as the countryside on the Proposals Map will not be permitted subject to the following exceptions:

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

9.3 In this instance the provision of a new dwelling as proposed in this location would not comply with any of the criteria set out above in Policy SP13. However despite the proposal failing to comply, Policy SP13 is a saved policy which was adopted some time ago. Recent appeal decisions have stated that SP13 is considered to be broadly consistent with, and reflects the objective of, paragraph 55 of the NPPF which seeks to avoid new isolated homes in the countryside unless the development is deemed to be sustainable or accords with a number of identified special circumstances. This proposal does not meet any of the exceptions set out within SP13 or Paragraph 55 of the NPPF however in this instance only very limited weight is attributed to Saved Policy SP13 (in respect of restricting the supply of housing development) in the determination of this application as it has to be balanced against current and up to date national policy which seeks to actively encourage sustainable development and housing growth.

9.4 The Council acknowledges that it cannot currently demonstrate a five-year supply of deliverable housing sites and as such, in accordance with paragraph 49 of the NPPF, 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 set out in 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.

9.5 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 local services and conveniences including a church, primary school, shops, post office/petrol filling station, public house and recreational facilities. The application site lies within the designated countryside area and is approximately 100m north of the turning head of Ingol Lane which is also the defined settlement boundary for the village. It is acknowledged that the site is geographically located in close proximity to the services and community infrastructure available within Hambleton. Occupants of the new dwelling would be able to utilise these facilities within the village either by private motor vehicle, cycle or by foot.

9.6 In this instance it is considered that the provision of one additional open market dwelling in a relatively sustainable location which would marginally contribute

to the shortfall in housing within the borough should be given some weight as it would provide some, albeit minor economic and social support towards the rural economy. However this has to be balanced against any environmental harm which may be identified. Whilst the dwelling is in fairly close proximity to nearby residential properties and the settlement boundary it is also seen to be visually detached from these and incongruous to its immediate surrounding pattern of development. The only means of access to the site is gained via the long narrow shared farm track taken from Ingol Lane and there is an intervening field between the site and the settlement boundary. Furthermore there is no connectivity between the site and the new residential development located to the south west. Due to its projection into the undeveloped landscape it is considered to present a detrimental visual intrusion in the countryside area contrary to the provisions of Saved Policies SP13 and SP14 of the Local Plan. The visual concerns with the location and inappropriate siting of the dwelling, along with the other material considerations which are included in forming the overall planning balance, are set out below.

Design and Visual Impacts upon the Character of the Area

9.7 At present the location where the proposed bungalow is to be sited is an undeveloped area of landscape within the south western corner of an agricultural field used for the grazing of sheep/livestock. The site lies within an elevated position with extensive views across the open countryside area towards the north and east. To the south is a further elevated parcel of agricultural land which provides a visual buffer and break of approximately 100m between the site and the dwellings on Ingol Lane. As highlighted above to the south west is a recently constructed housing development. The proposed bungalow is to be sited 15m north east of the nearest 2 storey dwelling within this site. The applicant has provided sectional drawings demonstrating the whole of the site would be excavated and the levels reduced by 1m to accommodate the dwelling. The plans also show the relationship between the nearest dwelling and the proposed property which shows the new dwelling to have a lower ridge height of 0.7m. A Visual Impact Assessment document has also been submitted to demonstrate the restricted views of the site from nearby public vantage points. It is acknowledged that the application site would be largely screened from views towards the site from Carr Lane to the west, particularly due to the new housing development/existing trees and also due to the proposed reduction in site levels in conjunction with the scale and design of the bungalow. The dwelling would however be visible from the point of access from Ingol Lane and due to the intervening agricultural field in between it would appear as a visually detached new development which would fail to integrate with the existing built form. The nearby permitted housing development immediately abuts the rear of properties along Ingol Lane and fronted Carr Lane which is a main road in the local area. In contrast the proposed development does not have the same physical connection to such infrastructure and so is considered to be incongruous with its more detached open and rural setting.

9.8 Saved Policy SP14 of the Local Plan seeks to apply consistent principles and high standards of design and amenity for all types of development. It states that development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials. Saved Policy SP13 requires proposals to be considered with regard to issues of amenity, scale, design and materials. This is consistent with the objectives of the NPPF which seek high quality design and for development to recognise the intrinsic character and beauty of the countryside. In this instance the proposed dwelling would be located on an undeveloped parcel of open countryside where the surrounding area to the north, east and south is largely undeveloped agricultural grazing land with low lying hedges. The proposed dwelling

would be set back away from the pattern of development and would poorly relate visually to the existing arrangement of built form to the south west. Despite efforts demonstrated on the submitted plans and supporting documents to reduce the visual dominance of the dwelling it is considered that the provision of a permanent dwelling as well as hardstanding / parking provision to the front and inevitable domestic paraphernalia within the curtilage in this detached location would have a detrimental suburbanising impact on the open and rural character and appearance of the countryside, and would therefore be contrary to Policies SP13 and SP14 of the Local Plan and the objectives of the NPPF which seek to promote high quality design and to recognise the intrinsic character and beauty of the countryside.

Impacts upon Residential Amenity

9.9 In the detached position proposed the new dwelling would not result in any significant adverse or detrimental impacts upon neighbouring residential amenity. There would be a 15m separation distance from the front corner elevation of the proposed bungalow and the side corner elevation of the nearest dwelling located to the southwest within the new housing development. This distance would exceed the spacing guidance stipulated within SPG4 and when also taking account of the oblique angle relationship and scale of the proposed dwelling there would not be any overlooking, loss of privacy/light or overbearing impacts. At present the eastern boundary of the new housing site which sits adjacent to the access track is bound by heras fencing, however a new close boarded boundary fence is proposed which would prevent any impacts from vehicular headlights from the proposed dwelling into the rear gardens/windows of the new properties.

9.10 The proposed site plan shows that an access into the agricultural field is to be retained to the north western corner of the site. This arrangement is not seen to be ideal as it would result in farm vehicles passing immediately to the front of the dwelling however any associated noise impacts on the amenity of future occupants are not considered to be significant or adverse.

Flood Risk and Drainage

9.11 The application site is not located within an area at high risk of flooding or within a designated flood zone as such there is no requirement for a site specific Flood Risk Assessment to be submitted and there is no obligation to apply the sequential or exceptions test as set out within the NPPF. The submitted plans demonstrate that foul drainage can be connected to the mains sewer located within Ingol Lane and that surface water will be connected into the existing network of field ditches and discharge into the watercourse at Wardleys Creek. The Council's Drainage Engineer has raised no objections in principle to this scheme however if members are minded to approve the application then full details of the drainage should be conditioned accordingly to ensure compliance with the drainage hierarchy set out within the NPPG. This was also requested by United Utilities.

Highway Safety and Parking

9.12 The proposal would provide parking to the front of the dwelling. Whilst the parking guidance set out in Section 4 of SPG4 states that for detached dwellings, 2 off street parking spaces should be provided, one of which should be positioned behind the building line, this would be more appropriate to apply to urban / suburban development and in this instance is not considered necessary to apply. The frontage parking would potentially result in conflict with farm vehicles and livestock accessing the field gate however on balance there is considered to be sufficient room for a

suitable arrangement to be achieved. Lancashire County Highways have raised no objections to the proposal and have advised that the erection of one additional dwelling would not significantly impact on the highway network in terms of safety and operation.

Ecology and Trees

9.13 A Phase 1 Ecological Survey has been submitted with the application. In close proximity to the proposed dwelling are a number of hedgerows and 2 small ponds to the east and west within adjacent fields. Greater Manchester Ecological Unit has advised that the site itself is not of substantive nature conservation value and the scale of the development planned is relatively small. Therefore there are no overall objections to the scheme on ecological grounds. The pond within 50m of the development site to the west does not support the specially protected species great crested newts however it does support more common amphibians. If approved, as a precaution against harm to amphibians during any construction period, GMEU have recommended that the precautions outlined in section 7 of the submitted ecological appraisal should be implemented. This could be conditioned accordingly.

9.14 The revised site plan demonstrates proposed landscaping and planting to the north, east and southern boundaries together with two groups of trees beyond the site boundary to the north and east. The Council's Tree Officer has raised no objections to the proposal but has requested a landscaping condition which would set out full details of species and a schedule of specifications relating to new trees and hedgerow planting.

Contamination

9.15 The Council's Environmental Health Pollution Control Officer has requested that a condition is attached to any approval requiring a Desk Top survey to be undertaken to determine if there is any potential impacts arising from on-site land contamination.

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. Geographically the dwelling would be close to local services and facilities and it is acknowledged that 1 new dwelling would assist in providing some, albeit limited, economic and social benefits to the settlement of Hambleton along with making a marginal contribution to the current housing shortfall within the borough. However this is considered to be significantly outweighed by the environmental harm caused by the inappropriate siting of a dwelling in this location. There are no special circumstances identified to outweigh this view to justify allowing a new visually isolated and detached dwelling in this countryside location which would appear incongruous with its immediate open and rural surroundings. The proposal would therefore not comply with saved Policies SP13 and SP14 of the Local Plan or the NPPF, which seek to protect the local landscape and countryside area from unjustified forms of development and to protect the intrinsic qualities of the landscape. For this reason 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 Refuse full planning permission.

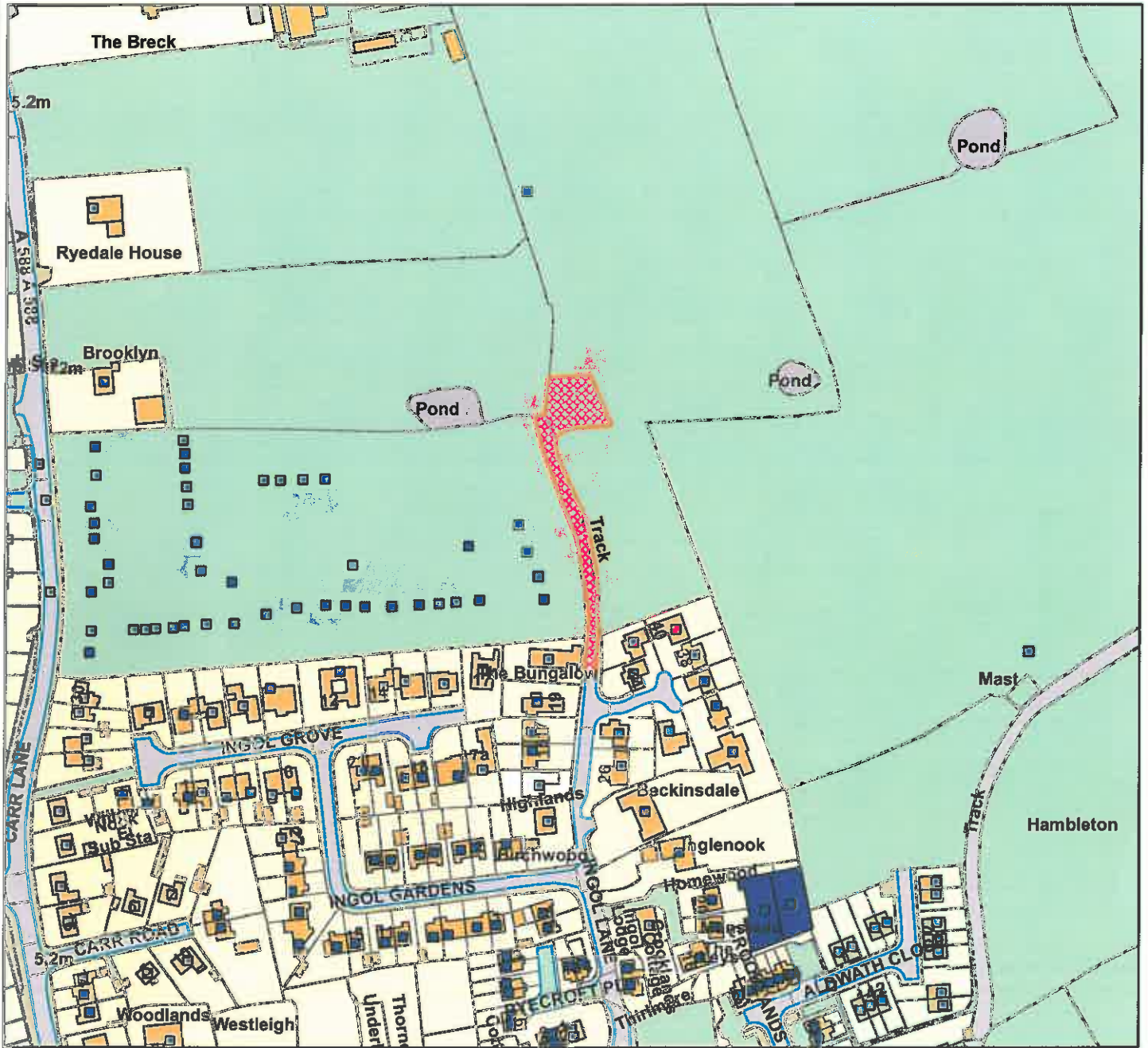
Recommendation: Refuse

1. The application site is located in an elevated position within an area of designated countryside within an undeveloped, open and rural landscape that is physically detached from nearby built development. By reason of this inappropriate siting, detachment and projection into the undeveloped rural landscape, the provision of a new dwelling in this location would be visually intrusive and detrimental to the character of this open countryside area. The significant environmental harm caused from this visual impact is considered to outweigh any minor economic and social benefits from the development. The proposal is therefore contrary to saved Policies SP13 and SP14 of the Adopted Wyre Borough Local Plan (July 1999) which requires development to be compatible with other land uses and to be acceptable within the local landscape, as well as the National Planning Policy Framework in particular the Core Planning Principles, Section 7: Requiring Good Design and Section 11: Conserving and Enhancing the Natural Environment.

arm/rg/pla/cr/17/0706nc7 app3

Item 03

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Scale: 1:2,500

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Department	Planning Department
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