

Committee Report**Date: 06.07.2022**

Item Number	01
Application Number	21/01502/FULMAJ
Proposal	Demolition of existing building and erection of a 66 bedroom care home with associated access, parking and landscaping
Location	Crofters Garstang Bypass Road Garstang Preston Lancashire PR3 1PH
Applicant	Howes
Correspondence Address	c/o Miss Claire Howes Helios 47 Leeds LS25 2DY
Recommendation	Permit

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

Site Notice Date: 07/04/2022

Press Notice Date: 23/02/2022

1.0 INTRODUCTION

1.1 The application is before the Planning Committee for consideration at the request of Cllr Lady Atkins. A site visit is recommended to enable Members to understand the proposal and its setting beyond the plans submitted.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is a 0.64 hectare plot containing an existing public house known as the Crofters Arms, together with its associated attached accommodation, and car parking area which extends around three sides of the buildings. The site is located within the existing settlement of Garstang to the western side of the A6 Garstang Road. The existing building is mainly two storey in height, but has some accommodation within the roof space in parts of the building. Single storey attached sections are to the rear.

2.2 The site is currently accessed off the A6 with two vehicle access points (albeit the northern access is closed off by temporary measures at present where outdoor seating has been placed). This site is located within Flood Zone 1. It is bound by standard timber and concrete fence panels on the northern and western boundaries, and part of the south eastern boundary. The remainder of the southern boundary is of lower timber fence panels. The eastern boundary, which is the site frontage is open to the A6 with sections of amenity grassed banking and pavement, and the vehicle and pedestrian access points off the A6.

2.3 To the north is a pair of existing two storey semi-detached properties and an associated domestic garage for one of these. Beyond those dwellings northwards, and also wrapping around the application site to the west and south, is an existing site known as Acresfield Park. Permanent residential caravans within that Park are to the west and south of the site, some accessed via a road known as The Croft which runs along the south and west boundaries of the application site.

3.0 THE PROPOSAL

3.1 The application seeks full planning permission for the demolition of the existing Crofters Arms (all buildings currently on the site) and the erection of a new 66 bedroom care home.

3.2 The proposed care home would be designed with a 'H' shaped footprint turned 90 degrees to run parallel to the A6. It would comprise a higher central section running east to west, with two slightly lower sections coming off it either side running north-south the same direction as the A6. Overall it would be two storeys in height, but a greater height would be achieved in the central section as a result of the roof design.

3.3 To the north and south of the central section of the building would be two garden areas with seating, planting and shelters. Essentially those gardens sit between the main wings of the care home either side. Garden and seating areas are also proposed to the west (rear) of the building.

3.4 The building would contain two floors of accommodation. At ground floor there would be an entrance foyer facing the A6, a reception and cafe and visitor WC's. Staff facilities would be to the right of the cafe providing an office, kitchen, laundry, cleaning store, staff kitchen and changing, and plant rooms. The remainder of this level would contain 27 bedrooms each with own bathroom, two assisted bathrooms, two garden rooms with access to outdoors, a clinic room, circulation space, mid lounge, and two main lounge/dining rooms in the centre. Two lifts are proposed at the reception area, as well as a staircase. Four other staircases are proposed, one in each corner of the ground floor level.

3.5 At first floor the building would contain 39 bedrooms each with own bathroom, two assisted bathrooms, a clinic, a salon, a shop, a circulation space/library, hoist store, two quiet lounges, and two main lounge/dining rooms in the centre.

3.6 Access is proposed by one vehicle access point off the A6 and a central pedestrian access off the existing pavement outside of the site leading to the proposed foyer of the building. The two existing access points would be closed off. The proposed vehicular access would lead to a parking area to the north of the building with a turning head at the end. A total of 25 Parking spaces, including 2 of these as mobility spaces are proposed. A bin store and PV (solar power) battery store are proposed in the north east corner of the site. A cycle store is proposed nearer to the main entrance of the building, and a proposed meter house building is proposed to the south of the main building.

3.7 Wall materials proposed are buff multi brick to the main walls, red brick in 'Heritage Red Blend' to the detailed areas such as around the windows and doors, and weatherboard cladding to the gables in Cedar Click in Slate Grey. The roofing would be grey Marley concrete tiles, and window frames and doors would be in grey

UPVC, and curtain walling around the large glazing areas and main entrance doors in grey powder coated aluminium.

4.0 RELEVANT PLANNING HISTORY

4.1 The relevant planning history for the site is as follows:

4.2 09/00550/ADV - Advertisement Consent for 1 internally illuminated, free-standing sign. Application permitted.

4.3 08/00931/ADV - Advertisement Consent for replacement of monolith signage. Application refused.

4.4 08/00165/FUL - Erection of patiola style awnings to front elevation and provision of extended patio area to front elevation with semi-glazed screening. Application permitted.

4.5 08/00001/ADV - Retrospective Advertisement Consent for monolith signage. Application refused.

4.6 07/00859/ADV - Retrospective Advertisement Consent for retention of two fascia signs and one freestanding sign to forecourt. Split decision.

4.7 90/00712 - Extensions and alterations to hotel including car parking and landscape. Application permitted.

4.8 82/01303 - Extension of existing hotel to provide new entrance, reception, toilets and invalid bedroom. Application permitted.

4.9 81/00448/AAA - Use of the premises for the purpose of trade fairs, antique fairs and similar together with sales on not more than thirty-six days per annum. Application permitted.

4.10 79/01286/AAA - Phase 2, extension of 26 bedroom block. Application permitted.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- SP1: Development Strategy
- SP2: Sustainable Development
- SP7: Infrastructure Provision and Developer Contributions
- SP8: Health and Wellbeing

- CDMP1: Environmental Protection
- CDMP2: Flood Risk and Surface Water Management
- CDMP3: Design
- CDMP4: Environmental Assets
- CDMP6: Accessibility and Transport
- HP1: Housing Land Supply
- HP2: Housing Mix
- EP11: Protection of Community Assets

5.2 EMERGING LOCAL PLAN PARTIAL REVIEW

5.2.1 A Publication version of the Wyre Local Plan Partial Review underwent a public consultation between 30 November 2021 and 18 January 2022. The Submission draft Wyre Local Plan Partial Review 2011-2031 (WLPPR31) was approved for submission to the Secretary of State for examination on 15 April 2022 and approved for Development Management purposes. Presently the Submission draft WLPPR31 forms a material consideration of limited weight in the consideration of planning applications.

5.3 NATIONAL PLANNING POLICY FRAMEWORK 2021

5.3.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 20th July 2021. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2021 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

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

- Section 2: Achieving sustainable development (and The Presumption in favour of Sustainable Development)
- Section 3: Plan - Making, paragraph 20
- Section 4: Decision-making, paragraphs 47-50, and 54-55
- Section 6: Building a Strong, Competitive Economy
- Section 8: Promote healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment

5.3.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §74, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's Housing Implementation Strategy (published 30 September 2021) which demonstrates a deliverable housing land supply position of 6.4 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

OTHER MATERIAL CONSIDERATIONS

5.4 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

- SPG2 - Trees and Development
- SPG4 - Spacing Guidance for New Housing Layouts

5.5 NATIONAL PLANNING POLICY GUIDANCE (NPPG):

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

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

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

5.7 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

6.0 CONSULTATION RESPONSES

6.1 GARSTANG TOWN COUNCIL

6.1.1 Have concerns about the proposed parking: 66 Residents rooms and staff between 24 and 33 at any one time gives a range of 90 to 99 on site at any one time and only 25 car park spaces. Note the comments from a neighbour regarding parking and also the privacy concerns.

6.2 CABUS TOWN COUNCIL

6.2.1 Raises the following concerns:

- Blocked drainage - as there is historic land surface water flooding on a site to the north (Conway development). There are concerns this proposed development will lead to further land flooding at the Conway unless action is taken by the respective authorities to resolve the historic land surface water flooding and drainage issue.

- Car Parking - 25 spaces is far too few for the number of residents and staff currently envisaged. There appears to be no designated area for ambulances or patient transport to park or stop.
- Open / Access to Green Space - the Parish Council would ask Wyre to note the comments submitted by a local resident regarding allocating some space for a children's play area.
- That fencing around is adequate to respect the privacy and security of the residents of the nearby park.

6.3 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY)

6.3.1 No objection following submission of amended site plan, and consideration of applicants letter regarding financial contributions. A contribution from the proposed development of £4,800 is required towards the A6 Barton to Garstang Sustainable Transport Strategy.

6.3.2 The changes to the right turn lane and re-siting of the existing pedestrian refuge, provision of tactile paving, and provision of quality bus stop kerbing will all need to be carried out via a Section 278 agreement.

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

6.4.1 Objection maintained and in agreement with WBC Council's Drainage Engineer's previous comments that the investigative trial pits so far have not bisected the suspected line of the surface water culvert. Therefore the applicant has not provided sufficient evidence to discount draining the site to a surface water body, in line with the hierarchy of drainage options as set out in the NPPF and PPG.

6.5 UNITED UTILITIES (UU):

6.5.1 Removes objection. However comments that whilst the proposal is acceptable in principle there is insufficient information on the detail of the drainage design. Request pre-commencement condition requiring consideration of hierarchy of drainage options, drainage discharge rates, and levels, for both surface water and foul drainage.

6.6 NHS FYLDE AND WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.6.1 This proposal will generate approximately 66 new patient registrations. The proposed development falls within the catchment area of Garstang Medical Centre. This need, with other new developments in the area, can only be met through the refurbishment and reconfiguration of the existing premises in order to ensure sustainable general practice. A financial contribution of £15,064 is required from this development towards extension and/or reconfiguration at Garstang Medical Centre for increased clinical capacity.

6.7 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.7.1 No objections following submission of details of two further activity surveys, subject to a condition requiring bat boxes. Stated in original response that any scheme to fell the trees should avoid the bird breeding season (March - August inclusive). Informative can be attached.

6.8 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)

6.8.1 No objections. Having visited the site and viewing the elements of the tree survey that have been provided, concurs with the details and categorisations of the existing trees and agrees with the details provided within the Arboricultural Implication Assessment. Having checked through the landscape proposal the details included are appropriate, and the selection of tree species and their varieties has considered site suitability, the surrounding space and land uses.

6.9 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (WASTE MANAGEMENT):

6.9.1 No response received.

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

6.10.1 No objection subject to the Council's standard condition requiring a desk study, details of site investigation, remediation where appropriate, and validation. Informative recommended advising investigations and assessment be carried out by a suitably qualified professional.

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

6.11.1 No objections to this application provided the mitigation within the submitted acoustic assessment is required by planning condition. Following submission of the request noise assessment for onsite kitchen and other plant associated with the site, no objections subject to a condition requiring compliance with the mitigation in this noise assessment also. Conditions requested to secure a Construction Environmental Management Plan (CEMP), and an Artificial Lighting Plan.

6.12 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.12.1 No objection in principle. Originally objected to the proposal due to concerns surface water drainage was proposed discharging into foul sewer and there is a culverted watercourse on the site that must be used in preference to the foul sewer. Following submission of amended plans and drainage strategy no objections in principle.. The proposed connection to manhole 9401 is acceptable, although further investigations to locate the culverted watercourse are recommended to prevent excavation within the A6. Still considers discharge from the site (25 l/s) is excessive and should be nearer 5 l/s. Pre-commencement drainage condition required.

7.0 REPRESENTATIONS

7.1 The application has been advertised by means of a press notice, site notices, and neighbour letters. Eight letters of objection have been received. In addition, four letters have been received with comments neither supporting nor objecting to the application but also raising the same drainage and highway concerns as objectors. The issues raised are summarised as follows:

- Impact upon privacy of properties on the opposite side of the A6 by overlooking from rooms facing this road

- Scale, size, mass and footprint of the proposal, and its closeness to the boundary will dominate and be overbearing upon 16 single storey properties on Wyre Vale/The Croft, and affect the light and privacy of the residents.
- The submitted drawings are misleading as distances shown are not the actual distances to the Park homes.
- Impact on the sewerage and the surface water system at Wyre Vale park.
- Drawings are misleading indicating that a new sewer is to be laid to service the new building only, and does not show the existing sewer connection to Wyre Vale which serves some 15 park homes and where this is to be re-located.
- Not clear whether connections to Wyre Vale homes will be interrupted, or if they will connect to existing system or need a new system.
- Concern whether there will be surface water tanks or whether it will connect to sewer system and affect capacity.
- United Utilities are aware of existing drainage problems.
- Concerned foul and surface water appear to be proposed using the same system and not separate.
- Increased load on drainage system from 25 (current) to 66 proposed rooms.
- Inadequate parking for visitors, and staff who use cars at unsociable hours
- Parking only appears to provide for staff. Therefore concerns where visitors will park and that they use Acresfield Health Clubs parking facilities or Meadow Park.
- Concerns lack of parking could cause parking and traffic congestion around Wyre Vale park or Acresfield Park.
- Concern 24 hour vehicle movements to and from the facility will cause significant disturbance to Park residents
- Not clear if boundary to Wyre Vale will be hedgerow or fencing. Consider a hedgerow will intrude on privacy.
- Geo-environmental survey submitted does not reference that years ago there was a filling station on this site.
- No extra services at Doctors and Health Centre.
- Loss of the existing public house a travesty, and loss of local jobs particularly for the young starting off in working life.
- Wish to see boundary fences retained and no planting of large trees at the site perimeter that could block light or result in root problems

7.2 Two letters of support have been received. The matters raised can be summarised as follows:

- General support for the application but would like to see some of the grounds allocated to create a children's play area.
- The site will have to be re-used in some way, and it seems that this proposal is about the best that can be hoped for.
- Drainage issues and Medical Centre capacity issues should be solvable.
- Sure there are established parking space guidelines that can and will be applied.
- A care home is unlikely to generate any more noise or coming and going than the current use - rather the opposite.
- A Retail use would produce more traffic.
- Housing use would put a greater burden on Garstang Medical Centre, create more traffic and commuterisation.

7.3 Other matters have been raised which are not material planning considerations and therefore cannot be taken into account when assessing and determining this application:

- Devaluation of neighbouring properties
- Reasons why nearby residents purchased properties
- Whether staff will be local

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various contact has been made to request an amended design to the building. Amended plans received.
 Contact made to request Noise Assessments. Reports have been received.
 Contact made advising applicant of receipt of drainage objections. Response received advising this is to be investigated on site. Request for further Ecological Assessments. Results of two further surveys received.
 Applicant advised of Committee call-in request. Updates provided on highways matters and request for agreement of payment of highway monies.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of Development
- Infrastructure Provision
- Visual Impact / Design / Impact on the street scene
- Impact upon neighbouring residential amenity
- Impact upon the highway network, safety, access, and parking
- Flood risk and drainage
- Ecology, trees and landscaping

Principle of Development

9.2 The application site is located within the settlement boundary of Garstang, a Key Service Centre as defined by the Policies Map of the WLP31, where 11.8% of housing growth and 10.1% employment growth is expected within the Plan period. Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. As the site is within an existing settlement the principle of the proposed development is considered acceptable subject to all other matters considered below in this report.

9.3 Policy SP2 of WLP31 sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the NPPF. As this application site is within the existing settlement of Garstang, within reasonable walking and cycling distance of local and community services in Garstang, and is also located immediately adjacent the A6 with the National Cycle Route and bus stops within a very short distance, it is considered the proposed development would be sustainable. The development would not be solely reliant on use of the private car.

9.4 The existing Crofters Arms is in use as a Hotel and Tavern, described on the businesses website as a 'Pub' 'built in 1992'. The site is not registered as a community asset (ACV) with the Council, nor has any application been received during the course of this application to register it as such. It is not considered that the proposal would result in the loss of a registered community asset. Whilst such uses

can be considered a community asset in general terms, it is not considered a community asset in this case, and there are multiple similar uses in the area, particularly in Garstang Town Centre. Therefore there is no conflict with Policy EP11 of the WLP31.

Infrastructure Provision

9.5 Policy SP7 requires developments to make appropriate contributions where new or improved infrastructure is required to meet the needs arising directly from a development or to mitigate any adverse impacts of a development on existing infrastructure. The Fylde and Wyre Clinical Commissioning Group (CCG) have a policy which includes a methodology on assessing need directly from a development. The Council therefore supports their request for a financial contribution of £15,064 from this development towards extension and/or reconfiguration at Garstang Medical Centre for increased clinical capacity. This will be required to be secured in the form of a S106 Legal Agreement.

9.6 LCC Highways have requested a financial contribution of £4,800 towards the A6 Barton to Garstang Sustainable Transport Strategy. This will be required to be secured in the form of a S106 Legal Agreement.

9.7 The applicant has agreed to pay the requested financial contributions set out above

Visual Impact / Design / Impact on the street scene

9.8 The application site is located in a prominent position on the western side of the A6 in Garstang. It contains an existing large building with a main facade of a style of late 1980s design. It is immediately surrounded by a large expanse of hardstanding. As mentioned above in section 2 of this report, to the north is a pair of existing two storey semi-detached properties, and beyond those dwellings northwards, and also wrapping around the application site to the west and south, is an existing site known as Acresfield Park which contains permanent residential caravans.

9.9 The proposed building alike the existing would be visible publicly from the A6, particularly its eastern and southern elevations. The applicant submitted a site plan, and proposed elevations and floor plans with this application. The original design was not considered acceptable as the design proposed failed to enhance the site and was not of a particularly high quality design. The original fenestration took its design cue from some elements of the design of the existing building on site in terms of the elevation treatment.

9.10 The applicant has since submitted revised elevation plans for the proposed care home. As described in section 3 of this report, the building has been designed as one block with a 'H' shaped footprint (turned 90 degrees alongside the A6). It is however now proposed with a central entrance gable when viewed from the A6, and also with smaller gables along the east and west elevations which provide a repeated more vertical emphasis. The proposed materials and fenestration treatment has also been changed during the application process to be more contemporary with use of brick to the main walls, grey panelling to the main gable and centre section of the smaller gables, and grey roofing. Existing buildings in the area are constructed of a mixture of materials with some of red brick, some of render, and grey roofing materials. Therefore the proposed materials are considered appropriate to the nearby surrounding area. It is considered that the revised elevation plans have significantly

improved the appearance of the proposed building. Overall in terms of design detail the proposal is considered acceptable and appropriate to the site, and would provide some degree of enhancement to the appearance and amenity of the area.

9.11 In terms of scale the proposed care home would be higher than existing buildings in the area. The application proposes that the finished floor level of the building would be 24.5m (Above Ordnance Datum) AOD and that the external areas surrounding the building would average 24.45m at the northern part of the site, and 24m at the southern end. The proposal would not change the external ground levels. The raising of the floor level of the main building to 24.5 AOD would be negligible above the existing situation. The very centre of the building would be the highest point with a roof ridge height of 9.5m height. However the main extent and length of the roof ridge of the building would be 8.5m height. The roof ridge would then drop down at each corner of the building to 7.4m height. The eaves height would be 6.4m. By comparison the existing building is 9.94m in height at the main section, and then drops down to 4.8m height and 3.25m respectively at the rear. Therefore the proposed care home would be lower to the A6 than the existing building on the site, but taller than the current building at the rear. The footprint of the proposed building would be 1685m² and therefore larger than that of the existing building on site which has a footprint of 1536m². The applicant has provided a footprint comparison plan of the main proposed building compared to the existing Crofters Arms. The two southern wings of the proposed building would extend further south of the existing building on site. The building would also extend further westwards along the majority of the rear of the building compared to the existing, and further eastwards in the south east corner than existing. It would not extend as far north as the current building. It is considered that overall whilst the footprint is slightly larger than the current situation on site, the scale of the building being broken down into a series of roof heights, lower corners being nearest existing buildings outside the site, the building still having some setback from the A6, and the building being lower than the existing nearest the A6, that the proposed building would not appear overly excessive in height, bulk or massing in the street scene.

9.12 The layout of the proposal would see the care home in the centre of the site, in a location similar to the existing Crofters Arms. The parking would be to the north of the building, with the bin store and PV housing building adjacent to the parking area and accessible from the proposed parking and turning provision. It is considered the proposed layout is acceptable with the building centrally sited, and the main area of hardstanding confined to the north of the building and immediately around the main care home itself, enabling the southern section of the site to be softer in appearance.

9.13 The proposed associated outbuildings of the solar PV building, the cycle store, bin store, and meter house are all considered to be sited in appropriate locations around the main building. Details of the solar PV store have been submitted and as a single storey clad building it is considered to be of an acceptable and appropriate scale. Full details of the materials have not been provided, and details of the design of the cycle store, bins store and metre house have not been provided although they are expected to be of single storey height. A condition is therefore recommended to ensure that full details of the design, appearance and materials of these outbuildings are provided and agreed, and that they are installed prior to the first use of the care home. Solar panels are also proposed on the main roof of the care home, and full details of these have not been provided. It is therefore also recommended that a condition be attached to ensure that these panels are installed and should be flush to the roof slope of the building for visual amenity purposes

unless otherwise agreed. Overall the proposal is considered to comply with Policy CDMP3 and is of an acceptable design.

Impact on Residential Amenity

9.14 The proposed layout has been considered against Supplementary Planning Guidance 4 (SPG4), and the spacing requirements between properties. The proposed building would be 30.3m away from the northern boundary of the site and therefore far exceed the required 21m separation distance required between the proposed building and the existing two storey semi-detached dwellings to the north. Existing properties to the east are on the opposite side of the A6 at a distance far exceeding the separation distance requirements of SPG4, and also screened by existing high foliage alongside the road and pavements. Existing properties due south of the proposed building are over 37m away. Properties due west on the Crofters are a minimum of 28m from the rear elevation of the proposed care home.

9.15 The nearest residential properties to the proposal are therefore to the south west and west of the site. There is an existing property to the south west known as 1 Wyre Vale Park and accessed off The Croft, which is currently 20.63m away from the existing building on site. In terms of the proposed building the applicant has submitted plans showing distances, however these appear to be the between the nearest door openings to existing residential properties to the south west and north west, rather than the actual separation distances between physical form. The proposal would result in a distance of 15.4m at the closest corner of the building to the closest corner of the existing residential property of 1 Wyre Vale Park. Whilst the nearest part of the proposed building would be 15.4m away from this property the proposed care home building will not be sited directly in front of this residential property, rather it would be sited further eastwards and away from the elevations. Therefore there could be no direct overlooking. It is therefore considered that whilst this residential property would have an outlook due to its north east orientation towards the proposed rear elevation of the care home, the proposal would not result in significant or unacceptable overlooking or overbearing impact on this dwelling given the siting and orientation of the care home further to the east. It is also considered the existing dwelling would still have sufficient light gain given the proposed siting of the care home.

9.16 There is an existing residential property to the north west of the proposed building known as 16 Wyre Vale Park. The existing building is 16.67m away from the nearest corner of this neighbouring building at single storey height, and 9.21m from the nearest boundary of this property. The proposed building by contrast would be 15.5m away from the nearest corner of this property at two storey height, and 6.3m away from the nearest part of the boundary of this property. However in similarity to the situation with 1 Wyre Vale Park, the proposed building would again be sited further east of this property and would not have any overlap with the elevations of this existing dwelling. Therefore there could be no direct overlooking. The nearest boundary to the site with 16 Wyre Vale Park is to parking area serving that residential property and the private garden area for this property is on the opposite side of the dwelling away from the proposed care home. Due to the orientation and siting of the care home, the property of 16 Wyre Vale Park would still benefit from light gain from the south, south west, and also from north, and directly from the east. For these reasons it is not considered that the impact of the care home upon the nearest residential properties would be so detrimental as to warrant refusal of the application. In this instance the proposal complies with the provisions of Policy CDMP3 of the WLP31.

Impact upon the highway network, safety, access, and parking

9.17 Lancashire County Highways (LCC) have been consulted on this application and have raised no objections. Originally concerns were raised with regards to the potential cumulative effect of development along the A6 corridor. LCC Highways stated they could not support the application unless the applicant agreed to pay a financial contribution of £37,140 from the proposed development towards the A6 Barton to Garstang Sustainable Transport Strategy to mitigate against the impacts. The Highways Officer also stated that for the development to be considered appropriate the applicant also needed to demonstrate vehicle tracking to prove sufficient access and turning for a twin rear axle refuse vehicle 11.2 metres in length, and provide a minimum of 1 metre of hardstanding from the proposed site access to the start of the proposed hedges for visibility.

9.18 The applicant submitted a rebuttal challenging the calculations for the financial contributions requested by LCC. Following a re consultation LCC Highways have advised that a financial contribution towards the A6 Barton to Garstang Sustainable Transport Strategy of £4,800 is required. The reasoning given for this reduction is that a retirement / care home development has different distribution of traffic than that of open market housing. The applicant has agreed to the financial contribution towards sustainable transport which will be secured by a S106 Legal Agreement.

9.19 Revised plans have also been provided with the site plan now demonstrating that the two existing site access will be blocked up and reinstated as footways alongside the A6, with a new site access being created further northwards. LCC have no objections but advised that the existing right turn land into the site needs to be modified for the new access. This will need to be carried out via a Section 278 agreement. A condition is suggested to ensure these measures are secured.

9.20 In terms of sustainable transport LCC have commented that the site is considered to be in a sustainable location, however to make pedestrian modes of transport attractive for users created because of the proposed development, enhancements to the adopted highway will be needed. This is requested in the form of tactile paving to help users navigate to Garstang centre to the south and the existing bus stops and associated pedestrian refuge island across the A6. It is also commented that the pedestrian island will need to be re-sited to be within the desire line of the main site pedestrian access and the pedestrian footway.

9.21 Furthermore the two bus stops on Lancaster Road closest to the proposed development are not Equality Act 2010 compliant, and LCC consider this could make sustainable transport less attractive to users of the proposal. Therefore it has been requested that the existing bus stops are upgraded and conditioned accordingly. Overall LCC Highways have no objections to the proposal subject to the payment of the requested financial contribution and proposed conditions including the offsite highway improvements highlighted above.

9.22 Appendix B of WLP31 sets out maximum parking requirements for specific types of development. For care homes the parking requirement is 1 space per 5 residents. The proposed care home would have 66 bedrooms in total, therefore 14 parking spaces (13.5 rounded) would be required. The proposal therefore more than satisfies this providing 25 parking spaces overall. It also provides a sufficient number of mobility spaces to comply with Appendix B, as well as sufficient motorcycle and bicycle spaces.

9.23 Policy CDMP6 requires proposals to provide electric vehicle charging points (EVCP). The plans for the care home shows 3 parking spaces with such provision which is considered to be sufficient. A condition will be required to ensure these charging points are provided and to ensure they are to an appropriate mode.

Flood Risk and Drainage

9.24 The site is located within Flood Zone 1 and therefore has the lowest probability of fluvial flooding. As the site does not exceed 1 hectare in area a Flood Risk Assessment (FRA) is not required and there is no requirement for the applicant to satisfy the sequential or exceptions tests with regard to flood risk.

9.25 Cabus Town Council, and individual objectors have raised concerns in relation to drainage, including existing drainage capacity and the proposed drainage for the site. The foul and surface water drainage for the existing building is shown as discharging to an existing foul sewer at the rear of the site. The originally submitted drainage documents for the proposed care home proposed to discharge the surface water into this existing foul sewer and at a rate of 25 l/s. The relevant drainage bodies have been consulted and the LLFA, UU, and the Council's Drainage Engineer all objected as it had not be demonstrated that the drainage hierarchy had been followed. Consultees also stated drainage rates proposed were also far too high and should be 5 l/s.

9.26 During the course of the application both the LLFA and Council's Drainage Engineer have provided comments that they believe there is a drain/watercourse that runs through the site which the proposed development should connect to. The applicant has carried out some investigation works and has submitted a revised drainage strategy now proposing to connect surface water to the public surface water manhole on the opposite side of the A6 designed to restrict flow to 5 l/s, and to connect foul to the existing sewer system at the rear of the application site. United Utilities have now removed their objection and are requested a pre-commencement drainage condition for the development. The Council's Drainage Engineer has now also removed his objection, and has no objection in principle as there is a manhole across the A6 which can be connected to and represent a drainage solution for the site following the drainage hierarchy. However he still suggests that the applicant continue to investigate the watercourse on the same side of the A6 to prevent disturbance to the A6. Also he has concerns the drainage rate proposed is too high and therefore a pre-commencement drainage condition should be attached in order for full details of drainage to be approved. The most recent response from the LLFA maintains their objection as they still believe there is an existing watercourse that could be connected to on the same side of the A6 as the site south of the proposed building. They have now provided information that this is likely in a different location to which the applicant has so far explored. Following the Council's Drainage Engineers latest response, LLFA have been asked for further comments. Any comments received will be provided to Members in the form of a Committee Update. The applicant is investigating the watercourse on the same side of the A6 through the use of trial pits to try to find any such watercourse and whether there is a possible connection. On the basis that there is a drainage solution for the site, it is considered that a pre-commencement drainage condition, so worded as to require surface water drainage to follow the drainage hierarchy requirements of Policy CDMP2 of the WLP31 will be attached should Members be minded to approve the application.

Ecology, Trees and Landscaping

9.27 The application site is well over 2km away from the nearest internationally important sites of Morecambe Bay Ramsar, and Bowland Fell Special Protection

Area. Furthermore the site does not sit within close proximity of an areas of National ecological designation. Therefore there is no requirement for a Habitats Regulations Assessment or consultation to Natural England. The site is however within 2km of six Biological Heritage Sites which are of more local ecological importance. The site itself is not designated, however it contains some amenity grassland at the front of the site, some existing trees, and the proposal involves the demolition of an existing sizeable building.

9.28 The applicant submitted a Preliminary Ecological Appraisal and GMEU have been consulted. GMEU raised no objections and concurred with the report in terms of ecological designations and that reasonable effort had been used to inspect the structure both internally and externally for the presence of bats and assessed the likelihood that bats would use the structure at other times for roosting. No evidence of recent or historic usage of the building by bats was found. However the submitted survey recommended a further three activity surveys for bats as the structure has potential for bat roosting, and GMEU have advised these must be carried out before a determination is made on the application.

9.29 The applicant has now submitted two of the further required activity surveys. GMEU has been re-consulted and have advised that based on the results obtained so far they consider that it is very unlikely that the building in question will support a roost of high conservation status, and that the results actually indicate that roosting bats are likely absent from the building. GMEU states that if bats are present, it is most likely the roost would be small numbers of common and widespread species and for which mitigation could be easily accommodated within the post-development site through the introduction of new bat boxes and/or bat friendly features incorporated into the building. On this basis it is therefore considered that there would be no harm caused to bats and their conservation status would not be affected. Overall GMEU have no objection to the application on ecology grounds. It is considered that subject to a condition requiring bat roosting features into the proposed building (such as bat boxes), the proposal would be acceptable in terms of impact upon protected species and would comply with Policy CDMP4 of the WLP31.

9.30 The application site currently contains two areas of amenity grassland at the front of the site with the A6, a collection of trees in a linear form in the northern part of the site, and three trees to the rear of the existing building. There are also trees just within the southern boundary of the site adjacent the car park, and a two trees in a north west corner. There are no Tree Preservation Orders on or adjacent to the site.

9.31 A Tree Constraint Plan and an Arboricultural Assessment have been submitted and the Council's Tree Officer consulted on these documents. The submitted assessment details that the existing trees on site are either of Class U (dead) or of low retention value Class C. The trees to be removed would be T9, T10 and T11 (the latter being dead) at the rear of the existing building, and trees T12-T17, and small groups G2 and part of G3, all the north of the building where the parking area is proposed. The Tree Officer has stated that he agrees with the categories set out in the submitted assessment, and he raises no objections to the loss of any of the existing trees. However he has stated that robust soft landscaping plan is required to include a schedule and specifications for all soft elements including new suitable trees.

9.32 Soft landscaping plans have been received. These demonstrate that the proposal will replace the existing large area of hardstanding and car parking to the south of the building with a large grassed area containing new additional tree planting, and a wildflower meadow to the south of the site. New hedgerow planting is

proposed around the north, east and south boundaries of the site with a small break where an outbuilding is proposed. New hedgerow planting is also proposed along the west boundary for the majority of the site frontage except where a gap is required for pedestrian and vehicular access, and where there is already an existing short section of hedgerow in the north east corner of the site. Additional tree planting is also proposed in the north of the site within a grassed area, and sporadically along the site frontage with the A6. Sections of bulb planting are also proposed within the northern grassed area. Flower and shrub planting areas also proposed round the building and between the built form of the wings of the building. The Council's Tree Officer has provided further comments that details provided are appropriate, and the selection of tree species and their varieties has considered site suitability, the surrounding space and land uses. Overall this soft landscaping scheme is considered acceptable and appropriate to the site both in terms of visual appearance and to provide some ecological benefit above the existing site situation given the variety of species proposed. It is also considered to represent a significant uplift in soft landscaping and planting on the site when compared to the current situation.

9.33 Details of hard landscaping treatment have not been provided, although the site plan submitted would appear to indicate the parking area would be constructed in grey/black tarmac, and that pedestrian pathways would be provided to the main building entrance, around the building and its garden areas, and to the proposed meter housing. A condition can be attached requiring full details of hardstanding should Members resolve to approve the application.

Other Matters

Climate change

9.34 Policy SP2 part 6 requires proposals to demonstrate how they respond to the challenge of climate change through appropriate design and by making best use of resources and assets including the incorporation of water and energy efficient measures and the reuse and recycling in construction.

9.35 The application has been submitted detailing the use of solar panels on the roof of the building, and an associated outbuilding is shown to house the solar PV equipment. The provision of the solar panels and associated equipment can be controlled by condition. Electric vehicle charging points will also be provided. The plans show the provision of large grassed areas within the site in place of the large areas of existing hardstanding to the south and west of the building. New hedgerow planting is proposed to all boundaries, particularly to the eastern boundary with the A6 where there is currently no hedgerow provision. Wildflower planting, and new tree and bulb, and shrub planting is also proposed. It is considered that these are all measures that can help towards meeting the challenge of climate change. It is considered therefore that the matter of climate change has been adequately considered and that the proposal would comply with Policy SP2 (6) of the Adopted Local Plan.

Contamination

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

9.37 Environmental Health have raised no objections to the application subject to the council's standard desk study contamination condition being attached. Officer clarification has been sought from Environmental Health on the response received. It has been confirmed that whilst the applicant has submitted a Preliminary geo-environmental assessment, this is not the same as a Phase 1 Desk Study. Therefore the Council's standard condition requiring the submission of a desk study, a detailed site investigation, and details of any remediation measures if necessary, prior to commencement of development will be included. It has also been confirmed by Environmental Health Officer that a separate gas monitoring condition is not in fact required as this would be considered under the Council's standard desk study condition requirements. Subject to the requested condition it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

Waste management

9.38 The National Planning Policy for waste seeks to ensure that new development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities, for example by ensuring there is discrete provision for bins to facilitate a high quality, comprehensive and frequent collection service.

9.39 The Council's Head of Waste Management has been consulted on the application, however to date no consultation response has been received. Nevertheless, it is clear from the amended site plan received that the development would have provision for bin storage within the grounds of the care home, and that it can be sufficiently access for collection by the proposed turning head requested by LCC Highways. Overall it is considered the proposed location and design of the bin store is acceptable and that a condition can be attached requiring the development of the care home to take place in accordance with this detail.

Noise Impacts

9.40 The proposal would involve the demolition of the existing building, and a new use on the site as a care home that would also include kitchens to provide for serving residents and staff. The applicant has submitted Noise Assessment with the application. This has been considered by Environmental Health who have raised no objections to the survey and consider it demonstrates the proposal can meet the acoustic criteria set out in the relevant British Standards subject to the mitigation measures set out in the report. This mitigation includes measures for glazing, ventilation, outdoor areas, and ceilings. Environmental Health request a condition requiring these measures to be implemented. Subject to the requested condition it is considered the proposal would be acceptable in terms of noise upon the future residents of the care home.

9.41 Notwithstanding the above, Environmental Health requested a further noise assessment be submitted to assess the impact of noise from plant and kitchen extraction equipment. This has been submitted by the applicant and assessed by the Environmental Health Officer. The report has identified that the noise rating level levels for daytime, evening and night from kitchen extractor fans, and air inlets are all significantly below the background and therefore there is a low impact predicted for this development. As such the Environmental Health Officer has no objection to the proposal provided that mitigation for the earlier noise assessment (mentioned above) is conditioned.

9.42 In terms of noise from the demolition and development of the site in general, Environmental Health have requested a condition be attached should the application be approved requiring a Construction Environmental Management Plan for the demolition and construction phases. It is considered this condition would be necessary to ensure the amenity of residents and the surrounding area is protected during the construction phase should Members resolve to approve the application.

Care home contribution to housing supply

9.43 Residential institutions can be included in the Council's housing land supply in so far as the extent to which they free-up occupancy of existing housing. As a general rule of thumb, a development of 66 care home beds may result in 33 units being included in the Council's housing land supply. Members are advised this carries significant weight in the overall planning balance.

Play Area Provision

9.44 It is noted that Cabus Parish Council, objectors, and supporters have requested part of the site be used for a children's play area. There is no Policy requirement in the WLP31 for proposals other than major housing sites to provide for children's play areas, and therefore no requirement for a play area to be requested or provided in this case. Should Parish Council's wish to approach the developer on this matter this would stand aside of this planning application.

10.0 CONCLUSION

10.1 The principle of the demolition of the existing building and replacement with a new care home is supported by Policy SP1 Wyre Local Plan as the site is within the existing settlement of Garstang and in a sustainable location. The loss of the existing building is acceptable in principle as the existing building and use is not a registered community asset.

10.2 The Local Highway Authority has raised no objections to the development on the grounds of sustainability, highway capacity or safety, subject to conditions, and a financial contribution towards the A6 Barton to Garstang Sustainable Transport Strategy. GMEU raise no objections on ecology grounds subject to conditions and submission of the final activity survey prior to determination of the application. The LLFA, and the Council's Drainage Engineer objected to the surface and foul water drainage proposals, however it is considered there is a drainage solution for the site, and further investigations are taking place by the applicant into watercourse locations and connections, the use of a condition will ensure that the requirements of Policy CDMP2 of the WLP31 are met.

10.3 The scheme is considered to be acceptable in terms of design and visual impact, and also in terms of impact upon neighbouring residential amenity. Subject to financial contributions the impacts of the developments upon health care provision and sustainable travel can be adequately mitigated. These can be secured by legal agreement.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant full planning permission for the demolition of the existing building and erection of a 66 bedroom care home, subject to conditions and a section 106 agreement to secure financial contributions towards health care provision and sustainable travel. That the Head of Planning Services be authorised to issue the decision following the satisfactory completion of the section 106 agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development hereby approved 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 22.12.2021 including the following plans/documents:

- Drawing No. PR3 1PH - A-01, Location Plan
- Drawing No. PR3 1PH - A-03-C, Proposed Site Plan
- Drawing No. PR3 1PH - A-04-A, Proposed Floor Plans, and Roof Plan
- Drawing No. PR3 1PH - A-05- A, Proposed Elevations
- Drawing No. PR3 1PH - A-05.1-A, Internal Elevations
- Drawing No. 106402-PEL-ATR-DR-01-0004 Rev P01, Refuse Vehicle Tracking Layout 4

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

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

3. The premises hereby approved shall be used for Use Class C2 'Residential care homes' and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)

Reason: For the avoidance of doubt, and as the use of the premises for any other purpose would require further consideration by the Local Planning Authority in accordance with Policies SP1, SP2, CDMP1, CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

4. The care home building and meter house shall be carried out strictly using those materials specified on the supporting document titled 'Proposed Care Home for Older People Crofter's Hotel, Garstang, PR3 1PH Materials Schedule' by LNT

Construction, unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

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

5. Notwithstanding the submitted drawing PR3 1PH - A-03-C Proposed Site Plan, prior to the commencement of development full details of the design and height (including elevations), materials and type of boundary treatments to be erected (fencing and railings), in the locations indicated on this submitted plan, shall be submitted to and approved in writing by the Local Planning Authority.

The approved boundary treatments shall be completed before the use hereby permitted is first occupied, and shall be maintained and retained thereafter.

Reason: In the interests of the appearance of the locality and the residential amenity of both the occupants and neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31). The details are required prior to the commencement of the development because they were not submitted with the application.

6. Notwithstanding the submitted materials schedule and PV battery housing plan, prior to the commencement of development full details of the design, appearance, scale, and materials of the cycle store, the bin store, the meter building, and the PV battery housing building, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details, and all of these buildings shall be installed prior to first occupation of any part of the approved development, unless an alternative schedule is otherwise agreed. The buildings shall be maintained and retained for their intended purposes and in accordance with the approved details thereafter.

Reason: In the interests of the appearance of the site and locality, to enable access to and from the development by sustainable transport modes, and to ensure that waste is properly managed within the site in the interests of visual and residential amenity, in accordance with the provisions of section 9 of the NPPF and Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

7. Prior to first use of any care home hereby approved, the off-site works of highway improvement [namely, reinstatement of existing accesses as footway, changes to the right turn lane for the new access, re-siting of the pedestrian refuge, tactile paving provision, and quality bus stop kerbing to two bus stops on Lancaster Road (B6430)] shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

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

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

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

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

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

9. The new access into the site from the A6 as shown on Drawing No. PR3 1PH - A-03-C (Proposed Site Plan) shall be provided prior to commencement of any part of the development (other than works necessary to form the site access and associated visibility splays), and at no time thereafter shall the visibility splays for this

access be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

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

10. The existing accesses into the development site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Specification for Construction of Estate Roads prior to the first occupation of any part of the development hereby approved.

Reason: To limit the number of access points and to maintain the proper construction of the highway in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

11. Prior to the first use of any care home hereby approved the parking / turning area(s) shown on the approved Drawing No. PR3 1PH - A-03-C, (Proposed Site Plan) shall be laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Reason: In order to ensure that adequate off-street car parking provision is available to meet the needs of the development in the interests of visual and residential amenity and highway safety in accordance with the provisions of section 9 of the NPPF and Policy CDMP6 of the Adopted Wyre Local Plan (2011-31).

12. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

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

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

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

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

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

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

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, details of the discharge rate shall be proposed.

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

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

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

15. The development hereby approved shall be constructed and completed in full accordance with the approved ground, slab and finished floor levels as shown on Drawing No. PR3 1PH - A-03-C, unless minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation .

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

16. Notwithstanding the submitted Preliminary Geoenvironmental Survey, prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. 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 approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site, and validation of the approved measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works. Any changes to the approved

scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

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

17. Prior to first use of the development hereby approved, the noise mitigation measures set out in the supporting Report of Sound Measurements and Recommendations by S. & D. Garritt Ltd dated 5th January 2022 submitted with the application shall be implemented. The approved noise mitigation measures shall thereafter be retained and maintained.

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

18. No development shall take place until full details of hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include the hard surfaced areas and materials (type, colour and finish, bound or porous), and shall show how account has been taken of any underground services.

The soft landscaping works for the development shall be carried out in full accordance with the approved soft landscaping details as shown on drawing No's 22_228_101 (Detailed Soft Landscape Proposals (North) Sheet 1 of 2), and No. 22_228_102 (Detailed Soft Landscape Proposals (South) Sheet 2 of 2) prior to first use of the care home, or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

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

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

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

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

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

- Bird nesting boxes
- Bat boxes

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

21. The three electric vehicle recharging points (EVCP's) shown on spaces 18-20 on approved drawing Proposed Site Plan Rev C, shall be installed as a minimum of Mode 3 charging speed charging points, and shall be installed prior to the first use of the care home to which the EVCP's relate. Such electric vehicle recharging points shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan 2011-31 and the National Planning Policy Framework.

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

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

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

23. Prior to the installation of any solar panels on the care home shown on Drawing No.s PR3 1PH - A-03-C (Proposed Site Plan), PR3 1PH - A-05- A (Proposed Elevations) and PR3 1PH - A-05.1-A (Internal Elevations), full details of the design of the solar panels (including number, size and type), shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the solar panels shall be installed as flush to the roof slopes of the building unless it is first demonstrated that this is not practical.

The solar panels shall thereafter be installed and retained in accordance with the approved details, unless any variation to the details is first agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of appearance of the development in accordance with Policy CDMP3 of the Adopted Local Plan 2011-2031.

24. The existing trees proposed to be retained as identified on Drawing No. 14510_P02 Revision A within the submitted Arboricultural Impact Assessment by Tyler Grange (Report No. 14510_R01) shall be protected by Heras protective fencing sited outside of the root protection areas identified in orange on this plan, before any equipment, machinery or materials are brought on to the site for the purposes of the development. The Heras protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

Notes: -

1. 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' and Land Contamination Risk Management (LCRM).

The presence of any significant contamination, which becomes evident during the development of the site, shall be brought to the attention of the Local Planning Authority.

2. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.