

Planning Committee

6 September 2017

<b>Item No</b>	<b>Site/ Video/ Photos</b>	<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Rec.</b>	<b>Decision</b>
1	P / V	15/00928/OUTMAJ	Land Off Calder House Lane Barnacre With Bonds Lancashire PR3 1ZE	Outline application for residential development for up to 49 dwellings with access applied for off Calder House Lane	PER	
2	S	16/00651/OUTMAJ	Land South Of The A586 Great Ecclestone	Outline application for the erection of 22 dwellings with associated infrastructure.	PER	
3	P / V	17/00050/REMAJ	Land Off Lambs Road Thornton- Cleveleys Lancashire	Reserved matters application for the erection of 160 dwellings with associated works	PER	
4	S	17/00470/FUL	Faulkners Fold Cottage Faulkners Lane Forton Preston Lancashire PR3 0AL	Erection of a replacement dwelling and the demolition of existing dwelling (Re- submission of application 16/00500/FUL)	PER	

arm/rg/pla/cr/17/0609nc3

**Committee Report****Date: 06.09.2017**

<b>Item Number</b>	<b>1</b>
<b>Application Number</b>	<b>15/00928/OUTMAJ</b>
<b>Proposal</b>	<b>Outline application for residential development for up to 49 dwellings with access applied for off Calder House Lane</b>
<b>Location</b>	<b>Land Off Calder House Lane Barnacre With Bonds Lancashire PR3 1ZE</b>
<b>Applicant</b>	<b>Property Capital PLC &amp; Carrick Sports</b>
<b>Correspondence Address</b>	<b>c/o Frost Planning Ltd FAO: Mr A Frost Drumlins 57 Chelford Road Prestbury Macclesfield Cheshire SK10 4PT</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION AND ASSESSMENT**

1.1 This application is before the Committee for a second time. It was initially presented to the Committee on 22nd March 2017 along with other applications along the A6 corridor. At that meeting the Committee resolved to grant planning permission subject to the completion of a necessary S106 legal agreement to secure appropriate contributions towards highway improvement works and local education provision. This S106 has not yet been completed and so planning permission has yet to be formally granted. The application is back before Committee because, since the previous resolution, an updated Strategic Housing Land Availability Appraisal (SHLAA) has been published.

1.2 The application site falls partly within flood zones 2 and 3. When the application was initially submitted in 2015, the applicant provided a parameters plan to demonstrate that the built development could be limited to that area of the site within flood zone 1. As such, there was no initial requirement for the applicant to demonstrate compliance with the flood risk sequential and exceptions tests. In 2016, before the application was first presented to the Planning Committee, the Environment Agency flood zones changed and the area previously identified for development encroached on the newly identified flood zones. As a result, the applicant was required to demonstrate compliance with the flood risk sequential and exceptions test. Information was provided in late 2016 and officers agreed that these tests were passed.

1.3 The Council's published guidance stipulates that flood risk sequential appraisals must take into account alternative sites identified in the Council's published SHLAA. The publication of the updated SHLAA in July 2017 represented a

new material consideration and rendered the previously agreed sequential appraisal out of date. The applicant has considered the newly published SHLAA and has concluded that, on the basis of the previously identified developable area, the sequential test cannot be passed.

1.4 The requirement for the applicant to demonstrate compliance with the flood risk sequential and exceptions tests only applies where the area of proposed built development encroaches on flood zones 2 or 3. As the applicant has concluded that these tests cannot be passed, an amended plan has been submitted to revise the developable area and limit built development to flood zone 1. This means that the tests do not apply and do not have to be met.

1.5 This application is back before Committee because the previous resolution to grant outline planning permission was subject to the imposition of a condition that limited development to the developable area outlined on parameters plan ref. 15040\_01. As this developable area has changed, as shown on revised parameters plan ref. 015040\_01\_B the reference in the condition must change and this amendment must be considered by the Committee.

1.6 Members will note that the description of development has not changed, the application still seeks outline planning permission for the erection of up to 49 dwellings on the site. However, the reduction in the size of the developable area from 2ha to 1.62ha would result in an increase in housing density. Previously, the provision of 49 dwellings on a 2ha site would have resulted in a housing density of 24.5 dwellings per hectare (dph). This would not have represented a particularly efficient use of the land but was nevertheless considered acceptable in this edge of settlement location. The provision of 49 dwellings on a 1.62ha site would result in a housing density of 30.2dph. Whilst this is higher it is nevertheless considered acceptable. Given the identified housing need within the borough there is a need to ensure an efficient use of land. As the application is made in outline with all matters other than access reserved, it will be possible for an acceptable layout to be agreed at reserved matters stage. Such a layout could ensure that lower density development is provided around the southern and eastern margins of the site to avoid undue impact on the character and appearance of the surrounding countryside. On this basis, the quantum of housing is still considered to be acceptable.

1.7 In light of the above, the amendment to the developable area of the site is considered to be acceptable. The development would continue to be safe from flood risk without exacerbating flood risk elsewhere and no unacceptable impacts have been identified. Given the nature of the amendment, no additional publicity of the application has been considered necessary.

1.8 Members are therefore respectfully recommended to resolve to grant outline planning permission subject to the conditions listed below and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works, and that the Head of Planning Services be authorised to issue the decision upon the agreement of heads of terms with regard to the contributions towards the highway initiatives to be determined by LCC Highways and the satisfactory completion of the s106 agreement.

1.9 It is also recommended that a Grampian condition be imposed to prevent commencement of any development until and unless planning permission is granted for the development of Jct 2 M55 and the Preston West Distributor, however, it is possible that a decision on that scheme could be made before a S106 agreement

could be completed. In this circumstance the Grampian condition would be unnecessary and, should this prove to be the case, Members are asked to authorise the Head of Planning Services to issue the decision without the Grampian condition.

1.10 The previous report is set out below. It has been updated to include the highway information previously provided to Members in a separate introduction to the March Committee agenda and via update sheets. It also includes the latest calculations of the necessary contributions towards highway improvement works. The report below incorporates a correction to paragraph 9.39 relating to the proportion of affordable housing and updates the number of representations received. The position with regard to the necessary education contribution has been updated. The original sections relating to visual impact and flood risk and drainage have not been amended as these matters are discussed above.

## REPORT TO COMMITTEE 22/03/17

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## REPORT OF THE HEAD OF PLANNING SERVICES

### 1.0 INTRODUCTION

1.1 The application is before members for determination because it is a major development of strategic importance and is one of a number of applications for major-scale residential development along the A6 corridor. As such, it is officer opinion that the applications that are ready to be determined should be considered together so that issues of cumulative impact and comparisons of sustainability can be given due consideration. This approach is explained in more detail in the introductory report to the agenda which sets out how Lancashire County Council has considered all the current applications within the A6 corridor. That report should be read together with, and taken as a material consideration in conjunction with this report in reaching a decision on the application.

1.2 A site visit is proposed to enable Members to fully understand the proposal notwithstanding the information provided as part of the application, and because the full nature of the site and surroundings cannot be satisfactorily communicated through photographs.

### 2.0 SITE DESCRIPTION AND LOCATION

2.1 The application relates to 7.37ha of land in Bowgreave to the east of Garstang Road and to the south of Calder House Lane. The Little Calder River bisects the site, which is 'L-shaped'. The southern part of the site falls within a Mineral Safeguarding Area. The majority of the site also falls within flood zones 2 and 3. There is a Grade II listed building to the north of Calder House Lane behind Calder House and a public right of way runs along the southern boundary. The site comprises of the large field on the corner of Garstang Road and Calder House Lane and the northern sections of two fields to the south. At present the land is open farmland bound by hedgerows that include two trees. The southerly two fields are split by a watercourse and hedgerow. A group of trees in the northern part of the site fronting Calder House Lane are subject to a Tree Preservation Order.

### **3.0 THE PROPOSAL**

3.1 The application seeks outline planning permission for the erection of up to 49 dwellings with access taken from Calder House Lane. An illustrative plan has been submitted to show the proposed extent of built development. This would see built development restricted to the north-western corner of the site over an area of some 2ha (to reduce the visual impacts) and this could be controlled by a condition. Notwithstanding the information set out on this plan, the matters of layout, scale, appearance and landscaping are reserved for later consideration.

3.2 The application is supported by the following:

- Planning statement (including a heritage statement, agricultural land statement and consultation statement)
- Sustainability statement
- Landscape assessment
- Design and access statement
- Ecological appraisal
- Tree report
- Transport statement
- Flood risk modelling and mitigation reports
- Flood risk assessment
- Land contamination report

### **4.0 RELEVANT PLANNING HISTORY**

4.1 15/00048/PREAPP – pre-application advice sought in relation to residential development on this site.

### **5.0 PLANNING POLICY**

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

5.1.1 The Framework was published 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 NPPF sets out a presumption in favour of sustainable development (paragraph 14). Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible.

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

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

5.1.4 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. In rural areas, new housing should be located where it would enhance or maintain the vitality of existing communities. Isolated new homes should be avoided unless special circumstances can be demonstrated.

5.1.5 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in delivery.

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

5.1.7 Section 11 aims to conserve and enhance the natural environment. This sections states that impacts on biodiversity should be minimised and net gains provided where possible.

5.1.8 Section 12 seeks to conserve the historic environment. Development that would cause harm to a heritage asset must be weighed against the benefits of the scheme with regard to the level of impact and significance of the asset affected, including its setting.

## 5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 The NPPG provides advice on Government policy. The sections below are of particular relevance to the application.

5.2.2 Air quality – this section provides guidance on how planning can take account of the impact of new development on air quality with particular reference to the development management process.

5.2.3 Conserving and Enhancing the Historic Environment - this section gives guidance to decision-makers and considers designated and non-designated heritage assets.

5.2.4 Flood Risk and coastal change – this section expands upon the NPPF and explains the need to direct new development towards areas of lowest flood risk, concentrating on flood zone 1, and ensure that development would be safe and not lead to increased flood risk elsewhere.

5.2.5 Health and well-being – this section sets out the links between health and planning and the need to encourage opportunities for community engagement and healthy lifestyles.

5.2.6 Natural Environment – this section explains key issues in implementing policy to protect biodiversity, including local requirements. Particular reference is given to landscape, biodiversity, ecosystems, green infrastructure, brownfield land, soils and agricultural land.

5.2.7 Open space, sports and recreation facilities, public rights of way and local green space – this section explains how such areas and facilities should be taken into account in planning decision-making.

5.2.8 Rural housing – this section makes it clear that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the viability of facilities and services and the broader sustainability of villages and smaller settlements.

5.2.9 Travel plans, transport assessments and statements in decision-taking - this section discusses what these documents are, how they relate to one another, why they are important and what should be taken into account in their preparation.

### 5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The following saved policies are of most relevance:

- SP8 – Definition of small rural settlements
- 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
- TREC12 – public rights of way
- CIS6 - Securing adequate servicing and infrastructure

### 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 following emerging policies are of most relevance:

- CS1 – Spatial strategy for Wyre: distribution of development
- CS2 – Spatial strategy for Wyre: settlement and centre hierarchy
- CS9 – Strategy for Garstang and Catterall
- CS13 – Sustainable development
- CS14 – Quality of design
- CS16 – Transport, accessibility and movement
- CS15 – Economy, regeneration and learning
- 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
- CS28 – The historic environment

5.4.3 The Wyre Local Plan Issues and Options Paper (2015) identifies the site as potentially being suitable for housing development. The site is identified as IO\_105. Given that the new emerging Local Plan is at an early stage of development, this listing can be afforded only very limited weight.

## 5.5 JOINT LANCASHIRE MINERALS AND WASTE LOCAL PLAN

5.5.1 Policy M2 is most relevant and states that incompatible development will not be supported on land within a minerals safeguarding area unless the applicant can demonstrate that: the mineral is no longer of value or has been fully extracted; the full extent of the mineral could be satisfactorily extracted prior to development; the development is temporary and would not prevent future extraction; there is an over-riding need for the development; the depth of the mineral would make prior extraction unfeasible; or that extraction would cause land stability issues.

## 5.6 SUPPLEMENTARY PLANNING GUIDANCE

5.6.1 SPG2 – Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

## 5.7 EVIDENCE BASE DOCUMENTS

5.7.1 THE RURAL HOUSING NEEDS SURVEY (2015) concludes that there is considerable need for affordable housing across the Borough of Wyre to ensure long-term community sustainability.

5.7.2 FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (SHMA) 2013 – 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 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).

5.7.3 WYRE SETTLEMENT STUDY (2016) – this study ranks the settlements within the borough according to their economic and social role using four indicators. These are population; the level of services and facilities provided; the accessibility of public transport and the connectivity to other settlements; and the employment opportunities available. These indicators are considered to be central to the notion of sustainability as they reflect the extent to which settlements can be economically and

socially self-supporting. The overall settlement rank of the borough is provided in Appendix 5 of that document. Bowgreave is ranked twelfth within the list.

## **6.0 CONSULTATION RESPONSES**

6.1 BARNACRE-WITH-BONDS PARISH COUNCIL – objection. The site is in open countryside and the development would be contrary to Policies SP8, SP9 and SP13. Where development has taken place it was for an affordable housing scheme. Development in Bowgreave should not be permitted until a new Local Plan is in place. There is no need for the development proposed. The land is needed to maintain a buffer between Catterall and Bowgreave. The adjacent highway is hazardous and subject to heavy traffic including HGVs. There is significant congestion. The proposal would raise highway safety issues. The scheme would exacerbate existing levels of traffic and congestion. Calder House Lane is used for parking. The footpaths along Garstang Road are very narrow, the scheme would reduce pedestrian safety. Traffic speeds in the area are high. The road is at capacity. The land falls within a Minerals Safeguarding Area. There have been a number of residential schemes in the area which would see more children walking to school. Their safety must not be compromised. The land is susceptible to flooding. The sequential test has not been applied. Existing community services (schools, medical facilities) cannot cope with increased pressure. The development is not sustainable; residents would have to travel for work. The character of Bowgreave would be lost and the attractiveness of the area to visitors and tourists would be reduced.

6.2 CATTERALL PARISH COUNCIL – objection. The development would have a huge impact on the open countryside and be totally out of character with Bowgreave. It would be out-of-proportion with the side of the settlement. Any further development would put excessive pressure on A6 highway capacity. Joe Lane and Cock Robin Lane in Catterall would become rat-runs and subject to congestion. Flooding is a major issue. The flood information submitted must be carefully verified. The settlements of Bowgreave and Catterall would almost coalesce. An approval would set precedent for further development. Workers cannot use rail services as timely public transport connections are not in place. Further development would put additional strain on education and health services.

6.3 ENVIRONMENT AGENCY – initially objected on the lack of an acceptable FRA. The hydraulic model within the FRA has been verified and, on the basis of this, no objection is now raised to the proposal subject to the imposition of appropriate conditions on any permission granted. It is proposed that certain areas of the site would be raised thereby ensuring that all development would fall within flood zone 1. To compensate for the raising of the ground level, new flood storage would be provided on a level for level basis. It is accepted that the development would be safe from flood risk and would not exacerbate flood risk elsewhere as long as development proceeds in accordance with the FRA. The LPA must determine compliance with the sequential test and the first part of the exceptions test. The application would meet the second part of the exceptions test if the FRA is followed. An appropriately worded condition is suggested. The applicant should note that the Little River Calder is a main river and that prior written consent of the EA is required for any works or development within 8m. The EA has rights of access to the Little River Calder and the applicant should contact the EA in the first instance to establish these requirements.

6.4 UNITED UTILITIES - the site should be drained on separate systems with foul water draining into the public sewer and surface water draining in the most sustainable way with preference given in order to: ground infiltration; a surface water

body; a surface-water, highway or other drain; a combined sewer. No objection is raised on the basis that conditions are attached to any permission granted to ensure that the site is drained on separate systems and that the development proceeds in-line with the submitted flood risk assessment. A justification is offered for the need for pre-commencement conditions. A water supply could be provided. Each unit would require a separate metered supply at the applicant's expense. All fittings must meet current standards. The level of cover to water mains and sewers must not be compromised. The applicant should contact United Utilities in the first instance and it is the applicant's responsibility to demonstrate the exact relationship between the development and UU assets.

6.5 LANCASHIRE COUNTY COUNCIL (FLOOD) – surface water should be managed in a sustainable way to mimic surface water flows as far as is practicable whilst reducing flood risk and taking climate change into account. Surface water drainage schemes should be designed in accordance with the non-technical standards for sustainable drainage systems and the NPPG. Discharge should be restricted to greenfield run-off rates. Sustainable drainage systems offer multiple benefits. Guidance is available. All water bodies should reach Water Frame Directive 'good ecological status' by 2015. No works should reduce such status and treatment stages can be incorporated into drainage schemes as required. No objection is raised subject to the imposition of two conditions on any permission granted. These would require the development to proceed in accordance with the submitted flood risk assessment and require the agreement of details and long-term management of a drainage scheme.

6.6 LANCASHIRE COUNTY COUNCIL (EDUCATION) – the development would generate a requirement for 19 primary school places. At current rates the necessary financial contribution to cover this requirement would be £256,016.07. No contribution towards secondary school provision is sought at the current time. There are a number of planning applications that are pending decision however and, depending upon the decisions on these applications, a contribution of £142,125.13 towards secondary school provision could be sought. LCC intend to use the primary education contribution to provide additional primary places at Kirkland and Catterall St Helen's Church of England Primary School. To ensure that the approach is in line with the CIL regulations, LCC confirms that there is 1 secured Section 106 pooled against Catterall St Helen's Church of England Primary School although note that the Primary school has been proposed as an expenditure project in relation to a pending application (ref: 16/00144). These figures would be revisited once accurate bedroom information becomes available / at the point of determination.

## 6.7 HIGHWAYS ENGLAND

6.7.1 The application site falls within the village of Bowgreave some 10km north of Preston. The response of LCC as LHA is noted. The transport statement (TS) submitted references the NPPF and the White paper but does not reference local planning policy documents or any HE guidance. A development of this scale would not necessarily require consultation of HE. TSs are typically prepared for smaller schemes are a basic assessment. More complex proposals require a wider consideration including assessment of junction operation and impact. The document submitted does not provide traffic data, it does not identify peak hours or make reference to future assessment years and does not reference any committed developments. The TS does provide a high level of assessment of J1 of the M55 based on traffic information derived from the Joe Lane scheme (ref. 15/00248/OULMAJ). An appropriate assessment of the impact of committed developments should be made and this should be clarified with the LPA and LHA.

6.7.2 HE has independently considered trip rates and, whilst those in the TS are slightly low, they are considered to be acceptable. As the trip generation for the proposed development is lower than 30 total trips in each of the peak hours, it is considered acceptable that no detailed operational assessment has been undertaken. The development generated trips would dissipate across the local highway network and so only a proportion of these would access the strategic road network (SRN) at J1 of the M55. Even if it were assumed that all trips would access the SRN, based on the information submitted, this would only equate to a maximum of 18 trips using one of the slip roads in each of the peak periods. This would be highly unlikely to result in an adverse impact. A site specific Framework Travel Plan would be required and should be secured through condition. It is considered that this application would have no material impact on M55 J1. As the development, in isolation, would not have an adverse impact on the SRN, no objection is raised subject to the imposition of a condition on any permission granted to require the agreement of a travel plan.

## 6.8 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

### GENERAL COMMENTS IN RESPECT OF DEVELOPMENT ALONG THE A6 CORRIDOR

6.8.1 An unprecedented level of development has been recently proposed in this area of Wyre. Cumulative impact has been considered and mitigation identified to support sustainable development. The A6 has been modelled from the M55 J1 to north of Garstang. A list of necessary highway infrastructure to maximise the level of development that can be accommodated in this area has been compiled. Co-ordinated, development funded change is needed to make the A6 more efficient and effective. It must be noted that development in Wyre also relies on changes funded by, or infrastructure provided by, schemes in Preston. The necessary mitigation measures would be secured through S106 and S278 legal agreements. Contributions sought reflect expected delivery costs and may change at detailed design stage. The strategy for the A6 does not include contributions towards public transport services or travel planning.

6.8.2 Given the limited capacity available in the A6 corridor, a staged approach taking account of risk was advocated and this was followed in the Wyre Planning Committee meeting on 22nd March 2017. It consisted of County's strategy being presented to Members, the Committee determining which applications were to be supported, and the issuing of planning permissions then being delegated to the Head of Planning Services once specific infrastructure requirements for each scheme had been agreed. The intention in pursuing this approach was to ensure an equitable distribution of mitigation costs between the different schemes.

6.8.3 As stated, significant work has been undertaken modelling the A6 including key junctions, new traffic data and committed development and other influencing proposals both within Wyre and neighbouring boroughs. Of key importance is the delivery of a new junction (J2) on the M55, the Preston Western Distributor (PWD) route and other infrastructure improvements including the Broughton Bypass and other North-West Preston Masterplan highway works. The additional modelling has revealed that additional development can be supported to that previously identified.

6.8.4 With regard to J1 of the M55, this had previously been assessed using a LINSIG signal model supported by a spreadsheet model and capacity issues were originally identified. However, the planning application for the PWD road included supporting information from a strategic Saturn model. This strategic model allowed traffic redistribution arising from the scheme to be investigated and enabled committed and pending development proposals to be considered across a wider area. The outputs supported modelling of Broughton Roundabout using LINSIG software to test the capacity of that junction in 2026 with the impacts of smaller schemes and traffic growth factored in through TEMPRO. The work reveals that M55 J1 would operate at the limit of its theoretical capacity providing for the development assessed. This degree of operation depends upon the widening of both off slip roads from two to three lanes, the delivery of the PWD road and East-West link with a new M55 J2, and the provision of a link road between D'Urton Lane and Eastway. It also assumes that Broughton bypass and four southbound lanes to Broughton roundabout are operational. Currently £695,000 has been secured towards these measures which are estimated to cost £1.2m. This leaves a funding gap of £505,000 to be met through development.

6.8.5 It must be noted that individual changes ultimately provide A6 corridor benefits but also influence parts of the local and wider network and junctions, particularly in Preston, by affecting traffic levels and patterns of movement. The PWD infrastructure and new motorway junction would satisfy the needs of much of NW Preston as well as redistribution from the A6 corridor. At the current time, the applications for the PWD and M55 J2 have not been determined and so the benefits to the A6 corridor cannot be allocated to all of the development under consideration. It must also be noted that M55 J2 and the PWD have been funded by the Preston City Deal or by Preston Community Infrastructure Levy (CIL) monies.

6.8.6 In respect of other schemes, it is considered that the Broughton bypass will be completed and operational by mid-2017. The D'Urton Lane link is progressing well and the initial S278 works are being delivered. Road construction is expected to commence in the first quarter of the 2017-2018 financial year. Funds for the slip-road improvements to M55 J1 must come from Wyre developments and must be collected sufficiently early to enable the scheme to be designed and delivered without funds having to be returned.

6.8.7 Based on these works and known committed developments, it was considered that an additional 176 two-way trips at the average peak could be supported in advance of M55 J2 and the PDW being committed (approved). This figure was reported to the Wyre Planning Committee at its meeting on 22nd March 2017 and formed the basis for decisions on that day. In terms of distributing this capacity fairly, it should be noted that development impacts have been determined using Turner Lowe information rather than the information set out in individual transport assessments to ensure consistency.

6.8.8 In terms of development along the A6, cumulative impact must be taken into account. It is recognised that development in Barton would have a much greater propensity to generate trips south than schemes further north. Schemes around Garstang, Catterall and Cabus have potential for greater impact on the section of the A6 including the key junctions at the A586, Longmoor/Moss Lanes, and the Croston/Cockerham Roads signals. The applications submitted in 2015/2016 did not provide sufficient information for the cumulative impact on these junctions to be considered. However, in 2014 three schemes were submitted in this area (at Daniel Fold Lane and Joe Lane in Catterall and at Nateby Crossing Lane in Garstang) and one included an adequate cumulative assessment. This enabled LCC to develop a

coordinated strategy of highway improvements. More recently, a 2015 application (at Garstang Golf Club) has provided an updated cumulative assessment. This has enabled LCC to reach an informed decision and conclude that, subject to the delivery of major improvement schemes, a level of development that includes the houses proposed under this application can be supported.

6.8.9 The works considered necessary to support this development are as follows:

**INITIATIVE 1 - A6 Barton to Garstang Sustainable Transport Strategy**

- (i) Provide continuous cycle lanes along the full length, achieved through carriageway widening, central hatching narrowing and coloured surfacing as appropriate;
- (ii) Provide traffic islands or refuge islands in central hatched area. This would help regulate traffic speed and provide improved crossing places;
- (iii) Use of gateway features to emphasise village entry points;
- (iv) Use of red texture flex sparingly but also continuously where required;
- (v) A review to declutter and re-sign, including SPIDs as appropriate;
- (vi) Speed limit review and supporting necessary changes to lower speeds to 40mph or 30mph where appropriate;
- (vii) Review of bus stops in the corridor and improvements to quality bus standards as appropriate.

This has been further split into seven schemes to ensure compliance with the CIL tests as follows:

- Scheme A - Longmoor Lane to north of Gubberford Lane - estimated cost £150,000 plus S278 works;
- Scheme B - A586 to Longmoor Lane/Moss Lane - estimated cost £130,000 plus S278 works;
- Scheme C - canal bridge north of Bilsborrow to A586 - estimated cost £120,000 plus S278 works;
- Scheme D - White Horse Lane to canal bridge north of Bilsborrow - estimated cost £120,000 plus S278 works;
- Scheme D1 - provision of toucan crossing, Bilsborrow - estimated cost £100,000;
- Scheme E - north of Broughton bypass to White Horse Lane - estimated cost £100,000 plus S278 works;
- Scheme F - Garstang town centre - estimated cost £75,000.

**INITIATIVE 2 - WIDER IMPROVEMENT OF A6/CROSTON BARN ROAD/GREEN LANE WEST/COCKERHAM ROAD/CROSTON ROAD SIGNALISED JUNCTION**

Originally this was to be funded and delivered through the three major schemes submitted in 2014 (Daniel Fold Lane, Joe Lane and Nateby Crossing Lane). The 2015 strategy included upgrade to MOVA operation and the provision of pedestrian and cycle facilities. A further improvement scheme has now been identified whereby

Croston Barn Lane would no longer be a through route and the stopping points on the other roads would be brought forward to make the junction smaller.

### INITIATIVE 3 - IMPROVEMENT OF MOSS LANE/LONGMOOR LANE PRIORITY JUNCTION

The improvement scheme proposed would include S278 work supplemented by S106 funding and would include speed limit review, safety improvements and improvements for pedestrians and cyclists.

### INITIATIVE 4 - IMPROVEMENT OF A6/A586 PRIORITY JUNCTION

A scheme was identified in 2015 which can be delivered in stages. The full scheme includes full signalisation, pedestrian and cycle facilities, speed reduction and other safety measures. This was costed at £500,000 to be secured through S106. Of this, £350,000 has already been secured from the 2014 schemes at Daniel Fold Lane and Joe Lane. Since then, additional measures have been identified and an enhanced scheme developed. This scheme would cost £700,000 with the £350,000 shortfall to be funded by development.

### INITIATIVE 5 - M55 J1 WESTBOUND OFF SLIP IMPROVEMENT (ADDITIONAL LANE)

Since initial conception a more detailed cost estimate has been carried out and the scheme would now cost £700,000

### INITIATIVE 6 - M55 J1 EASTBOUND OFF SLIP IMPROVEMENT (ADDITIONAL LANE)

The estimated cost of this scheme is £600,000

6.8.10 A spreadsheet has been provided which contains the schemes identified in the highway strategy, the cost of each measure, the number of contributions currently secured from committed developments for each scheme, the areas where S278 works are integral to the strategy. LCC require all off-site highway works to be delivered under S278 agreements with no capping of contributions. The costs take account of design costs, site supervision, traffic management, utilities, part 1 claims and phasing. Contributions would have to be index linked and flexible to ensure the delivery of meaningful schemes. LCC would need to be party to any S106 agreements and these must be CIL compliant.

### SPECIFIC COMMENTS IN RELATION TO THIS APPLICATION

6.8.11 (A) Main Site Access Strategy – Access would be via a simple priority junction onto Calder House Lane. A speed survey has been carried out and an adequate junction with the necessary sight-lines can be provided.

6.8.12 B) Transport Assessment - Given the scale of the development it is the norm that the application is supported with a Transport Statement (TS) and not a full Transport Assessment (TA). A TS concentrates on the local impact of the development only and does not fully take into account the effects of the development on the wider highway network. The developer has provided some information in relation to committed developments. This development will generate around 30 vehicle movements in the AM and PM peak hours. No traffic growth or assessment years has been provided. The revised trip rates used in the TS update are

comparable with those used in the assessment of the developments at Joe lane, Daniel Fold and Nateby Crossing Lane and as such are acceptable for this site on this occasion. Distribution of traffic only considers the site access and no assignment of trips beyond this junction. Using the distribution which was agreed for the approved Daniel Fold and Joe Lane sites the following is representative of the immediate area of the development site.

- To/from Preston along the A6 50% of development traffic
- To/from Lancaster along the A6 26%
- To/from Garstang along the B6340 12%
- To/from Blackpool / Poulton along the A586 9%
- To/from Longridge / Ribble Valley 3%

6.8.13 The information submitted states that there have been no accidents on Calder House Lane in the last five years and only one on Garstang Road within 100m of the site. This would, however, increase to 5 within a 500m distance.

6.8.14 Since first submission the developer now proposes footpath improvements along Calder House Lane and Garstang Road along with traffic calming/a gateway treatment for Garstang Road. Street lighting would have to be introduced onto Calder House Lane to support the new access.

6.8.15 No junction operational assessment has taken place, although given the existing and future levels of traffic and the level of traffic generated by the development proposal this is not a major concern for the safe operation of the site access. What is of concern is the cumulative impact of development traffic on the A6 corridor. Should the improvements to M55 Jct.1 take place the impact of this development (even when committed development is considered and with the cumulative impact of the other developments currently being considered) would not be unacceptable. Development traffic to/from Lancaster will impact on the A6/Croston Road (6 arm traffic signals) and as such the impact of this development and the cumulative impact of other developments currently under consideration need to be taken into account. The developer has not undertaken any analysis to demonstrate that the impact would not be severe. Development traffic to/from Blackpool/Poulton will impact on the A6/A586 junction and as such the impact of this development and the cumulative impact of other developments currently under consideration need to be taken into account. The developer has not undertaken any analysis to demonstrate that the impact would not be severe. The impact of development traffic along other routes is considered acceptable, even when committed development is considered and with cumulative impact of all development currently under consideration is taken into consideration.

6.8.16 The NPPF states in paragraph 17 that development should "make the fullest possible use of public transport, walking and cycling and focus significant developments in locations which can be made sustainable". In the TS the developer states, with respect to accessibility, that it "is clearly evident that the site is accessible by non-car modes and will cater for needs of the developments residents and assist in promoting a choice of travel modes other than the private car". The developer has offered a number of local improvements that would address some concerns but cumulative impact on the wider network has not been addressed. The developer originally offered nothing to improve pedestrian, cycling or public transport infrastructure/services but now indicates improvements to the local highway environment through footway improvements. There are bus stops within 400m with regular bus services linking the site to Preston, Garstang, Blackpool and Lancaster



but these should offer raised boarding areas to improve accessibility. The development is below the threshold for a Travel Plan, however, this does not mean that travel planning initiatives should be ignored.

6.8.17 Update to comments above - Whilst no cumulative impact has been undertaken by this developer, work has been undertaken by another developer with subsequent further work undertaken by LCC. This work has provided a 'Cumulative Assessment' for the northern section of the A6 corridor which included consideration of this development site. This latest work negates the need for further assessment by this developer and has ultimately allowed an informed decision to be reached on this and other applications under consideration.

6.8.18 (C) Internal Site Layout, Parking Standards/Parking Provision and SUDS - as the application is in outline form the site layout is only indicative. The indicative layout raises no major concerns. However, would advise that prior to the submission of any reserved matters application (should outline permission be granted) the developer should consult with LCC to ensure that the internal layout meets with adoptable standards.

6.8.19 (D) S278 Works - The construction of the site access, the footway improvements and the traffic calming/gateway measures would need to be carried out under an s278 agreement. Any s278 works should include the upgrading of the northbound and southbound bus stops nearest to the site access.

6.8.20 (E) Planning Obligations (s106 Planning Contributions) - It is appropriate to seek planning obligation contributions from this development to support improvements to the local network and sustainable transport links. This funding will be used to implement changes to limit the negative impact of this large development on the existing congested network. Since first consideration on 22nd March 2017, a co-ordinated request for Section 106 contributions towards the identified strategy has been provided. For this site, a contribution of £125,000 would be sought towards initiatives 1A, 1B and 2 as detailed above.

6.8.21 (F) Recommendation - In order for LCC to have no objection to the proposed development at this present time, this development in combination with any other of the A6 developments must not exceed 176 two way, average trips at M55 Jct. 1. This development has a two-way impact of 15 trips at M55 Jct.1. Once Jct. 2 / PWD is committed which would then release further network benefits then LCC would have no objection to this scheme subject to securing appropriate mitigation as detailed above. This development must be part of an acceptable strategy that includes satisfying necessary s106 funding requirements. On the above being satisfied, LCC Highways would offer no objection to the proposed development providing that appropriate funding (s106) for sustainable measures is secured; that all s278 measures agreed / detailed above are delivered by the developer in line with agreed trigger points; and conditions are agreed (including if necessary the use of Grampian type conditions) and are put in place to ensure these necessary measures are delivered by the developer in line with required trigger points. If you are minded to approve this application, LCC would be willing to provide suggested suitable conditions.

6.9 GREATER MANCHESTER ECOLOGY UNIT (GMEU) – the information submitted is sufficient for comment. No further surveys are considered necessary. The site is not designated for its nature conservation value and is not close to designated sites. It has low potential to support protected species expect for a few foraging bats. The ecological issues relate to great crested newts, avoidance,

mitigation and enhancement. The risk to great crested newts is considered to be negligible or low due to the small area of potentially suitable habitat to the north. No objection is raised but some impact is inevitable. The watercourse and trees are the most important habitats for bats and so should be retained. Potential nesting bird habitat would be lost and, as nesting birds are protected, no vegetation clearance should take place 1st March to 31st July unless the absence of nesting birds is confirmed. Agricultural grassland would be lost but it is noted that the features of greatest values, namely the hedgerows and trees, would be largely retained. It is considered that adequate mitigation could be provided. A detailed landscape plan would be required. This should mitigate any loss of habitat, provide continuous terrestrial connectivity along site boundaries and enhance wildlife value.

6.10 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) – no objection in principle. Full surface-water drainage plans should be submitted for approval and these should include details of surface-water drainage discharging direct to watercourses or balancing ponds and not discharging through the proposed hydro-brake. Part of the site falls within Flood Zone 3 and so is classified as being at high risk of flooding.

6.11 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE, ODOUR AND DUST) – it is requested that a condition be attached to any permission granted to require the submission and agreement of a Construction Management Plan. This plan would need to include procedures to maintain good public relations and dialogue with the Council; hours of work and deliveries; measures for controlling and monitoring noise, vibration, dust and pollutants; details of site lighting; and procedures for any necessary emergency deviation.

6.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY) – no comments.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LAND CONTAMINATION) – the potential contaminative history of the site is low risk but a precautionary approach should be taken and an intrusive site investigation completed. The proposed trial pit and borehole locations detailed should be expanded dependent upon the findings. Gas monitoring should be undertaken as proposed. The details, locations and proposed longevity of the gas monitoring should be provided along with any remedial measures identified as necessary. A conceptual site model should also be provided based on the investigations when available. The responsibility for the safe development of the site rests with the developer.

6.14 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (PARKS AND OPEN SPACE) – the play area proposed would serve the development itself and should include a minimum of five items to provide basic core learning experiences. All equipment should be to relevant standards. Details of management are required and should be agreed. A contribution towards off-site provision at Catterall playing field would be an alternative. This would deliver more meaningful play provision in accordance with the Council's play strategy.

6.15 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (TREES) – the information submitted within the Tree Report is accurate. A group of trees identified (G10) are subject to a Tree Preservation Order. The conclusions and recommendations of the submitted tree report are agreed and no objection is raised providing those trees / hedges identified for retention in the Tree Report are sufficiently protected. The proposed tree protection should be secured through

requirement of an Arboricultural Method Statement and Tree Protection Plan. There is an opportunity for new tree planting within the site. This should be secured through a landscape plan and detailed planting schedule and should include native tree planting.

6.16 RAMBLERS ASSOCIATION, LCC PUBLIC RIGHTS OF WAY, LCC MINERALS AND WASTE – No responses received.

## **7.0 REPRESENTATIONS**

7.1 178 representations have been submitted raising the following issues:

### Principle

- Loss of Green Belt
- Loss of a greenfield site
- Loss of open countryside
- Loss of agricultural land
- Cumulative impact with other development
- Overdevelopment of area
- Inappropriate development
- No need for new housing
- Housing proposed would not meet local needs
- Housing would not be affordable
- Lack of employment opportunities
- Set precedent for further future development
- Excessive development in the area
- Not infill development
- Impact on the character of the area
- Would lead to settlements coalescing
- Inadequate local services to support new development (schools, medical facilities, emergency services, shops, parking, sewerage)
- Need a strategic local plan
- Impact on the visitor economy
- Unsustainable development
- Other sites are available for the development

### Highway impacts

- Unsustainable location will generate traffic
- Increase in traffic
- The area already has a heavy traffic flow including HGVs
- No capacity on the existing network
- Existing roads are narrow and in poor condition
- Existing footpaths are narrow
- Highway safety impacts, particularly for pedestrians and school children
- More children walking to school and therefore at risk
- Parking on the roads exacerbates congestion and visibility is poor
- Dimples Lane would be used as a rat-run
- Difficult to access B6430
- Police will lack resources to enforce speed limits
- Potential for mud to get on the roads
- Inadequate parking
- Damage to bridges and weakening of roads
- Access for emergency vehicles

#### Other

- Increased flood risk
- Existing flooding and drainage problems
- Inadequate/increased strain on water and sewage services
- No sequential test carried out
- Sequential test inappropriate and inadequate
- Need a refuse facility
- Impact on wildlife and habitats
- Ecology report does not relate to this development/site
- Environmental impact
- Reduced air quality
- Site is in minerals safeguarding area
- Increased pollution
- Increased noise
- Impact on the Forest of Bowland Area of Outstanding Natural Beauty
- Visual impact
- Loss of views
- Modern properties would not be in-keeping with the surroundings
- Impact on existing businesses with pressure for closure to protect amenity
- Loss of privacy
- Impact on listed building
- Impact on community cohesion
- The views of local people are disregarded
- Mental illness will increase due to a loss of emotional connection with the open space of the countryside
- Inconsistent handling of applications
- Need to keep fields to prevent global warming
- Application unclear and ambiguous
- Loss of property value
- Inadequate community involvement

7.2 A letter has also been received from Ben Wallace MP raising the issues of greenfield development, traffic congestion and highway safety, flood risk, the potential for the merging of settlements and the potential loss of visual amenity.

7.3 The Committee is respectfully advised that the representations alleging the inconsistent handling of planning applications make reference to domestic proposals that are not considered to be comparable to this proposal.

7.4 The Committee is reminded that loss of view and anticipated loss of property value are not valid planning considerations. It should also be noted that the site does not lie within the Green Belt.

7.5 A letter has been received from Lancashire North Clinical Commissioning Group (CCG) who raise concerns about the planned housing developments along the A6 corridor and the impact that this will have on primary care provision and demand for other health care provision like community services including district nurses. Any substantial increase in population will have a huge impact on these practices. The CCG would expect that prior to any plans to build these houses being progressed, the impact that this would have on the ability to provide appropriate and safe healthcare is fully assessed.

7.6 A letter has been received from Windsor Surgery (Garstang Medical Centre). This provides background information on the impact on Primary Care health services which will occur following the inevitable increase in patient list sizes due to the proposed housing developments around Garstang. There is no further scope for innovative working within its building to free up more space or facilitate increased capacity of work. There is a fear they will be unable to provide adequate care, given their current limits on Primary Care provision. They are aware they will now be hamstrung by the resultant massive increase in list size which will be generated by these housing developments. They would submit that any planning for further housing development should have adequate provision to meet the healthcare needs of the local population. They would support any levy of funding which allowed this to happen in the Garstang area.

## **8.0 CONTACT WITH APPLICANT/AGENT**

8.1 Dialogue has been maintained with the agent throughout to keep them apprised of progress and consultee comments, and to seek clarification and additional information where necessary.

## **9.0 ASSESSMENT**

9.1 The main issues are considered to be:

- Principle of development
- Housing land supply
- Impact on the countryside
- Loss of agricultural land
- Housing density
- Amenity impact
- Landscape and visual impact
- Heritage impact
- Access, parking and highway safety
- Ecological and arboricultural impact
- Flood risk and drainage
- Environmental impact
- Infrastructure provision and obligations
- Sustainability and planning balance

### **PRINCIPLE**

9.2 The application site falls within designated countryside. Policy SP13 of the adopted Local Plan seeks to prevent development within the countryside in order to protect its intrinsic open and rural character. Certain exceptions are listed but none would apply to the development proposed. Whilst Policy SP13 is a saved policy of the Local Plan, it must be considered in light of the National Planning Policy Framework which is a more recent expression of planning policy published in March 2012. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, the NPPF makes it clear at paragraph 49 that policies relating to the supply of land must be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The recently published Wyre Settlement Study places Bowgreave twelfth in the rank of borough settlements and fourth in the rank of settlements along this A6 corridor.

As this ranking is based on considerations of size, accessibility, services, facilities and employment opportunities, it is considered to be valid indication of sustainability.

## HOUSING LAND SUPPLY

9.3 The housing requirement for the borough was originally set out in Policy H1 of the Local Plan. This was then superseded by Policy L4 of the North West Regional Spatial Strategy (NWRSS) which was subsequently revoked in May 2013. As the emerging Local Plan is not yet adopted, the borough does not have an established housing requirement. The Fylde Coast Housing Market Assessment (SHMA) 2013 and subsequent updates represent the most up-to-date assessment of objectively assessed housing need. The Council has accepted a housing need of 479 new dwellings per annum between 2011 and 2030. Current indications are that the Council is not able to identify sufficient deliverable sites to provide a five year supply of housing land based on this objectively assessed requirement. On this basis, the restrictive approach toward new development in the Countryside as set out in Policy SP13 of the Local Plan must be considered to be out-of-date.

9.4 Paragraph 47 of the Framework makes it clear that one of the Government's key objectives is to significantly boost the supply of housing with paragraph 17 noting that every effort should be made to objectively identify and then meet the housing needs of an area. The current application seeks outline planning permission for the development of up to 49 new homes on the site. This would represent a significant quantitative contribution towards meeting the boroughs housing requirement that weighs strongly in favour of the application.

## IMPACT ON THE COUNTRYSIDE

9.5 Notwithstanding the position with regard to housing need, the supporting text to Policy SP13 makes it clear that the overall intention of the policy is to protect the inherent character and qualities of the countryside. This intention accords with the Framework to the extent that paragraph 17 expects new developments to take account of the different roles and characters of different areas, including the intrinsic character and beauty of the countryside.

9.6 The Council's emerging Local Plan is still at a relatively early stage of development. Nevertheless, there is an acknowledgement that some development will have to take place on land that is currently designated as countryside around existing centres in order for the boroughs housing needs to be met and sustainable economic growth to be delivered in line with the requirements of the National Planning Policy Framework. It is therefore inevitable that the character of the wider countryside will experience some erosion around existing settlements. It is noted that the application site has been identified as part of the forward planning process as having potential for future residential development.

9.7 The application site is bounded by Garstang Road to the west/south-west and Calder House Lane to the north/north-west. It lies at the south-easterly extent of Bowgreave village. The site extends over three separate fields that are split by the Little Calder River. Development of the site as a whole would bring the built extent of Bowgreave to within 200m of the northern limit of Catterall village to the south. At present these are two physically separate settlements each with their own character and sense of local community. Any amalgamation of these settlements would be of strategic significance and should properly only be considered as part of the Local Plan development process. In the absence of an adopted strategic plan to this effect, any merger would be undesirable and contrary to the provisions of the NPPF. In

recognition of this consideration, the 'extent of proposed built development' plan submitted with the application shows built development limited to the north-western corner of the site.

9.8 The area proposed for built development would roughly align with the existing limit of built development on the opposite side of Garstang Road and would curve up following the line of the Little Calder River toward Calder House Lane. The easterly limit would extend some way beyond the existing properties on this road but it is nevertheless considered that the development proposed would represent a logical physical extension to the settlement of Bowgreave. Based on the plan submitted, a condition could be attached to any permission granted to ensure that built development was limited to the area shown, thereby preventing any coalescence between the settlements. On this basis, no unacceptable impact on the character and function of the wider countryside area is anticipated. It is, however, accepted that there would be a localised impact on the character of the countryside immediately around Bowgreave. This would weigh against the proposal and will be considered as part of the visual impact assessment below.

#### LOSS OF AGRICULTURAL LAND

9.9 The application site falls within Agricultural Classification Grade 3b according to the relevant report submitted with the application. Grades 1, 2 and 3a are considered to be the best and most versatile land; it therefore does not fall into this category and so the loss of such land does not require further consideration in accordance with paragraph 112 of the NPPF. Within the Wyre borough there are substantial tracts of grade 2 land along with large areas of grade 3 land. The application site is only 7.37ha in area. As such, its loss as agricultural land is not considered to weigh notably against the proposal.

#### HOUSING DENSITY AND MIX

9.10 The application is for outline planning permission only with the details of the layout of the site to be considered at a later date as a reserved matter. The site area proposed for development would be 2ha and the information provided with the application indicates that up to 49 units are proposed. This would equate to a gross housing density of 24.5 dwellings per hectare. Given the nature of Bowgreave village and the relatively rural location of the site, this indicative density is considered to be somewhat high. However, it is acknowledged that this figure is based on the area proposed for built development only and does not include any areas of landscaping along the road frontages that would ordinarily be included as part of the site area. As such, it is anticipated that an acceptable net housing density could be secured at reserved matters stage should outline permission be granted.

9.11 Whilst not a matter for agreement at this stage, it is envisaged that a mix of 2, 3, 4 and 5-bedroom houses would be provided. This is considered to be acceptable in principle and final details of housing mix would be agreed at reserved matters stage should outline permission be granted.

#### IMPACT ON AMENITY

9.12 The application seeks to agree the principle of development with layout reserved for later consideration. There is existing housing to the west and north of the site on the opposite sides of Garstang Road and Calder House Road respectively. Residential development on the site would therefore be a compatible land use. Garstang Road is a relatively busy main local road and it is noted that there

is an existing secondary school, Garstang Community Academy, some 300m to the north. As such, it is not anticipated that the development would generate sufficient additional noise or disturbance from activity so as to unacceptably compromise residential amenity. The Council expects a minimum front/rear-to-front/rear separation distance of 21m between residential properties. This could be easily achieved between the properties proposed and those existing. The standards required to ensure adequate residential amenity for future occupants of the site could be secured at reserved matters stage should the Council be minded to support the scheme. On this basis, no unacceptable amenity impacts are anticipated.

## LANDSCAPE AND VISUAL IMPACT

9.13 The applicant has submitted a Landscape Assessment. The site falls within National Character Area 32: Lancashire and Amounderness Plain. This is characterised by a rich patchwork of fields and ditches in a flat or gently undulating landscape punctuated by blocks of woodland. The site also lies within Lancashire Landscape Character Assessment area 15e: Coastal Plain: Forton-Garstang-Catterall. It is also close to area 5i: Undulating Lowland Farmland. The area can be defined as a gently undulating, farmed landscape dominated by improved pasture and scattered with historic halls, farms and woodland. Urban development has eroded the rural character of the landscape. The application site is not nationally, regionally or locally designated but it is recognised that the existing vegetation and mature trees around the edges of the site make a strong, positive contribution to the setting and visual amenity of the area.

9.14 The submitted assessment considers the landscape value of Bowgreave to be low to moderate and the landscape sensitivity of the settlement also as low. The surrounding landscape is noted to be largely flat but with views restricted by vegetation giving the appearance of a well-wooded and relatively enclosed landscape. The presence of trees is acknowledged but the landscape nevertheless affords long views. The landscape quality has been assessed as ordinary, the landscape value as moderate, and the landscape sensitivity as low. As the application site lies some 2km to the west of the Forest of Bowland Area of Outstanding Natural Beauty with the M6 motorway and west coast main railway line in between, this assessment is broadly accepted. The site itself is considered to be of ordinary quality and moderate value and its sensitivity has been judged to be medium.

9.15 The impact of the proposal on the setting, the surrounding landscape and the site has been assessed. The magnitude of change on Bowgreave village and the surrounding landscape is judged to be low with a medium magnitude of change for the site itself. Mitigation in the form of planting and a carefully designed layout and character is recommended to minimise the impact of the scheme. Views of the site have been considered from surrounding properties, roads and public rights of way. As would be expected, substantial visual effects are anticipated at the closest viewpoints. The impacts upon users of the public rights of way are considered to be limited due to the separation distances and intervening vegetation involved. The landscaped buffer shown around the southern and eastern parts of the site would provide the mitigation identified as necessary in the report.

9.16 Visually the development would impact on surrounding residential properties and roads and nearby public vantage points. This would weigh against the proposal. However, such an impact is inevitable for a development of this scale on the rural fringe of a settlement. The layout, scale, appearance and landscaping of the development are not matters for consideration at this stage but would be the subject



of agreement as part of a reserved matters application should outline permission be granted. It is considered that a well-designed and landscaped scheme could be secured and that this would help to mitigate the visual impact of the proposal.

## HERITAGE IMPACT

9.17 There is a Friends Meeting House some 100m to the north of the site which is a Grade II Listed Building. A heritage statement has been submitted in support of the application. This has been considered by the Council's Heritage Officer who has had due regard to paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 128-137 of the NPPF. It is noted that the Listed Building is not visible from the application site and that the site likewise cannot be seen from the Listed Building as other buildings and trees block the view. Consequently, no material impact would result. As such, the development is considered to be acceptable as it would preserve the appearance of the nearby Listed Building and sustain its significance as a heritage asset.

## ACCESS, PARKING AND HIGHWAY SAFETY

9.18 The application and submitted information has been considered by LCC as Local Highway Authority. Access to the site is proposed via a simple priority junction on to Calder House Lane and this access is considered to be satisfactory. Off-site highway works proposed include footway improvements along Calder House Lane and Garstang Road together with traffic calming/gateway treatment for Garstang Road. There are bus stops located with a relatively short distance of the site access which will be improved by the provision of raised boarding areas (under a s278 agreement) to improve accessibility to a wider range of users.

9.19 A Transport Statement has been submitted. Together with further work undertaken by LCC which has provided a "Cumulative Assessment" for the A6 corridor, which included consideration of this development site, LCC are able to assess the impact of this development on the local highway network including J1 of the M55. Specifically this development has a two-way impact of 15 trips at M55 J1. Members will be aware that there is considerable pressure for new residential development within the A6 corridor. In recognition of this pressure, LCC has undertaken a review of the previous 2015 junction modelling (J1 M55). Further analysis has taken place since November 2016 which has allowed LCC to review their position in regards to the impact of development on this junction. It is LCC's current position that a limited amount of development may be able to be accommodated (equating to 176 two way trips at J1) subject to contributions to improve that junction. Funding has already been committed from two previously approved major developments and developments approved now will contribute towards the present shortfall. LCC confirm that there is further limited capacity within the corridor that can support the application proposal but where resolutions to grant planning permission would result in committed development that would result in a cumulative number of two way trips exceeding 176 at J1 of the M55, then that development should only be approved subject to the grant of planning permission for J2 of the M55 and the Preston Western Distributor Road (PWD). The highway improvement works required to maximise the available capacity at J1 of the M55, and to maximise sustainable travel along the A6 corridor, have been detailed and costed and take the form of six initiatives agreed with Highways England. These initiatives have been set out above. They were originally developed in 2015 in response to the initial applications at Joe Lane, Daniel Fold Lane and Nateby Crossing Lane and have been further developed to increase the available capacity within the A6 corridor. To ensure that for each approved development, the requisite contribution to one or

more of the identified initiatives are fairly and reasonably related in scale and kind and related to the development itself, LCC waited to calculate the contributions required from each scheme once the applications had been determined by members to ensure that each scheme is acceptable having regard to risk, deliverability, phasing of development, and trigger points.

9.20 Subject to the overall combination of developments that can be supported at this time not exceeding 176 two way trips at M55 J1 before J2 and the Preston Western Distributor route being a commitment, County Highways offer no objection to the impact on this development on highway capacity grounds. This is also on the understanding that the development will make a contribution to a number of highway initiatives identified as being necessary to support further development, namely the A6 Barton to Garstang Sustainable Transport Strategy (Initiative 1); Initiatives 2, 3 and 4; and M55 J1 (Initiatives 5 & 6). Full details of these initiatives are set out above. County Highways do raise concerns that the developer offers nothing to improve pedestrian, cycling or public transport infrastructure / services and therefore it is argued that the developer fails to maximise sustainable transport initiatives. In order that the development is able to "make the fullest possible use of public transport, walking and cycling" as required by the NPPF (paragraph 17), LCC would expect to see the upgrading of the bus stops on the A6 eastbound and westbound near to the development site. This can be secured by condition / s278 works. LCC also state such a condition / s278 works should also require further consideration of the pedestrian/cycle impact of the proposals and necessary provision and a Stage 1 Road Safety Audit to be provided as part of the access proposal.

9.21 On the above being satisfied, LCC Highways offer no objection to the proposed development providing that appropriate funding (s106) for highway initiatives and sustainable transport measures is agreed and secured; that all s278 measures as detailed above are delivered by the developer in line with agreed trigger points and conditions are agreed (including if necessary the use of Grampian type conditions) and are put in place to ensure these necessary measures are delivered by the developer in line with required trigger points. Highways England offers no objection to the impact of the development on the strategic highway network subject to a condition requiring an appropriate Travel Plan to be provided / implemented. On this basis it is not considered that the development would have a severe impact upon the safe operation of the highway network in accordance with paragraph 32 of the NPPF. As such, it is considered that the application could not reasonably be refused on highway grounds.

9.22 Site layout is not a matter for consideration at this stage but it is considered that safe and appropriate internal estate roads could be provided. Adequate parking provision to serve the development could be secured as part of the agreement of site layout at reserved matters stage.

## ECOLOGICAL AND ARBORICULTURAL IMPACT

9.23 The application has been considered by the Greater Manchester Ecology Unit and the information submitted is judged to be acceptable. It is noted that the site has low potential to support protected species except for foraging bats. Any risk to great crested newts is considered to be negligible or low. Some impact is acknowledged to be inevitable but no objection to the proposal is raised. The watercourse, hedgerows and trees on site are the most important habitats generally and for foraging bats and so should be retained and it is noted that allowance for this is made within the application. Subject to the imposition of appropriate conditions to

protect any nesting birds and require the agreement of a landscaping, mitigation and enhancement scheme, no unacceptable impacts on biodiversity are expected.

9.24 The submitted Tree Report has been considered and agreed by the Council's Tree Officer. A group of trees on site adjacent to Calder House Lane are protected by a Tree Preservation Order. These are shown as retained on the indicative site layout plan. Based on the information submitted, no objection is raised. Conditions should be attached to any permission granted to require the agreement of a comprehensive Arboricultural Method Statement and Tree Protection Plan and the agreement of a landscaping plan to include a detailed planting schedule that proposed native tree planting. A considerable section of hedgerow along Calder House Lane would need to be removed to accommodate the access and sightlines required. This landscaping plan would therefore need to show new hedgerow planting as mitigation. Subject to the imposition of these conditions, no unacceptable arboricultural impacts are anticipated.

## FLOOD RISK AND DRAINAGE

9.25 Part of the site falls within flood zones 2 and 3. As such, the applicant must demonstrate compliance with the sequential test. The Council has produced guidance to help developers with this assessment. Comparable, available sites across the whole borough must be considered, unless a robust justification can be provided for a smaller search area, and any allocated sites or available sites listed in the Council's Strategic Housing Land Availability Assessment and Housing Land Monitoring Report must be taken into account. In accordance with the Council's guidance, three land agents who operate in the area have been consulted. It is noted that, whilst the applicant has undertaken this work and submitted the required sequential appraisal, they consider it to be unnecessary. In accordance with the published guidance, a 10% variation has been applied and the submitted appraisal considers sites that could accommodate between 44 and 54 dwellings.

9.26 Seven alternative sites within those parameters were identified, although each has been reasonably discounted. On the basis of the information provided, it is accepted that there are no sequentially preferable, suitable and available sites for the development proposed. As such, the sequential test is satisfied.

9.27 As residential accommodation classifies as a more vulnerable use, the applicant must also demonstrate compliance with the exceptions test. This test comprises two parts. Firstly, the applicant must demonstrate that the development would provide wider sustainability benefits to the community to outweigh the flood risk. It must then be demonstrated that the development could be made safe. In terms of the wider sustainability benefits, the applicant has noted that the scheme would reduce the housing shortfall, boost supply and improve choice and affordability. It is also suggested that it would create jobs both directly and indirectly and support inward investment. The development would increase local spend on goods and services thereby supporting community facilities and would sustain local schools. Local highway improvements would be provided and the Council would benefit from an increased revenue stream. Any highway works necessary to make a development safe cannot be considered as a community benefit and nor would it be appropriate to give weight to an increased Council revenue stream. However, the other benefits of the proposal are noted and agreed. On this basis, the first element of the exceptions test is considered to be met.

9.28 The application and the submitted flood risk assessment (FRA) has been considered by the Environment Agency, United Utilities, the Lead Local Flood Authority and the Council's Drainage Officer. The FRA is considered to be acceptable and, subject to the imposition of a condition on any permission granted to require compliance with that document, it is considered that the scheme would be safe from flood risk and would not exacerbate flood risk off-site. As such, the second part of the exceptions test is met. A detailed strategy for the drainage of surface water from the site and the long-term management and maintenance of this drainage scheme should also be agreed and secured through condition. It is considered that an acceptable drainage strategy based on sustainable drainage principles could be agreed. As such, and subject to the application of appropriate conditions, no drainage or flood risk issues are identified.

## ENVIRONMENTAL IMPACT

9.29 It is considered that the quality of controlled waters and ground and surface water bodies could be safeguarded through the agreement of a surface-water drainage scheme. The proposal has been considered by the Council's Environmental Protection team with regard to air quality. No information has been requested and no issues relating to potential air quality impact have been identified.

9.30 The potential for the site to be subject to land contamination is considered to be low but, in accordance with the precautionary principle, it is considered that further site investigation should be undertaken. Should the Council be minded to support the application, a condition could be attached to any permission granted to secure these works. On this basis, no unacceptable impacts on human health or the environment arising from land contamination are anticipated.

## INFRASTRUCTURE PROVISION AND OBLIGATIONS

9.31 Where a Local Authority has identified a need for affordable housing provision, the NPPF expects policies to be set requiring development proposals to contribute towards this need on site. The 2014 SHMA identifies the boroughs needs with regard to affordable housing and supports the requirement, as set out in draft Policy CS21 of the emerging Local Plan, for residential developments of 15 or more dwellings to include 30% affordable provision on site. The application proposes up to 49 dwellings and has proposed that 40% of the units would be made available on an affordable basis. This exceeds the minimum requirement and this weighs in favour of the scheme. These units should be provided on-site and should consist of a mixture of shared ownership or discounted sale housing and housing made available on an affordable rent basis. The affordable units should be predominantly two-bedroom. This could be secured through condition and the applicant has indicated agreement in principle.

9.32 Lancashire County Council as the Local Education Authority previously indicated a financial contribution that would be necessary to provide additional school places in the area to meet the needs generated by the development. However, it became apparent in advance of the Committee meeting in March that the approach taken towards the different A6 applications was inconsistent and potentially unfair. It was recognised that a bespoke approach had had to be taken with regard to the issue of cumulative highway impact and it was considered that a similar approach was likely to be required with regard to education provision. On this basis, in March Members were respectfully indicated to grant outline planning permission subject to conditions and S106 agreements but to delegate the agreement of heads of terms to the Head of Planning Services in respect of highway and education contributions.

Since that time Council officers have worked with LCC and this work is still ongoing. However, officers are confident that an equitable solution to ensure adequate local education provision to meet the needs generated by the development will be identified.

9.33 Policy H13 of the adopted Local Plan requires public open space to be provided within new residential developments and stipulates a rate of provision of 0.004ha per dwelling. A scheme of 49 units would equate to a requirement of 0.196ha. The indicative layout plan submitted with the application shows public open space to the south of the area identified for residential development and the necessary amount of public open space could be easily provided alongside the houses within the boundary of the red edge. As such, it is considered that this requirement could be met on site and secured by condition. Notwithstanding the response from the Council's Parks and Open Space Officer indicating that a financial contribution towards local off-site provision at Catterall playing fields could be an alternative to on-site provision, at this outline stage it is considered that on-site provision should be required. A subsequent application to vary any condition requiring on-site provision to off-site contribution instead could always be made if favoured by the developer and agreed by the local planning authority in consultation with the Parks Officer.

9.34 It is acknowledged that the development will have implications for health infrastructure but at present there is no mechanism adopted by the CCG that identifies the requisite health infrastructure needs arising from development nor how that can be equitably funded by developers in accordance with National Planning Practice Guidance and the CIL Regulations.

#### OTHER ISSUES

9.35 The sustainability statement submitted advises that, amongst other considerations, the scheme would enable the landowner to invest capital receipts into Garstang Country Hotel and Club in order to support its continued operation as a local sports facility. Whilst this intention is noted, there is no way for the Council to tie the delivery of this scheme to the continued operation of the golf club. Furthermore, officers are mindful that this argument has also been put forward in justification of application ref. 15/00891/OUTMAJ which proposes residential development on the existing golf club driving range. On this basis, no weight can be afforded to this consideration in this circumstance.

#### ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.36 The main thrust of the NPPF is the need to secure sustainable development. Sustainability comprises three dimensions; economic, social and environmental.

9.37 The land is not safeguarded for employment uses and the loss of agricultural land that would result is not considered to weigh notably against the proposal. The southern part of the site forms part of a Minerals Safeguarding Area. Policy M2 of the Joint Lancashire Minerals and Waste Local Plan is permissive of development on such land where there is an over-riding need for the development. Given the Council's inability to identify a five year housing land supply, it is considered that there is an over-riding need for residential development sufficient to justify the scheme proposed in accordance with this policy. Some employment would be created through the construction process and future residents would support local

businesses and public services. As such the scheme is considered to be economically sustainable.

9.38 The site is not designated for its landscape or environmental value. Through the imposition of appropriate conditions, biodiversity on the site could be safeguarded and enhanced and trees and hedgerows protected as appropriate through the agreement of a suitable landscaping scheme. The proposal would have a detrimental impact on the character of the immediate area and this would weigh against the proposal. However, it is considered that the extent of impact would be limited and that the character and function of the wider countryside would be preserved. Appropriate design could be secured at reserved matters stage. It is acknowledged that natural resources would be used as part of the development process. No unacceptable impacts on water, land or air quality are anticipated as a result of the development. On this basis, the proposal is considered to be environmentally sustainable.

9.39 The proposed development would represent an extension to Bowgreave village. The provision of up to 49 new homes would make a significant quantitative contribution towards meeting the borough's housing requirement weighs strongly in favour of the proposal. Affordable housing equivalent to 40% of the total residential development would be provided along with an appropriate level of public open space in accordance with the Council's requirements. A financial contribution towards local education provision would be sought to meet the additional need for school places generated by the development.

9.40 It is recognised that capacity issues exist at junction 1 of the M55 and that this is a limiting factor on development that can be supported within the A6 corridor. However, a range of improvement works have been identified to the local highway network in order to increase capacity, avoid undue delay and congestion, and improve facilities for travel by sustainable modes. The available capacity has been identified to be 176 two-way peak hour traffic impacts before junction 2 of the M55 and the Preston West Distributor (PWD) Route is committed. The level of development proposed by this application equates to 15 two-way traffic impacts. Bowgreave is considered to be the fourth (least) most sustainable settlement to support new development within the A6 corridor. This position reflects the fact that, with the exception of Garstang Community Academy, there are no facilities or services within Bowgreave. Instead, residents must travel to Garstang, Catterall or beyond to meet their day-to-day shopping and lifestyle requirements. Bowgreave residents are entirely dependent upon provision within other settlements for their day-to-day needs. Consequently, this scheme is considered to be the joint seventh most sustainable option in terms of location of all of the schemes proposed within the A6 corridor. When viewed in isolation and cumulatively with the other applications being recommended for approval, the development would be entirely dependent on junction 2 of the M55 and the PWD Route being treated as committed before it can come forward. Please refer to the introductory report for further detail.

## **10.0 CONCLUSION**

10.1 In light of the assessment set out above, and subject to the imposition of the conditions and planning obligations suggested within the report, the development proposed is considered to be in accordance with the aims and objectives of the NPPF. Whilst some matters weigh against the development, the adverse effects are not considered to significantly or demonstrably outweigh the benefits and therefore the development is considered to be acceptable.

10.2 A full list of conditions will be presented to members on the Update Sheet. Based on the officer recommendations of all items within this Committee Agenda, members are advised that this application would be subject to a Grampian style condition in relation to Junction 2 of the M55 and the Preston Western Distributor (PWD) route being committed before this development could come forward. In the event of J2 of the M55 and the PWD route gaining planning permission and being treated as a commitment prior to a decision on this outline planning permission being issued then a Grampian condition would no longer be relevant and need not be imposed.

## **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 members resolve to grant outline planning permission subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works, and that the Head of Planning Services be authorised to issue the decision upon the upon the agreement of heads of terms with regard to the contributions towards the highway initiatives to be determined by LCC Highways and the satisfactory completion of the s106 agreement.

12.2 Whilst it is recommended that a Grampian condition be imposed to prevent commencement of any development until and unless planning permission has been granted for the development of Jct 2 M55 and the PWD, it is considered that a decision on that scheme is likely to be made within the next two months. Due to the time that it will take to negotiate the s106 agreement, it is likely that Jct 2 M55 and the PWD will be a commitment (i.e. it will have the benefit of planning permission) before the decision on this application is issued. If that is the case the Grampian condition would be unnecessary and members are asked to authorise the Head of Planning Services to issue the decision without such a condition under those circumstances.

### **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.

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. As part of any reserved matters application where layout is applied for, no built development shall be provided outside of the "Development Parcel" area in the northern part of the application site as illustrated on the Indicative Parameters Plan drawing ref. 15040 01-B submitted with the outline application.

Reason: In order to ensure an acceptable visual impact in the defined countryside and to prevent a coalescence between the settlements in accordance with saved policy SP13 of the Wyre Borough Local Plan (1999).

3. No part of the development hereby approved shall commence until a scheme for the construction of the site access in the location identified on plan 882-F02 and the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority together with a timetable for implementation. The site accesses and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- Main Site access junction on to Calder House Lane, provision of footways, street lighting and gateway signing
- Provision of traffic calming on Garstang Road as shown on drawing 882-F03
- Public Transport facilities to quality bus standard on A6 - details of the stops to Quality Bus Standard to be agreed (2No bus stops - 1 northbound and 1 southbound)

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

4. The visibility splay identified as that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of the Calder House Lane to points measured 43m in each direction along the nearer edge of the carriageway of Calder House Lane, from the centre line of the access, shall be constructed and maintained at footway / verge level in accordance with a scheme to be agreed in writing by the Local Planning Authority in conjunction with the Highway Authority prior to commencement of development. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined 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 adequate visibility splays are maintained at all time.

5. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:



- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site
- xi. intended hours of work
- xii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

6. No development shall commence until an Interim Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Interim Travel Plan shall be implemented in accordance with the timetable contained therein unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides sustainable transport options.

7. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and 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:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units.

- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF and to reflect the level of provision proposed by the applicant in the application submission.

8. Prior to commencement of the development, the design of a scheme for the drainage of foul and surface water, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (A xi) and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority.

(A) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- ix. floodwater exceedance routes both on and off site;
- x. a timetable for implementation, including a timetable for when attenuation basins / storage and flow control devices are to be constructed and operational;
- xi. evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates.

(B) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed pre-development Greenfield run off rate.

(C) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

The approved drainage scheme shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water, to protect drinking water supplies, to ensure site drainage during the construction process does not enter the watercourses at un-attenuated rate to prevent a flood risk during the construction of the development and to protect the adjacent railway from the risk of flooding and pollution in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

9. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and approved in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and

b. Arrangements concerning appropriate funding mechanisms for ongoing maintenance of all elements of the sustainable drainage system, and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved scheme.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

10. The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (Ref: 5936/R1, dated November 2015) submitted with this outline application and the following mitigation measures detailed within the FRA:

1. The development platform is contained within Flood Zone 1.

2. Provision of compensatory flood storage on a level for level basis is provided as per the hydraulic model (RPS, November 2015), which has been submitted to and verified by the Environment Agency. This is to compensate for all land on site that is raised out of Flood Zone 2 and 3.

The mitigation measures shall be fully implemented prior to first occupation or subsequently 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.

Reason: To reduce the risk of flooding to the proposed development and future occupants; and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

11. With the exception of those trees identified for removal on the Tree Location Plan (contained within the Tree Report submitted with the planning application) all trees on site shall be retained as part of the development unless otherwise agreed in writing by the local planning authority. Prior to the commencement of any works or development on site, a tree protection plan and arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated / approved as being retained. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity (removal of those trees may require further bat surveys to be carried out) in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan.

12. No works to trees or shrubs shall occur between 1st March and 31st July (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

Reason: In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.

13. Prior to the commencement of development, a landscape and habitat creation and management scheme shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of elements to mitigate for loss of any hedgerows, trees and bird nesting habitat; provide continuous terrestrial connectivity along the boundaries of the development for species movement; and enhance the value of the site for wildlife through, for example, new structure planting. The scheme shall thereafter be implemented in accordance with the approved details / timescale.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

14. 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.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

15. 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 well-constructed ground slab, a low permeability gas membrane, minimum penetration (ideally none) of the ground slab by services, and passive ventilation to the underside of the building.

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. 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. Results shall be submitted for approval in writing by the Local Planning Authority.

Reason: In order to ensure that the development would be suitably protected against potential gas ingress in order to safeguard the environment and human health.

16. 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 equivalent policy in an adopted Local Plan that replicates the existing Local Plan, 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 agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

17. Prior to the installation of any external lighting, an artificial lighting assessment shall be submitted to and agreed in writing by the Local Planning Authority which demonstrates that artificial lighting will be designed so that it is not intrusive to visual amenity or to boundary features which are important habitat for bats. The lighting shall be installed in accordance with the approved details.

Reason: In order to safeguard visual amenity and biodiversity in accordance with saved policies SP13 and SP14 of the Wyre Borough Local Plan (1999) and the NPPF.

**Notes: -**

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.

2. The watercourse Little River Calder adjoining the site is designated a Main River. Therefore under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency (EA) is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Little River Calder. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within the 8 metre easement without their prior consent. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the EA for consideration. The EA has a right of entry to the Little River Calder 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. The developer must contact the EA to discuss their access requirements.

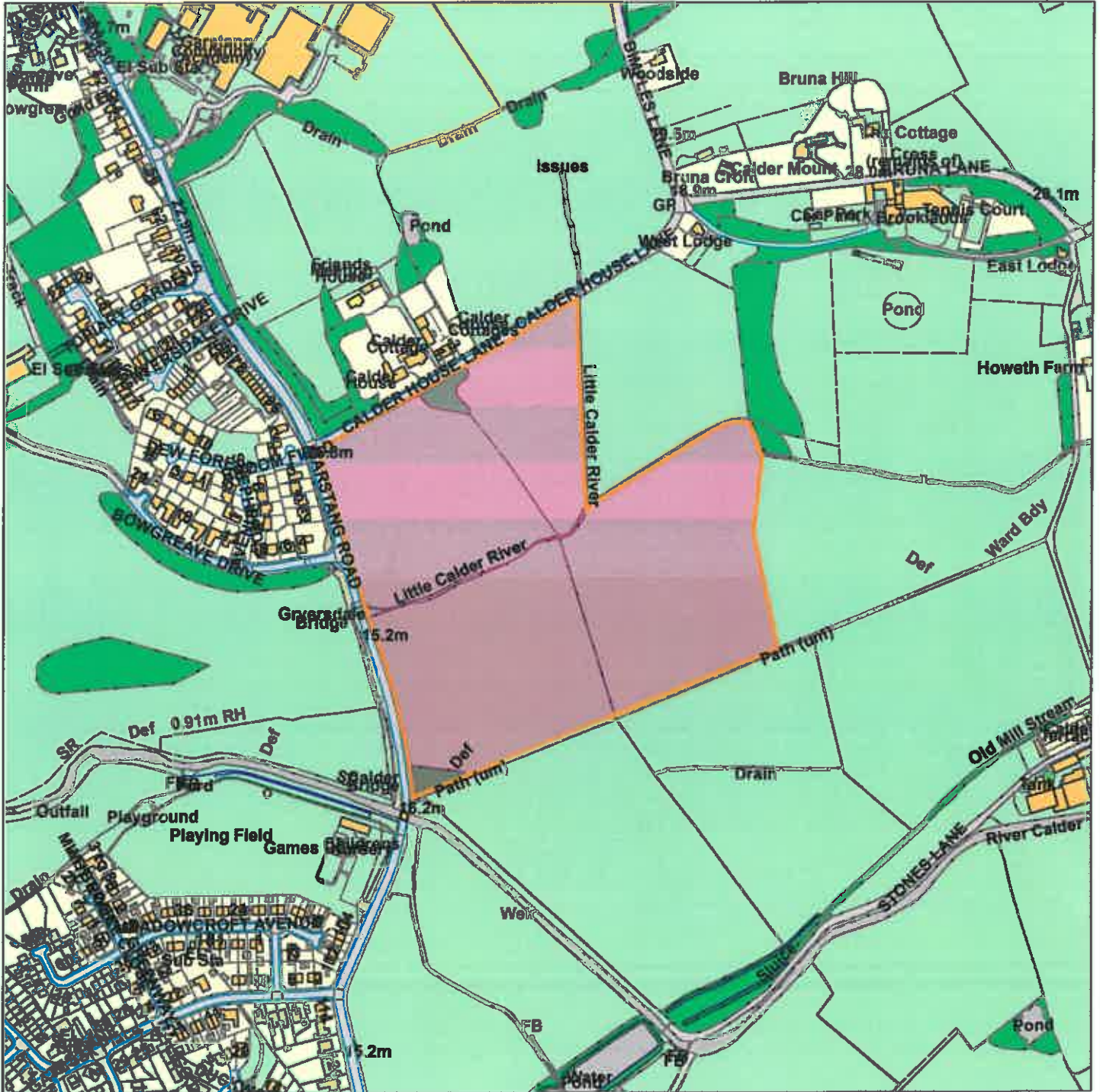
3. For the avoidance of doubt, the response from LCC Lead Local Flood Authority does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land 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> neither does the response grant the applicant permission to connect to the highway drainage network. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

arm/rg/pla/cr/17/0609nc4

# Item 1

## Planning Committee

15/00928/OUTMAJ - Land of CalderHouse Lane, Barnacre



Scale : 1:4939

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	24 August 2017
SLA Number	100018720

**Committee Report****Date: 06.09.2017**

<b>Item Number</b>	<b>2</b>
<b>Application Number</b>	<b>16/00651/OUTMAJ</b>
<b>Proposal</b>	<b>Outline application for the erection of 22 dwellings with associated infrastructure.</b>
<b>Location</b>	<b>Land South Of The A586 Great Eccleston</b>
<b>Applicant</b>	<b>Ferrari's Country House Ltd</b>
<b>Correspondence Address</b>	<b>c/o De Pol Associates Ltd Farington House Stanifield Business Park Stanifield Lane Leyland Preston PR25 4UA</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION**

1.1 This application is before the Committee at the request of Councillor Catterall. Members will have the benefit of a site visit in advance of the Planning Committee meeting because the nature of the site and surrounding area cannot be adequately conveyed through photographs.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application relates to a 0.9ha site on the southern side of the A586 in Great Eccleston. The land is bounded by the A586 main road to the north, by properties fronting Butts Lane to the east, by Back Lane to the south with the main body of the settlement beyond, and by a warehouse use to the west. On the site presently stands two buildings and a structure close to the southern boundary along with some areas of hardstanding. The majority of the site is grassland bound mainly by hedgerows including some established trees.

2.2 The land is agricultural grade 2. It falls outside of flood zones 2 and 3 and any Minerals Safeguarding Areas or Conservation Areas. There are no Biological Heritage Sites either within or in close proximity to the site. There are protected trees along the southern and eastern boundaries. There is a Listed Building (the Jahan restaurant) fronting High Street to the south. Public rights of way run along Back Lane to the south and Butts Lane to the west.

**3.0 THE PROPOSAL**

3.1 The application seeks outline planning permission for the erection of up to 22 dwellings. All matters are reserved for later consideration.



3.2 The application is supported by a:

- Planning statement
- Design and access statement
- Ecology assessment
- Transport impact review

3.3 Since first submission, an additional plan has been submitted to demonstrate that a safe and appropriate point of access from the A586 could be provided. This proposal would include the relocation of the existing lay-by and so local residents have been re-notified of the application by means of new site notices and new letters.

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

4.1 No recent, relevant planning history identified.

#### **5.0 PLANNING POLICY**

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

5.1.1 The Framework sets out a presumption in favour of sustainable development (para 14). Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible.

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

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

5.1.4 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. In rural areas, new housing should be located where it would enhance or maintain the vitality of existing communities. Isolated new homes should be avoided unless special circumstances can be demonstrated.

5.1.5 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in delivery.

5.1.6 Section 10 considers the challenge of climate change, flooding and coastal change. Inappropriate development in areas of flood risk should be avoided and the sequential test should be applied to direct development away from the areas

of highest risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere.

5.1.7 Section 11 aims to conserve and enhance the natural environment. This sections states that impacts on biodiversity should be minimised and net gains provided where possible.

5.1.8 Section 12 seeks to conserve the historic environment. Development that would cause harm to a heritage asset must be weighed against the benefits of the scheme with regard to the level of impact and significance of the asset affected, including its setting.

## 5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 Flood Risk and coastal change - this section expands upon the NPPF and explains the need to direct new development towards areas of lowest flood risk, concentrating on flood zone 1, and ensure that development would be safe and not lead to increased flood risk elsewhere.

5.2.2 Conserving and Enhancing the Historic Environment - this section gives guidance to decision-makers and considers designated and non-designated heritage assets.

5.2.3 Health and well-being - this section sets out the links between health and planning and the need to encourage opportunities for community engagement and healthy lifestyles.

5.2.4 Natural Environment - this section explains key issues in implementing policy to protect biodiversity, including local requirements. Particular reference is given to landscape, biodiversity, ecosystems, green infrastructure, brownfield land, soils and agricultural land.

5.2.5 Open space, sports and recreation facilities, public rights of way and local green space - this section explains how such areas and facilities should be taken into account in planning decision-making.

5.2.6 Rural housing - this section makes it clear that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the viability of facilities and services and the broader sustainability of villages and smaller settlements.

5.2.7 Travel plans, transport assessments and statements in decision-taking - this section discusses what these documents are, how they relate to one another, why they are important and what should be taken into account in their preparation.

## 5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The following saved policies are of most relevance:

- SP2 - Strategic location for development
- SP8 - Definition of small rural settlements
- SP12 - Defined open areas
- 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

#### 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 following emerging policies are of most relevance:

- CS1 - Spatial strategy for Wyre: distribution of development
- CS2 - Spatial strategy for Wyre: settlement and centre hierarchy
- CS8 - Strategy for central rural plain
- CS13 - Sustainable development
- CS14 - Quality of design
- CS16 - Transport, accessibility and movement
- CS17 - Infrastructure and community facilities
- CS18 - Green infrastructure
- CS19 - Biodiversity and geodiversity
- CS21 - Affordable housing
- CS24 - The countryside
- CS25 - Flood risk and water resources
- CS28 - The historic environment

#### 5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 SPG2 - Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

#### 5.6 EVIDENCE BASE DOCUMENTS

5.6.1 WYRE AFFORDABLE HOUSING VIABILITY STUDY OCTOBER 2010 - this study identified that the level of viability for residential developments across the Borough could only sustain a maximum of 30% affordable dwellings, although in some areas it would be a lesser percentage.

5.6.2 FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (SHMA) 2013 - 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 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 GREAT ECCLESTON PARISH COUNCIL - objects. Exit onto the A586 would be dangerous due to vehicle speeds and would set a precedent for additional access points. The access proposals are unacceptable. The existing layby which is used by many accessing the village would be lost. There is a lack of infrastructure to support the development, particularly health facilities, public transport, footpaths and street-lighting. In response to a previous enquiry about the use of the land as a car park, access onto the A586 was deemed to be unsuitable.

6.2 NATURAL ENGLAND - if undertaken as proposed, it is not likely that the proposal would have a significant effect on the interest features for which the Morecambe Bay Ramsar and SPA have been classified. An Appropriate Assessment is therefore not necessary. It is also considered that the scheme would not damage or destroy the interest features for which the Wyre Estuary and Lune Estuary SSSIs have been notified. Standing advice is in place in relation to protected species. The LPA should consider potential impact on protected species and on any locally or regionally designated sites.

6.3. HIGHWAYS ENGLAND - no objection.

6.4 ENVIRONMENT AGENCY - no comments.

6.5 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) -

6.5.1 Initial response - November 2016 - a number of issues with regard to access onto the A586 are identified. Any vehicle parked in the lay-by would impede visibility to the east and so the lay-by should be re-sited. Local residents should be consulted on any re-sited layby to avoid objections at S278 stage. A traffic island/pedestrian refuge should be provided to the east of the access to provide a safe haven for right turning vehicles. This would increase the length of hatching. Access radii of 10m should be provided. A right turn lane could cause conflict with access to the Great Eccleston show ground. The plans should show access to this site and demonstrate that safe manoeuvring could be accommodated. Sightlines should be to Design Manual for Roads and Bridges standards and based on 85th percentile speeds. A 2.4m set-back for the visibility splay would, however, be acceptable. A stage 1 safety audit should be provided for the A586 junction. An accident analysis over 5yrs should be undertaken. The site must be linked to local services and so improvements to surfacing would be required along with the provision of lighting to create a safe route. Back Lane would not be suitable for all-purpose access. The trip rates used are lower than those accepted elsewhere and so appropriate trip rates are recommended. Subject to the improvement of pedestrian access to the village centre, no contribution towards public transport would be sought. Access would be preferable as a detailed matter. Officer response: these issues were raised with the applicant. It was not considered necessary or reasonable to require the applicant to agree access as a detailed matter. It is common for major

outline applications to simply demonstrate that a safe point of access can be provided, with detailed design then provided and agreed at reserved matters stage.

6.5.2 Final response - July 2017 - LCC provided comments to Wyre BC in February 2017 in respect of the local plan. LCC identified that new housing development could be supported in Great Eccleston, but the application site was not one of the sites considered as part of this process. Since the comments made in November, the developer has undertaken a highway review and has amended the site plans. An addendum to the Transport Statement (TS), a second review of highway implications (RH12) was produced and no additional information is now required. LCC considers that, subject to the provision of a safe access, it is unlikely that traffic would have an impact on overall road safety in the vicinity. No assessment of the junction has been carried out but, given existing and proposed traffic levels, no concerns are identified. Concern has been raised over the capacity of the A6/A586 junction. The revised information predicts 13 traffic movements from the site at the AM peak and 15 in the PM peak. Based on distribution, 7 would be to or from the east. It is estimated that 4 vehicles per peak hour would use the A6/A586 junction and this could be considered immaterial and part of background traffic growth.

6.5.3 The site is conveniently located in relation to the centre of Great Eccleston. No vehicle access towards the centre is proposed and this is appropriate given the condition of Back Lane. The developer has agreed to a pedestrian/cycle link and to the improvement of the surface of Back Lane and the introduction of street lighting. These works would be secured through a S278 legal agreement. The scale of development would not warrant a travel plan but welcome packs advising of sustainable travel options should be provided. The access to the site from the A586 would be via a ghost island with central pedestrian refuge which would be acceptable. The junction would have to be illuminated and the existing lay-by relocated. It has been shown that the necessary sight-lines are easily achievable within highway limits. However, the sightlines would end at the start of the relocated layby and so parked vehicles could impede visibility if 85th percentile speed limits exceed 50mph. As such, a speed survey should be undertaken along with a road safety audit to determine the exact position of the layby as part of detailed design.

6.5.4 When designing the internal layout, the developer should take account of the guidance in Manual for Streets 1 & 2, Creating Civilised Streets and the LCC specification for the construction of estate roads. Sustainable drainage systems under the highway would only be acceptable where adopted by United Utilities or where only used for highway surface water. Adoptable highway surface water systems must not be used for attenuation of surface water from elsewhere. Overall, no objection is raised subject to the imposition of four conditions. These would require the agreement of a Construction Method Statement, the delivery of highway works on the A586, the delivery of improvements to Back Lane, and would prevent occupation until this is done.

6.6 LANCASHIRE COUNTY COUNCIL (FLOOD) - surface water should be managed in a sustainable manner to mimic natural flows and reduce flood risk. Schemes should be designed in accordance with published standards with run-off restricted to greenfield rate. Surface water should be drained in accordance with the established hierarchy and it must be demonstrated that infiltration could not be implemented before other options are considered. Exceedance and flow balancing should be considered. An appropriate flood risk assessment should be undertaken and submitted. Development should not result in a deterioration in the quality of any waterbody. Pollution control measures may be required. Works to a watercourse may require land drainage consent. Protected species should be considered. Permeable

paving for driveways should not be included in drainage calculations and permeable highway surfaces should be agreed with the local highway authority. No objection is raised subject to the imposition of two conditions. These would require the agreement of a surface water drainage system and a lifetime maintenance and management plan for that system. Two advice notes are also recommended. Officer response: as the site is less than 1ha in area, there is no requirement for the applicant to submit a flood risk assessment.

6.7 LANCASHIRE COUNTY COUNCIL (EDUCATION) - no contribution towards primary provision would be sought but provision for 3 secondary school places at Hodgson Academy amounting to £64,269.81 is requested. The assessment is based on the properties having four bedrooms but the contribution would have to be reassessed once accurate information became available. The assessment has been made in accordance with the published methodology.

6.8 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY) - no response received in time for inclusion in this report. Any comments that are received in advance of the Committee meeting will be communicated through the update note.

6.9 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - the comments of Natural England are agreed. The site is surrounded by built development and so unsuitable for use by the species of importance to the SPA. The survey submitted has used reasonable effort to assess the site. The grassland is stated to be species poor, semi-improved and there is no reason to dispute this. The hedgerows on site are priority habitat but not 'important' under the relevant regulations. A landscaping scheme should be conditioned and any loss of hedgerow must be mitigated. It is suggested that the trees on site could be retained. Any loss would have to be supported by an assessment of their suitability to support bats and a suitable condition should be imposed to this effect. The buildings on site are reported to be unsuitable for bats and there is no reason to dispute this. There is some Japanese knotweed on site and a condition should be imposed to require the agreement of a methodology for its removal. All trees and hedgerows should be protected during construction and this should be conditioned. Vegetation should not be cleared during bird nesting season unless it is demonstrated that nesting birds are absent. There is a pond 250m but it is separated from the site by built development and so it is agreed that the presence of great crested newts can be reasonably discounted. No further assessment is necessary.

6.10 LANCASHIRE CONSTABULARY - site layout should maximise natural surveillance. A cul-de-sac arrangement with one vehicular entrance route is recommended. All doors and windows should be to appropriate standards. The development should be to Secured by Design standards. Rear boundary treatments should comprise 1.5m high close-boarded fencing with trellis above up to 1.8m. Lockable gates 1.8m in height should be provided. A 1m high boundary treatment should be provided to the front of properties. Dwellings should have dusk-until-dawn lighting and this should cover entrance points and garages. Dwellings should have intruder alarms.

6.11 WBC HEAD OF PUBLIC HEALTH AND COMMUNITY SAFETY (LAND CONTAMINATION) - a standard condition should be attached to any permission granted to require the submission of a desk top study.

6.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY) - no assessment required and no comments offered.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ODOUR) - no comment.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (DUST) - no comment.

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE) - no noise assessment is necessary but a condition is recommended to be attached to any permission granted to safeguard health and quality of life. This condition would limit noise levels indoors and in private garden areas.

6.16 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - no objection in principle. Full details of surface water drainage should be provided and agreed prior to development. Surface and foul water should be drained on separate systems. Surface water should not drain into the combined system and should be limited to a discharge rate of 5 litres per second.

6.17 WBC OPERATIONS (PARKS AND OPEN SPACES) - no comments subject to appropriate management and maintenance being secured.

6.18 WBC OPERATIONS (TREES) - the tree survey submitted is accurate and appropriate in detail. The site plan submitted suggests that all trees would be retained and this is welcomed. Plots 12, 13 and 22 could experience some shading from trees along the eastern boundary but these trees also provide some screening from the adjacent warehouse. Access from the A586 would require the loss of hedgerow but this would be acceptable subject to suitable mitigation planting to be agreed.

## **7.0 REPRESENTATIONS**

7.1 Twenty-eight representations have been received raising the following issues:

- No need for housing
- Cumulative impact
- Impact on character of settlement
- Development would be over-bearing
- Excessive in scale and density
- Out-of-character with area
- Loss of agricultural land
- Loss of greenspace
- Development should be on brownfield land
- Properties would not be affordable
- No employment for residents
- Local services including schools and medical provision cannot support the increase in housing
- Local roads unsuitable and in poor condition
- Inadequate pavements
- Existing traffic volumes and vehicle speeds
- Impact on highway safety
- Increase in traffic congestion
- Inadequate parking within village centre and as part of the development
- Public transport is poor

- Loss of layby
- Increased strain on drainage and increased risk of flooding
- Loss of water pressure such that efficient boilers could not operate
- Development would set a precedent
- Increase in local unemployment
- Previous plans were rejected
- Information submitted is unreliable
- Needs to be considered in light of developments in Fylde
- Loss of view
- Impact on tourism

7.2 A letter has been received from Ben Wallace MP who objects on the basis of loss of greenfield, agricultural land and the increase in traffic and consequential impact on highway safety that could result.

7.3 The Committee is respectfully reminded that preference for development on other sites and loss of views are not valid planning considerations. The provision of an adequate water supply and foul water drainage is the responsibility of United Utilities. The previous development proposals referred to date back to 1995 and earlier. The boroughs of both Fylde and Wyre fall within the jurisdiction of Lancashire County Council in its capacity as Local Education Authority and Local Highway Authority. The application is considered to be sufficiently accurate and detailed to enable a proper assessment of the proposal.

## **8.0 CONTACT WITH APPLICANT/AGENT**

8.1 Dialogue has been maintained with the agent throughout to keep them apprised of progress and consultee comments, and to seek clarification and additional information where necessary.

## **9.0 ASSESSMENT**

9.1 The main issues are considered to be:

- Principle of development
- Housing land supply
- Impact on the countryside
- Loss of agricultural land
- Housing density and mix
- Amenity impact
- Landscape and visual impact
- Heritage impact
- Access, parking and highway safety
- Ecological and arboricultural impact
- Flood risk and drainage
- Environmental impact
- Infrastructure and planning obligations
- Sustainability and planning balance

## **PRINCIPLE**

9.2 The application site falls within designated countryside. Policy SP13 of the adopted Local Plan seeks to prevent development within the countryside in order to protect its intrinsic open and rural character. Certain exceptions are listed but none



would apply to the development proposed. Policy SP12 of the plan is also relevant, this defines open areas on the edge of settlements, one of which is the application site, and states that development proposals on these sites will be resisted. Whilst Policies SP12 and SP13, along with Policies SP2 and SP8, are saved policies of the Local Plan, they must be considered in light of the National Planning Policy Framework which is a more recent expression of planning policy published in March 2012. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, the NPPF makes it clear at paragraph 49 that policies relating to the supply of land must be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. This will be discussed in the section below. Compliance with Policies SP12 and SP13 will otherwise be discussed in the section that considers impact on the countryside. The recently published Wyre Settlement Study places Great Eccleston sixth in the rank of borough settlements. As this ranking is based on considerations of size, accessibility, services, facilities and employment opportunities, it is considered to be a valid indication of the sustainability of the settlement. The sustainability of the site in terms of accessibility and connectivity is considered in the highway impact section of this report and in the assessment of sustainability.

## HOUSING LAND SUPPLY

9.3 The housing requirement for the borough was originally identified in the adopted Local Plan and set out in policy H1. This was then superseded by Policy L4 of the North West Regional Spatial Strategy (NWRSS). The NWRSS was revoked in May 2013. As the emerging Local Plan is not yet adopted, there is no up-to-date housing requirement for the borough set out in the Development Plan. The Fylde Coast Housing Market Assessment (SHMA) 2013 and subsequent updates represent the most up-to-date assessment of objectively assessed housing need. The Council has accepted a housing need of 479 new dwellings per annum between 2011 and 2030. As of September 2016, the Council had identified a 4 year supply of housing land, but this does not take into account any permissions for residential development granted since then. It is noted that the Planning Committee resolved to grant planning permission for 649 new houses along the A6 corridor on 22nd March 2017 and this will be reflected in the 31st March 2017 housing land supply report currently being prepared. Nevertheless, current indications are that the Authority is not able to identify sufficient deliverable sites to provide a five year supply of housing land based on the objectively assessed requirement. As such, the restrictive approach toward new development in the countryside as set out in Policy SP13 of the Local Plan must be considered to be out-of-date.

9.4 Paragraph 47 of the Framework makes it clear that one of the government's key objectives is to significantly boost the supply of housing with paragraph 17 noting that every effort should be made to objectively identify and then meet the housing needs of an area. The current application seeks outline planning permission for the development of up to 22 new homes on the site. This would represent a quantitative contribution towards meeting the boroughs housing requirement that weighs notably in favour of the application.

## IMPACT ON THE COUNTRYSIDE

9.5 Notwithstanding the position with regard to housing need, the supporting text to Policy SP13 makes it clear that the overall intention of the policy is to protect the inherent character and qualities of the Countryside. Similarly the intention of Policy SP12 is to safeguard land that contributes to the distinctiveness, setting, character and visual amenity of rural settlements. These intentions accord with the

Framework to the extent that paragraph 17 expects new developments to take account of the different roles and characters of different areas, including the intrinsic character and beauty of the countryside.

9.6 The Council's emerging draft Local Plan is due to be presented to the Council for approval on 7th September 2017 but, as it has not been submitted for examination, is nevertheless still at a relatively early stage of development. Nevertheless, there is an acknowledgement that a significant amount of development will have to take place on open land and countryside around existing settlements in order for the boroughs housing needs to be met and sustainable economic growth to be delivered in line with the requirements of the National Planning Policy Framework. It is therefore inevitable that the character of rural villages will change and that the wider countryside will experience some erosion around existing settlements. As such, in this instance and in light of the boroughs housing need, it is considered that limited weight can be attached to Policies SP12 and SP13.

9.7 Despite its size and designation, the application site does not have the characteristics of open countryside, but instead has the characteristics of an infill plot being bounded by a main road (the A586) to the north and by residential development to the east, south and west. A relatively high hedge runs along the boundary with the A586 preventing clear views into or through the site. The development proposed would not result in any encroachment into open countryside. Notwithstanding the position of Little Eccleston immediately to the north-west, Great Eccleston would continue to be surrounded by large tracts of open countryside on all sides. On this basis, no unacceptable impact on the character and function of the wider countryside area is anticipated. Whilst it is accepted that the scheme would result in a localised visual impact, the impact on the character of the local countryside and wider settlement would be limited.

#### LOSS OF AGRICULTURAL LAND

9.8 The application site falls within Agricultural Classification Grade 2 and so is considered to be very good quality agricultural land. However, the site is segregated by the main road and, at less than a hectare, is considered unlikely to have significant agricultural value. On this basis, its loss as agricultural land is not considered to weigh materially against the proposal.

#### HOUSING DENSITY AND MIX

9.9 The provision of 22 dwellings on a 0.9ha site would generate a gross housing density of 24.4 dwellings per hectare. Great Eccleston as a settlement contains an organic mix of large, well-spaced, detached properties and clusters of higher density terraced houses and cottages. As such there is a high degree of housing mix and variety. It is acknowledged that the majority of dwellings along the A586 frontage are sizeable and set within generous plots whereby they are well set-back and well-screened from the main road. The indicative plan submitted suggests that ten more modest properties would front the A586 in closer proximity than many of the existing houses. However, it is also noted that the Council's affordable housing officer has requested the provision of some flat units and it is also acknowledged that matters of scale and layout are not relevant for consideration at this stage. Consequently, it is considered that an acceptable layout including a suitable housing mix could be agreed at a later date and that the proposed housing density is therefore reasonable.

## IMPACT ON AMENITY

9.10 The application seeks to agree the principle of development with layout reserved for later consideration. There are existing residential properties immediately to the west and to the south on the opposite side of Back Lane. There is a warehouse to the east and a number of commercial properties to the south-east. The provision of housing on the site is not anticipated to cause any amenity issues to existing residents relating to noise or activity. However, the A586 and the commercial uses to the east could be a source of potential noise nuisance to the proposed properties. The application has been considered by the Council's Environmental Protection team. No additional information is required but a condition to limit noise levels arising from proximity to the A586 has been requested. The requisite separation distances required to protect privacy and levels of daylight and outlook could be secured at reserved matters stage should the Council be minded to support the scheme. On this basis, and subject to the imposition of a condition relating to maximum noise levels, no unacceptable amenity impacts are anticipated.

## LANDSCAPE AND VISUAL IMPACT

9.11 The applicant has not submitted a Landscape Assessment but no such appraisal is considered to be necessary given the site context. The site is relatively small in size and is surrounded by existing built development on three sides with the busy A586 immediately to the north. There is a public bridle way to the south of the site along Back Lane.

9.12 When viewed from the A586 on either approach and from the countryside beyond, the development would be seen against the backdrop of Great Eccleston village. It would essentially appear as infill development, albeit on a relatively large scale. It is acknowledged that the development would have an enclosing impact on part of the bridle way that could affect its character. However, the bridle way itself is short and runs through the village connecting two public rights of way and linking into the village centre. The majority of the bridleway is enclosed on either side. Whilst some open views would be lost, these would be limited. The development would be visible from the surrounding properties but it is noted that these sit within the main body of Great Eccleston village and are similarly surrounded by built development.

9.13 In light of the above, no significant visual impact on the wider countryside around Great Eccleston is anticipated. It is acknowledged that the development proposed would have a localised visual impact. However, this is inevitable for a development of this scale on open land. The visual impact of the scheme could be minimised through the agreement of appropriate layout, scale, design and landscaping at reserved matters stage. On this basis, no unacceptable visual impact is anticipated from the development of the site as proposed.

## HERITAGE IMPACT

9.14 Whilst it is noted that there is a listed building in relatively close proximity to the site, it is separated by intervening land including built development. As such it is not easily visible from the site. Given this relationship, it is not considered that the proposal would have a material impact on the appearance or setting of the listed building. Consequently, the scheme would not affect its significance as a designated heritage asset and no issues are identified.

## ACCESS, PARKING AND HIGHWAY SAFETY

9.15 The application has been considered by both Highways England and Lancashire County Council (LCC) who are the Highway Authorities for the strategic and local highway networks respectively. Highways England has previously raised concern in relation to larger scale developments along Copp Lane and the potential for future impact on the Thistleton junction with the A585. In this case, however, given the level of traffic that would be generated by the development, the location of the site, and the number of alternative route options available, no objection is raised.

9.16 LCC has considered the impact on the local network, principally the area around the site and the junction of the A586 and A6. Again, given the level of traffic that would be generated by a development of this scale, and the number of route options available, no unacceptable impact on junction capacity is anticipated. It is recognised that the site is in close proximity to the centre of Great Eccleston village where a modest range of shops and services are available along with connection to the public transport network. This weighs in favour of the scheme. Whilst Back Lane is not suitable for vehicular traffic, the developer has agreed to fund the improvement of the surface of this lane and install street-lighting and this would be secured through condition. This would significantly improve connectivity between the site and the centre of the village and would increase sustainability. It would also better integrate the houses with the existing settlement. In addition, Back Lane is a public right of way and so the improvements proposed would benefit general use and enjoyment of it as well as accessibility.

9.17 The site would be accessed from the A586 although details are not proposed for approval at this stage. Initially LCC raised objection against the proposed access but, since that time, revised plans have been submitted that show an improved access incorporating illumination, a ghost island, a pedestrian refuge and new road markings. It is also proposed that the existing lay-by be relocated some 150m to the north-east. Adequate sight-lines could be achieved. As such, subject to detailed design, this is considered to be satisfactory and no unacceptable impacts on local highway safety are now anticipated.

9.18 The application seeks outline planning permission only with all matters reserved. As stated above, LCC are now satisfied that a safe point of vehicular access could be provided. The internal layout of the site along with parking provision would be agreed at reserved matters stage should planning permission be granted. It is noted that advisory packs are recommended to inform home-owners of sustainable travel options, but that LCC has not required this by condition. Given the scale of development proposed, it is not considered that such information packs could reasonably be required but an advice note could be attached to any permission granted to suggest that they be provided to new home-owners.

9.19 In light of the above, no unacceptable impacts related to access, highway safety or parking are expected.

## ECOLOGICAL AND ARBORICULTURAL IMPACT

9.20 The site is not considered to be of significant ecological value. The hedgerows are priority habitats but do not classify as 'important' and are of local value only. Some hedgerow will have to be lost to facilitate the provision of an access to the site. This and any other loss of hedgerow must be mitigated through a suitable landscaping scheme and this could be secured at reserved matters stage should outline consent be granted. Any trees to be lost should be surveyed to ascertain their

suitability for bats and this could be secured through condition. The buildings on site are considered to be unsuitable for bats and so their removal does not raise any issues. The site is also considered unlikely to support great crested newts. Japanese knotweed is present on site. This is an invasive species and so a method plan for its removal must be secured through condition. A condition should also be attached to prevent vegetation clearance when nesting birds are present.

9.21 The existing trees and hedgerows on site that are to be retained must be protected during construction and this can be secured through condition. The Council's tree officer has noted that some of the trees to be retained could overshadow some of the properties shown on the indicative layout plan. However, site layout is not a matter for consideration at this stage. Any issues in this regard would have to be addressed at reserved matters stage through the agreement of layout and landscaping.

9.22 In light of the above and subject to the conditions listed below, no unacceptable ecological or arboricultural impacts are anticipated.

#### FLOOD RISK AND DRAINAGE

9.23 The site falls within flood zone 1 and is less than 1ha in area. As such there is no requirement for the applicant to submit a flood risk assessment or demonstrate compliance with the sequential or exceptions tests. The application has been considered by Lancashire County Council as the Lead Local Flood Authority (LLFA) and the Council's Drainage Officer and no objections have been raised. Two conditions are recommended to require the agreement of a surface water drainage scheme and an associated lifetime management and maintenance plan. Subject to the imposition of these conditions, no unacceptable flood risk or drainage issues are identified.

#### ENVIRONMENTAL IMPACT

9.24 It is considered that the quality of controlled waters and ground and surface water bodies could be safeguarded through the agreement of a surface-water drainage scheme.

9.25 Given the scale of development proposed and the site context, no issues in relation to air quality have been identified.

9.26 In respect of potential land contamination, the Council's Environmental Protection team has requested that a condition be attached to any permission granted to require the submission of a desk top study. Should this study identify potential contamination, details of further investigation and any necessary remediation works would also be required. Subject to the imposition of this condition, no unacceptable impacts on human health or the environment arising from land contamination are anticipated.

#### INFRASTRUCTURE AND PLANNING OBLIGATIONS

9.27 Where a Local Authority has identified a need for affordable housing provision, the NPPF expects policies to be set requiring development proposals to contribute towards this need on site. The 2014 SHMA identifies the boroughs needs with regard to affordable housing and supports the requirement, as set out in draft Policy CS21 of the emerging Local Plan, for residential developments of 15 or more dwellings to include 30% affordable provision on site. The application proposes up to

22 dwellings which would equate to a requirement for 7 affordable units. These should be provided on-site and should comprise six two-bed apartments and one two-bed house for affordable rent. This could be secured through condition and the applicant has indicated agreement in principle.

9.28 On the basis of the information provided, Lancashire Education Authority would require a financial contribution of £64,269.81 towards the provision of three additional secondary school places at Hodgson Academy in Poulton-le-Fylde. No additional primary school places are considered to be necessary at the current time. This would need to be reassessed at the point of determination and when accurate bedroom information became available. These monies would be secured through a S106 legal agreement and the applicant has indicated agreement in principle.

9.29 Policy H13 of the adopted Local Plan requires public open space to be provided within new residential developments and stipulates a rate of provision of 0.004ha per dwelling. A scheme of 22 units would equate to a requirement of 0.09ha. The indicative layout plan submitted with the application shows the creation of two pedestrian footpaths from the central turning head out to the southern corners of the site. This path would be set within a broad landscaping band which could be considered to constitute informal public open space provision. In any event, it is considered that the requirement could be secured through condition and adequately met through the agreement of layout at reserved matters stage.

9.30 It is acknowledged that local residents are concerned about increased pressure on existing medical facilities arising from new development in this area. It is further recognised that the development would have implications for health infrastructure. However, at present there is no mechanism adopted by the Clinical Commissioning Group that identifies the requisite health infrastructure needs arising from development in this area nor how that could be equitably funded by developers in accordance with the National Planning Practice Guidance or the CIL regulations. As such, the Council has no mechanism available to it to secure planning obligations in respect of health infrastructure.

## ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.31 The main thrust of the NPPF is the need to secure sustainable development. Sustainability comprises three dimensions; economic, social and environmental.

9.32 The land is not safeguarded for employment uses and the loss of agricultural land that would result is not considered to weigh notably against the proposal. Some employment would be created through the construction process and future residents would support local businesses and public services. No impact on tourism is anticipated. As such the scheme is considered to be economically sustainable.

9.33 The site is not designated for its landscape or environmental value. Through the imposition of appropriate conditions, biodiversity on the site could be safeguarded and enhanced and trees and hedgerows protected. The proposal would have a localised visual impact but, given the context of the site, this would only weigh against the proposal to a limited extent. The character and function of the wider countryside would be preserved and appropriate layout, design and landscaping could be secured at reserved matters stage. It is acknowledged that natural resources would be used as part of the development process. No unacceptable

impacts on water, land or air quality are anticipated as a result of the development. On this basis, the proposal is considered to be environmentally sustainable.

9.34 The proposed development would represent a logical extension to Great Eccleston by infilling land between the main body of the village and the A586. The provision of up to 22 new homes would make a notable quantitative contribution towards meeting the borough's housing requirement and this weighs strongly in favour of the proposal. Affordable housing equivalent to 30% of the total residential development would be provided. An appropriate level of public open space would be secured through condition. A financial contribution towards local education provision would be sought to meet the additional need for school places generated by the development. The development is not anticipated to result in any unacceptable impacts on local flood risk, drainage or highway safety. No undue impacts on highway capacity are identified. As such, the scheme is considered to be socially sustainable.

9.35 In terms of planning balance, the benefits of the scheme are set out above and no detrimental impacts have been identified that would weigh notably against the proposal. The scheme is considered to represent sustainable development and, as such and is in accordance with the provisions of paragraph 14 of the NPPF.

## **10.0 CONCLUSION**

10.1 In light of the assessment set out above, the scheme proposed is considered to represent sustainable development with the planning balance weighing in favour of the application. No material planning considerations have been identified that would outweigh this view. As such planning permission should be granted subject to the conditions listed below and subject to the applicant entering into a S106 legal agreement to secure the necessary financial contributions towards local education provision.

## **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 planning permission and to authorise the Head of Planning Services to issue the decision subject to the conditions listed below and subject to the completion of a S106 legal agreement to secure the necessary financial contributions towards local education provision.

**Recommendation: Permit**

**Conditions: -**

1. In the case of any reserved matter, namely access, 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; and that 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.

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

2. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and 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:

- i. 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.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved)
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. 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.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

3. 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 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 agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

4. Notwithstanding the information submitted as part of the planning application, prior to the commencement of development, the following details shall be submitted to and agreed in writing by the Local Planning Authority and the works shall then proceed in full accordance with these agreed details:



- (i) plan showing the trees and hedgerows to be retained;
- (ii) arboricultural implications assessment and tree protection plan to include an arboricultural method statement to show how the trees and hedgerows proposed for retention would be protected during construction. This plan should include detailed methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated as being retained;
- (iii) an ecology survey for those trees identified for removal which surveys the possible presence of roosting bats and nesting birds. If bats or birds are found to be present by the ecology survey then it shall also be accompanied by a Method Statement giving details of measures to be taken to avoid any possible harm to bats or birds during tree works;

The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed. If required, the approved Method Statement must be implemented in full.

Reason: In order to safeguard existing trees and hedgerows in the interests of the appearance of the site and biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

5. No trees shall be felled or vegetation cleared during the main bird nesting season (March to August inclusive) unless the absence of nesting birds has first been established by a survey, confirmed in writing by a suitably qualified and experienced ecologist, and submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

6. Prior to the commencement of any site clearance or works pursuant to this permission, a method statement for the treatment and management of Japanese knotweed on the site shall be submitted to and agreed in writing by the Local Planning Authority and the development hereby approved shall then proceed in full accordance with this agreed method statement.

Reason: In the interests of biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

7. Prior to the commencement of development a scheme of biodiversity enhancement, to include the provision of native replacement planting to compensate for any tree or hedgerow loss, bird nesting and bat roosting boxes, shall be submitted to and approved in writing by the Local Planning Authority and this agreed scheme shall then be implemented in full as part of the development.

Reason: In the interests of safeguarding and enhancing biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

8. Prior to or simultaneously with the submission of a reserved matters application in respect of layout and prior to the commencement of any development a surface water drainage scheme to include the following details shall be submitted to and approved in writing by the local planning authority:

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 flood levels in AOD;

b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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.

The scheme shall be fully implemented and subsequently maintained, 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.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development, elsewhere and to future users and to promote sustainable development using appropriate drainage systems. Details have not been forthcoming with the application that ensure suitable drainage taking into consideration land conditions and proximity to existing services.

9. Prior to or simultaneously with the submission of a reserved matters application in respect of layout and prior to the commencement of the development hereby approved, details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, 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 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 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 details.

Reasons: 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.

10. 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.

Reason: In order to safeguard the environment and human health against potential land contamination.

11. Prior to commencement of the development, a noise impact assessment shall be approved in writing by the Local Planning Authority. The assessment shall demonstrate that the undernoted noise standards shall not be exceeded at each dwelling and include any necessary noise mitigation measures. The noise to be assessed shall include cumulative noise from industrial, commercial and transportation sources. The development shall be carried out in accordance with the agreed mitigation measures which shall be retained thereafter.

- 55 dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas
- 35 dB LAeq 16 hours (07.00 to 23.00) indoors, daytime
- 30 dB LAeq 8 hours (23.00-07.00) indoors, night-time
- 45 dB LAFmax (23.00-07.00) - indoors, night-time

Reason: In order to safeguard residential amenity against potential noise nuisance in accordance with the provisions of paragraphs 17 and 125 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

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

- (a) dust and dirt mitigation measures during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of construction work for the development
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- (f) arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (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 construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from construction work
- (k) measures to protect watercourses against spillage incidents and pollution

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

Reason: Such details were not submitted with the application and need to be in place throughout the construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

13. (a) Prior to the commencement of the development hereby approved, a scheme for the site access and associated highway works on the A586 shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the scheme shall include the site access, the provision of traffic islands/pedestrian refuges, street lighting, traffic signs, road markings and the repositioning of the lay-by as indicated on drawing ref. T2232/H/02.

(b) Prior to the commencement of the development hereby approved, the scheme agreed under part (a) above shall be implemented in full and in full accordance with the approved details.

Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users; to ensure safe and convenient access for future residents; and to ensure that traffic generated by the development does not result in a detrimental impact on highway function or safety, in accordance with the provisions of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

14. (a) Prior to the commencement of the development hereby approved, a scheme for highway improvement works on Back Lane shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the scheme shall include surfacing and the provision of street lighting as indicated on drawing ref. T2232/H/02.

(b) Prior to any of the properties hereby approved being first occupied, the scheme agreed under part (a) above shall be implemented in full and in full accordance with the approved details.

Reason: To enable safe and convenient access between the site and the village centre of Great Eccleston in the interests of accessibility, sustainability and public safety in accordance with the provisions of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

15. Prior to or simultaneously with the submission of a reserved matters application in respect of layout, a scheme for the provision of a mix of house types shall be submitted to and agreed in writing with the Local Planning Authority and this agreed mix of house types shall be provided as part of the development hereby approved. For the purpose of this condition, the mix of house types should reflect the local needs identified in Fylde Coast Strategic Housing Market Assessment and associated appendices.

Reason: In order to ensure that an appropriate mix of house types is provided to meet identified local needs in accordance with the provisions of paragraphs 17 and 50 of the NPPF.

**Notes: -**

1. 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>

2. 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 is for the Local Highway Authority to comment on.

3. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes

design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, in the first instance, to ascertain the details of such an agreement and the information to be provided.

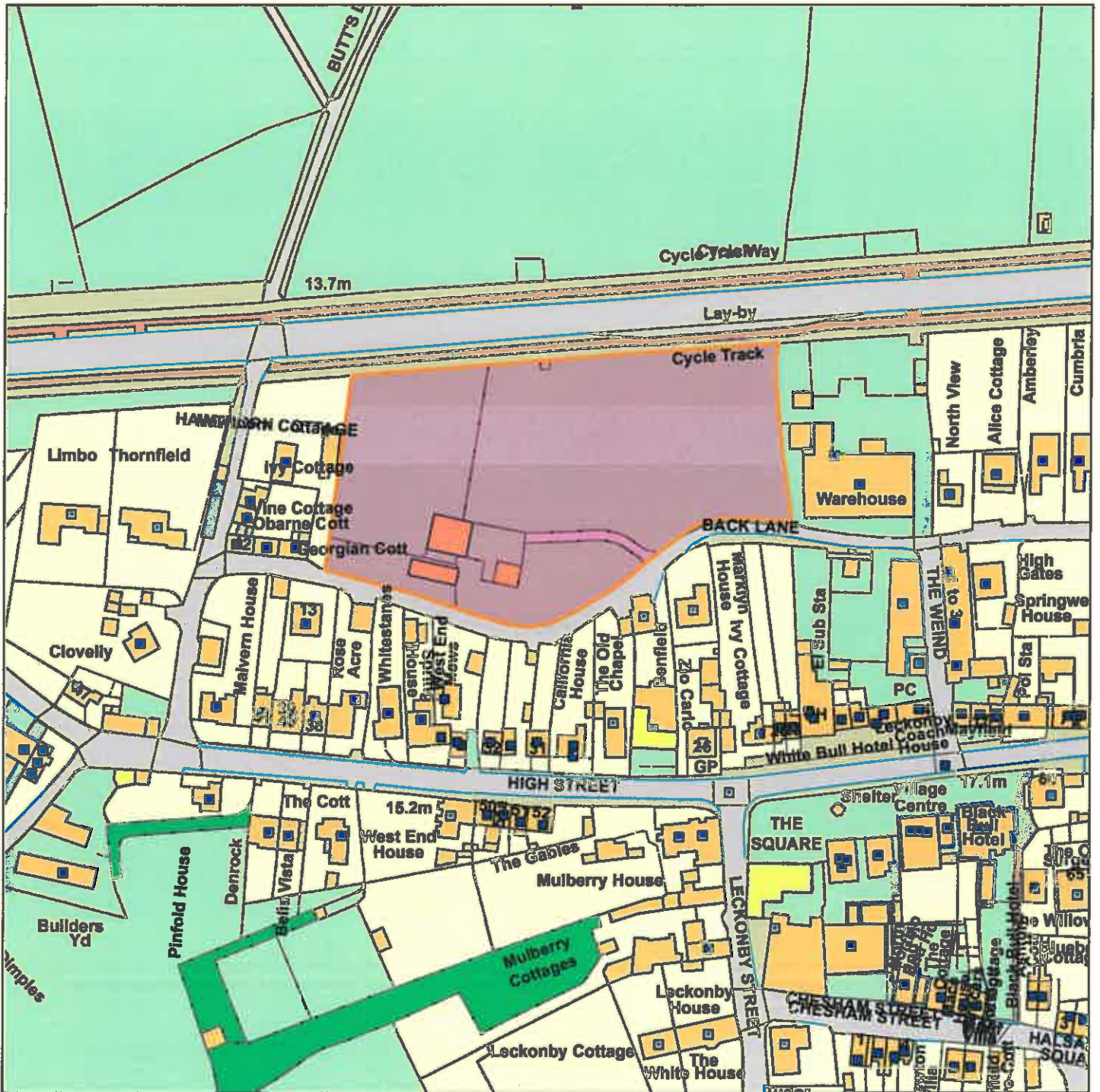
4. It is recommended that a homeowner travel pack be provided to new homeowners. This pack should include information on public transport services and connections, pedestrian links to facilities and cycle routes.

arm/rg/pla/cr/17/0609nc5

# Item 2

## Planning Committee

16/00651/OUTMAJ - Land south of the A586, Great Ecclestone



Scale : 1:1733

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	24 August 2017
SLA Number	100018720

**Committee Report****Date: 06.09.2017**

<b>Item Number</b>	<b>3</b>
<b>Application Number</b>	<b>17/00050/REMAJ</b>
<b>Proposal</b>	<b>Reserved matters application for the erection of 160 dwellings with associated works</b>
<b>Location</b>	<b>Land Off Lambs Road Thornton-Cleveleys Lancashire</b>
<b>Applicant</b>	<b>Wainhomes (North West) Ltd</b>
<b>Correspondence Address</b>	<b>c/o NJL Consulting Miss Katie Delaney 8 Ashbrook Office Park Longstone Road Manchester M22 5LB</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION**

1.1 The application is before Members for a second time having been previously presented to the Committee on 2nd August. At that meeting the application was deferred for later consideration on the basis that Members wished the applicant to make revisions to the proposal to better integrate the affordable housing with the market housing; provide a pedestrian link through from the main body of the site to Raikes Road; address what was considered to be overdevelopment of the site as reflected by the number of units and area of public open space.

**2.0 ASSESSMENT**

2.1 Following the deferral of the application at the August meeting, the applicant has subsequently provided a revised plan that includes the following amendments:

- House type substitutions on plots: 15, 85, 88, 90, 91, 126, 127 and 129. Overall this has resulted in one additional 4-bed house where a 5-bed house was previously proposed;
- Provision of three affordable houses on plots 134, 135 and 136 at the north-western corner of the site set at an angle to the road to better disperse the affordable housing;
- Replacement of three-affordable houses with a block of six apartments in the north-eastern corner of the site;
- Reconfiguration and substitution of house types on either side of the main site entrance to move the 2.5-storey Jenner house types further into the site. This has resulted in the loss of two three-bedroom houses that have been replaced by



four-bedroom homes. It would also see the main access point flanked by two single-storey double garages;

- Replacement of three affordable houses with two market houses on plots 70 and 71 to reduce the quantum of affordable housing in this area of the site. This change in itself would not affect the overall housing mix;
- Loss of three affordable houses from the easterly corner of the site and the provision of additional parking for the retained apartment block such that each flat would have the use of two parking spaces;
- Reconfiguration and substitution of house types on plots 16, 17 and 18. This would see a five-bed house replaced by a four bed house.

2.2 Overall the changes above would alter the housing mix as follows:

Market housing:

3-bedroom, previously 11% (12/110), now 9% (10/110)  
4-bedroom, previously 75% (83/110), now 79% (87/110)  
5-bedroom, previously 14% (15/110), now 12% (13/110)

Affordable housing:

1-bedroom, previously 26% (12/47), now 26% (12/47)  
2-bedroom, previously 55% (26/47), now 51% (24/47)  
3-bedroom, previously 19% (9/47), now 23% (11/47)

2.3 It is noted that some of the separation distances between the houses now proposed would fall below the minimum standards expected by the Council. The separation distance between the houses on plots 151 and 157 would be 15m at the closest point although it is recognised that the properties are set at an angle to one another. Between the houses on plots 42, 70 and 71 the separation distance would be 17m. These properties have a direct front-to-front relationship. As set out in paragraph 9.8 of the original case officers report, there was a comparable shortfall between the houses on plots 59-61 and 73-75 (as was, now plots 56-57 and 70) and between houses set on an oblique angle. As such, whilst not ideal, it is not considered that a refusal could reasonably be supported on this basis.

2.4 The applicant has not indicated any pedestrian connectivity between the two areas of the site. The number of units and area of public open space has not changed.

2.5 The changes made by the applicant have improved the dispersal of affordable housing by providing three affordable houses in the north-western corner of the site. No other changes have been made that address the concerns previously raised by the Committee. As a result of the amendments, the housing mix of the market housing has reduced whilst the mix of affordable housing has improved. Two additional shortfalls against the Council's minimum separation distances have been introduced.

2.6 Notwithstanding the concerns detailed above, it is not considered that the reduction in housing mix, the shortfalls in separation distance or the visual impacts arising from the changes in layout would cause sufficient harm as to warrant refusal of the application. The alterations to the layout improve the dispersal of affordable housing as specifically requested by the Committee at the August meeting. On this

basis it is recommended that the reserved matters be approved subject to the conditions listed at the end of this report.

2.7 The original officer report to Committee in respect of the meeting on 2nd August has been set out below. Section 7 has been amended to reflect the two additional representations that were reported to Committee via an update note. No further public consultation has been carried out on the amendments made as they are not considered to have a material effect on surrounding properties but more internally in terms of the proposed properties. No other changes to the original report have been made.

## REPORT TO COMMITTEE 2 August 2017

<b>Item Number</b>	<b>3</b>
<b>Application Number</b>	<b>17/00050/REMAJ</b>
<b>Proposal</b>	<b>Reserved matters application for the erection of 160 dwellings with associated works</b>
<b>Location</b>	<b>Land Off Lambs Road Thornton-Cleveleys Lancashire</b>
<b>Applicant</b>	<b>Wainhomes (North West) Ltd</b>
<b>Correspondence Address</b>	<b>c/o NJL Consulting Miss Katie Delaney 8 Ashbrook Office Park Longstone Road Manchester M22 5LB</b>
<b>Recommendation</b>	<b>Permit</b>

## REPORT OF THE HEAD OF PLANNING SERVICES

### CASE OFFICER - Miss Susan Parker

Site Notice Date: 10/02/17

Press Notice Date: 31/01/17

### 1.0 INTRODUCTION

1.1 The application is before the Committee for consideration at the request of Councillor Vincent. Members will have had the benefit of a site visit in advance of the public meeting because it is considered that the nature of the site and surroundings cannot be adequately conveyed through photographs.

### 2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is 5.8 hectare in area. It includes a derelict pig farm comprising nine buildings at the southern end of the site adjoining Raikes Road. The remainder of the site is agricultural and consists of semi-improved grassland. There are hedgerows along the site boundaries. The topography of the site varies, however the site generally falls from the north eastern boundary (approximately 15.1m AOD) to the south-western boundaries (approximately 8.2m AOD). The northern part of the site hosts a weekly car boot sale on some days of the year by virtue of permitted development rights.

2.2 The site is bound by open countryside to the north and east. Lambs Road runs along the western boundary with the established residential area of Little Thornton beyond. The small Furlong Green residential estate lies immediately to the south-west and there are further residential properties fronting Raikes Road to the south. The Morecambe Bay SPA and Ramsar site and Wyre Estuary SSSI are located approximately 600 metres to the east of the site.

2.3 The site is identified in the Local Plan as Countryside. It falls outside of any flood zones or mineral safeguarding areas.

### **3.0 THE PROPOSAL**

3.1 The application seeks to agree the matters reserved from consideration as part of outline planning application ref. 14/00553/OULMAJ. All matters other than access are to be agreed. The application proposes 157 dwellings.

3.2 In addition to the plans illustrating the proposal the application is supported by:

- Planning statement
- Design and access statement
- Flood risk assessment

### **4.0 RELEVANT PLANNING HISTORY**

4.1 14/00553/OULMAJ - outline planning permission granted on appeal for the erection of a residential development of up to 165 dwellings with access from Lambs Road and Raikes Road.

4.2 No other recent, relevant planning history identified.

### **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 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. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.1.2 The most relevant sections of the NPPF to the determination of this application are considered to be:

- Section 4 - promoting sustainable transport
- Section 6 - delivering a wide choice of high quality homes
- Section 7 - requiring good design
- Section 8 - promoting healthy communities
- Section 10 - meeting the challenge of climate change, flood risk and coastal change
- Section 11 - conserving and enhancing the natural environment

#### **5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

5.2.1 The NPPG provides additional guidance on Government policy. The sections below are of particular relevance to this application.

5.2.2 The most relevant sections of the NPPG to the determination of this application are considered to be:

- Design
- Health and well-being

- Natural environment
- Open space, sports and recreation facilities, public rights of way and local green space

### 5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The following saved policies are of most relevance:

- SP14 - Standards of design and amenity
- ENV7 - Trees on development sites
- ENV15 - Surface water run-off
- H13 - Open space in new housing developments
- CIS - Securing adequate servicing and infrastructure

### 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 following emerging policies are of most relevance:

- CS1 - Spatial strategy for Wyre: distribution of development
- CS2 - Spatial strategy for Wyre: settlement and centre hierarchy
- CS4 - Strategy for Thornton
- CS13 - Sustainable development
- CS14 - Quality of design
- CS16 - Transport, accessibility and movement
- CS18 - Green infrastructure
- CS19 - Biodiversity and geodiversity
- CS20 - Housing mix
- CS21 - Affordable housing
- CS24 - The countryside
- CS25 - Flood risk and water resources

### 5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 SPG2 - Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

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

5.5.3 SPG9 - Secure design - this document sets out principles to ensure secure design and gives specific advice in relation to residential developments.

## **6.0 CONSULTATION RESPONSES**

6.1 ENVIRONMENT AGENCY - no objection raised. The EA no longer has a statutory remit in relation to surface water drainage and so any conditions attached to the outline permission would be a matter for discharge by the Lead Local Flood Authority.

6.2 UNITED UTILITIES - comments were provided at outline stage. Surface water should be drained in accordance with the established sustainable drainage hierarchy. Effective long-term management and maintenance of the surface water drainage strategy agreed must also be secured through condition. It is noted that UU water mains would have to be extended to serve the site. Officer comment: issues relating to drainage are a matter for consideration at outline rather than reserved matter stage. Condition 7 attached to the outline planning permission requires the agreement of a surface water drainage scheme but does not address the matter of long-term management.

6.3 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY) - the access arrangements are as agreed at outline stage. A link between the most northerly cul-de-sac within the site and Lambs Road should be provided. The direct access from plot 1 onto Raikes Road is not acceptable but access from the internal road would be acceptable. The internal road layout is generally acceptable and LCC would be willing to adopt all but the access drives and parking courts. It would be desirable for a pedestrian/cycle link to be provided between the larger portion of the site and the properties off Raikes Road. The car parking levels shown are acceptable. Garages are generally large enough to accommodate cycle parking as well as a car. However, cycle parking should be provided for plots 26-28, 99-115 and 151-153. A travel plan has been submitted but, whilst some minor amendments are required, this is a matter to be addressed through discharge of condition. Further to the conditions imposed at outline stage, two additional conditions are requested. These would require the internal estate roads to be constructed to LCC standards and would require agreement of the arrangements for future management and maintenance. Officer comment: changes have been made to the original plan to provide a pedestrian link between the northernmost cul-de-sac and Lambs Road and to remove the direct access from plot 1 onto Raikes Road as required by LCC.

6.4 WBC HEAD OF COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION) - initially requested that standard conditions and advice notes be attached to any permission granted. A subsequent response was then received making comment on information submitted. Officer comment: issues relating to potential land contamination are a matter for consideration at outline rather than reserved matter stage. Condition 12 attached to the outline planning permission addresses this issue. It is considered that the detailed comments provided relate to a parallel application to discharge conditions attached to the outline permission.

6.5 WBC HEAD OF COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY SAFEGUARDING) - no objection is raised but a number of conditions are requested. Two would relate to noise and would require the development to be designed such that appropriate noise levels are not exceeded. The third would require the agreement of a construction management plan. Officer comment: issues relating to noise and construction disturbance are a matter for

consideration at outline rather than reserved matter stage. Condition 13 attached to the outline planning permission requires the agreement of a construction management plan.

6.6 WBC HEAD OF ENGINEERS (DRAINAGE) - refusal recommended on the basis that full details of surface water drainage are required. There is history of flooding in the area from surcharging of the local surface water drainage system. It is noted that no surface water should discharge from the site to the surface water system to the west or south-west of the site on Lambs Road as this would exacerbate the risk of surface water flooding on the existing system. Any discharge should be via gravity connection and should not rely on a pumped solution as failure could result in flooding. Officer comment: issues relating to drainage are a matter for consideration at outline rather than reserved matter stage. Condition 7 attached to the outline planning permission addresses this issue.

6.7 WBC HEAD OF ENGINEERS (PUBLIC OPEN SPACE OFFICER) - the area marked for public open space appears very small. For a development of this size there should be greater consideration of recreation space for the residents it would serve. The potential for a contribution for off-site public open space provision should also be considered. Officer comment: public open space should be secured at outline stage.

6.8 WBC HEAD OF ENGINEERS (TREE OFFICER) - the content of the landscape structure plan in terms of planting schedule and the specification of trees is agreed. The removal of approximately 40m of maintained hawthorn hedgerow on Lambs Road to enable access is considered acceptable as suitable mitigation planting in the form of native hedgerow mix is proposed.

6.9 LANCASHIRE CONSTABULARY - notes that there have been instances of crime including burglary and criminal damage in the area. Raises no objection but makes a number of recommendations in relation to security.

## **7.0 REPRESENTATIONS**

7.1 Forty-nine representations have been received raising the following issues:

### Principle

- Development should be on brownfield land
- Loss of greenfield land/countryside
- Potential for precedent to be set for further development
- No need for housing
- No employment in the area for residents
- Impact on character of area
- Loss of open aspect
- Inadequate infrastructure to support the development (including schools, medical provision and community facilities)
- Change in housing number from outline stage
- Change to layout since outline stage
- The education contribution must be recalculated

### Highway impact

- Increase in traffic and congestion
- Impact on highway safety on existing highway network
- Existing safety issues would be exacerbated
- Local roads inadequate for the traffic that would be generated
- Inadequate emergency services access
- Existing lack of parking
- Inadequate parking/pressures on existing on-street parking
- Original transport assessment can no longer be relied upon
- Layout should require a reassessment of highway impacts
- Site not navigable for refuse wagons
- Lack of public transport provision devalues the travel planning process
- Travel plan cannot be relied upon

### Drainage and flooding

- Existing sewers would be overloaded
- Loss of water pressure
- Increased risk of flooding

### Layout/scale

- Public open space would be surrounded by roads posing a safety issue
- Inadequate open space within the scheme, including public open space
- Inadequate connectivity within site and to wider area
- Affordable housing is unduly clustered
- Housing mix skewed towards large detached properties
- Single storey dwellings should be provided for the elderly
- Density of development is inappropriate

### Amenity impact

- Disturbance during construction
- Over-bearing impact from new properties due to changes in levels
- Loss of privacy
- Loss of daylight
- Increased noise
- Impact on private business through noise
- Loss of quiet lane

### Visual impact

- Additional landscaping is required
- Development would not be in-keeping with the surroundings
- Design is car dominated
- Excessive scale of development
- The design and access statement is unacceptable
- Inappropriate height of development along Lambs Road

### Arboricultural/Ecological impact

- Loss of hedgerow
- New planting would be given insufficient space
- Inadequate provision for bats
- Impact on wildlife



#### Environmental impact

- Potential for land contamination, including from asbestos
- Other
- Planning obligations are questioned
- Development should not commence until specific requirements are met
- The Planning Inspector was misled by the Council
- No community consultation has taken place

7.2 The principle of development including the overall benefits of the proposal, the impact on the character of the area and pressure on existing services and infrastructure was a matter for consideration at outline stage. Similarly issues relating to the impact on the highway network and drainage were addressed at outline stage as was the potential for land contamination. The outline application granted permission for up to 165 and so the reduced housing number of 160 dwellings is within the scope of this permission. The layout plan submitted at outline stage was indicative only and so did not form part of that permission. As per the S106 legal agreement, the final education contribution is not calculated until reserved matters stage when detailed house and bedroom numbers are known.

7.3 Perceived inadequate public consultation on the part of the developer is not a reasonable reason for refusal of a planning application. The Council has publicised the application in accordance with statutory requirements.

7.4 The allegation that the Planning Inspector was misled by the Council has not been substantiated and is not accepted. It is noted that there has been no challenge against the decision reached by the Planning Inspectorate.

7.5 It is for the Council to ensure that appropriate conditions that meet the relevant planning tests are imposed on any permission granted.

### **8.0 CONTACT WITH APPLICANT/AGENT**

8.1 Dialogue has been maintained throughout the application process to request information and clarification as required and to keep the applicant apprised of progress.

### **9.0 ASSESSMENT**

9.1 The principle of the development was established by outline planning permission ref. 14/00553/OULMAJ. The current application seeks to agree the reserved matters of:

- Layout
- Scale
- Appearance
- Landscaping

#### LAYOUT

9.2 The development would sit to the east of Lambs Road and to the north of Raikes Road in Thornton. It would wrap around existing houses at Furlong Green and those fronting Raikes Road. The site is bound by open countryside to the north and east. There are no listed buildings, public rights of way, protected trees or

notable ecological features adjoining the site and no other constraints that would limit development.

9.3 The properties proposed along the road frontages would follow the general building line established by the existing houses. The general layout is typical of a modern housing estate with the main access road branching off to the north and south and cul-de-sac spurs running off these two main estate roads. Twenty properties would be accessed from a separate estate road running off Raikes Road. Two clusters of higher-density development are proposed in the north-eastern corner and to the east of the site to correspond with affordable housing provision. However, the majority of the houses are detached or semi-detached and overall the density of development is sufficiently in-keeping with this area of Thornton.

9.4 In terms of housing mix, it is noted that of the 110 market houses, 15 would offer five bedrooms, 12 would offer three bedrooms and the remainder would be four bedroom properties. The market housing would include 24 semi-detached houses and 86 detached properties. Overall this does not represent a particularly good housing mix. However, officers are mindful that at present there is no adopted planning policy that requires a housing mix or stipulates the level of mix that would be acceptable. As such it is not considered that a refusal on this basis could be reasonably supported. Furthermore it is acknowledged that the affordable housing proposed on site would introduce some overall mix into the development. Forty-seven affordable homes are proposed, twelve would offer one bedroom, 26 would offer two bedrooms and the remaining nine would offer three bedrooms. These homes would be split between 18 apartments, six semi-detached houses and 23 terraced houses. On this basis, despite the limitations and on balance, the mix is considered to be acceptable.

9.5 The affordable housing provision represents 30% of the total quantum of development and is therefore sufficient to meet the requirements of Policy H13 of the adopted Local Plan. Ordinarily it is preferable for affordable housing to be 'pepper-potted' around a development site such that the affordable provision is indistinguishable from the market housing. However, it must be acknowledged that registered providers require some degree of clustering to facilitate effective management. In this instance two clusters of affordable housing are proposed. Whilst the density of these areas is markedly different due to the smaller house types the affordable clusters are sufficiently well integrated so as not to appear incongruous. As such they are acceptable.

9.6 One area of public open space amounting to 0.076ha is proposed on site. The scheme proposes 157 dwellings which would require open space provision of 0.63ha. Clearly the area proposed is well short of the minimum requirement. However no relevant open space condition applies on the outline permission and in these circumstances, it is not reasonable for the Council to refuse a reserved matters application on the basis of lack of public open space where such provision has not been previously secured. Therefore despite the significant shortfall in public open space provision from that required by Policy H13, it is not considered that the Council could reasonably refuse this application on this basis. As such, the public open space provision shown must be considered to be acceptable.

9.7 The Council stipulates minimum separation distances between new-build residential properties in Supplementary Planning Guidance Note 4. This document requires front/rear-to-front/rear separations of 21m and front/rear-to-side separations of 13m. Rear gardens must be 10.5m in length. These standards are largely met across the site where there is a clear front/back-to-front/back or side relationship and

between the proposed properties and those existing. Where the standards are not met the shortfall is generally no more than 1.5m. There are some instances where elevations are set at an oblique angle or are staggered where shortfalls of up to 5m exist. Some properties have also been purposefully designed to have main windows in alternative elevations where minimum separation distances are not met. A number of changes have been made to the scheme since first submission to address the more significant deficiencies, and particularly to ensure an acceptable relationship between the proposed properties and those existing. It is noted that the properties on Furlong Green have habitable room windows looking onto the site and so the nearest plots to the rear have been changed entirely to prevent unacceptable impact. No. 1 has side windows some 5m from the nearest proposed dwelling but these are a secondary window and a hall window and the relationship is typical of side-to-side houses and so no unacceptable impact is anticipated. There are now only two places where a notable shortfall remains. The first is between the side elevations of plots 126 and 153. The latter would have main windows/doors at ground floor level only and would have a side garden where planting could be provided to maintain privacy. As such this shortfall is considered acceptable. The second shortfall is between plots 59-61 and 73-75 where the front-to-front separation is only 16.5m. However, there is arguably a lesser expectation for privacy where windows and doors face the highway and, given the general acceptability of site layout overall, it is not considered that this shortfall would cause sufficient harm in isolation to justify refusal. On balance it is now felt that no unacceptable impacts on residential amenity arising from overlooking, over-shadowing or an over-bearing impact are anticipated. To ensure that no unacceptable impacts arise in the future, a condition is recommended to prevent properties from being extended without prior written authorisation.

9.8 In terms of parking provision the Council does not have currently adopted, published standards but continues to apply the maximum standards originally set out in the Joint Lancashire Structure Plan as best practice. These standards are also applied by Lancashire County Council thereby providing a consistent approach. As proposed, each single bedroom apartment would have one parking space and all of the two-bedroom units would have two parking spaces. The three-bedroom homes would also have two parking spaces. The larger four bedroom properties would typically have three parking spaces although some do benefit from four. The five bedroom properties have three to four spaces depending upon use of their garages. The apartment blocks would have dedicated cycle parking.

9.9 In order to accommodate a parked car and allow for storage of bicycles and garden equipment such as lawnmowers, garages should have internal dimensions of 6m x 3m. Double garages should therefore measure 6m x 6m internally. The detached garages meet these standards but the integral garages generally fall short. That said, the integral garages are large enough to accommodate a parked car. The properties they serve have rear gardens of sufficient size for a garden shed to be installed if desired to provide storage for cycles and garden equipment. Six visitor spaces are shown to serve the flat blocks but otherwise no overspill parking is proposed and it is acknowledged that on-street parking on modern, open-plan estates is generally very limited. However, there are no adopted, published standards that would require such provision and the use of driveways for car parking would be safeguarded by condition. On this basis and as the parking standards are maximum standards, the level of parking provision across the site is considered to be acceptable.

9.10 The Local Highway Authority has confirmed that the internal layout as proposed is acceptable in highway terms. Since first submission pedestrian links from the site to Lambs Road have been provided and vehicular access to plot 1 has been

amended. It is requested that two conditions be attached to any permission granted. The first would require the estate roads to be constructed to appropriate standards and to base level before development starts in order to ensure safe access; and the second would require agreement of future management and maintenance. The first condition is considered appropriate but the second would be combined with a similar condition used elsewhere that also addresses the issue of waste management. The layout shows that communal refuse stores would be provided to serve the apartment blocks and some of the terraced affordable housing. The Building Regulations requirements relating to drag distances for both householders carrying refuse to the point of storage and bins being taken to the point of presentation for collection have been highlighted to the developer. Adherence to the appropriate standards is a matter for building control and waste management agreement but the condition proposed would ensure that the resultant road surfaces are suitable for refuse vehicle access. On this basis and subject to these conditions, the internal road layout is considered suitable.

9.11 In light of the above, the site layout proposed is considered to be acceptable.

## SCALE

9.12 The houses and the two flat blocks proposed would generally be two-storey in height and would have ridge heights ranging between 7m and 8.6m. The Jenner house type would include accommodation in the roof space and would have a ridge height of 9m. The existing properties at Furlong Green are all modern two-storey homes and those along Raikes Road immediately to the south are 1.5 or two-storeys high. As such the scale of the proposed buildings is considered in-keeping.

9.13 A levels plan has been submitted in support of the application. This shows that finished floor levels would vary by 7m across the site with a slope evident from north to south. Floor levels east to west would be broadly consistent although a rise of around 1.5m is evident between those properties fronting Lambs Road and those immediately behind. This would result in some variations in ridge height of around 2m. Elsewhere across the site the variation in finished floor level is less marked and so, despite the ridge heights of the different properties ranging between 7m and 9m, the proposed levels are considered to be reasonable. Particular attention has been given to the interface between existing and proposed properties. The difference in the ridge heights between no. 1 Furlong Green and the adjacent house would be less than 0.1m. The nearest properties to nos. 8, 9 and 5 Furlong Green would have ridges 0.3m, 1.9m and 2m higher respectively. Given the separation distances of 12m, 13m and 14m respectively, these would be acceptable. At the southern end of the site, the ridge height of the property on plot 8, the closest to those existing, would be only 1m above the nearest neighbour. More significant would be the change in height between the property on plot 1 with a ridge height of 18.25m and the adjacent Primrose Cottage that has a ridge height of 15.24m. This relationship is side-to-side however and, given the variety of property types along Raikes Road, would not look incongruous.

9.14 Overall, given the heights of the proposed properties, the levels proposed and the separation distances that would be achieved, no unacceptable impacts arising from overlooking, loss of sunlight or daylight or an over-bearing presence are anticipated. On this basis, the scale of development proposed is considered to be acceptable.

## APPEARANCE

9.15 The properties proposed would be traditional in appearance. The plans submitted show that they would be of brick construction with tiled roofs. The windows would have stone cills and decorative brick headers. Many of the doors would have canopies over, either in the form of a small flat canopy over the entrance or a tiled, mono-pitched canopy over the door and ground floor window. Some house types would have projecting bays with tiled roofs whilst other have small projecting windows, decorative stone gable features or decorative brickwork. Some properties would have rendered sections. Many of the properties would have a staggered frontage with some element sitting forward of the main elevation. Where properties face onto two estate roads, dual-aspect house types are proposed. Altogether 22 house types are proposed across the site.

9.16 This variation is welcomed as it would create visual interest and an engaging streetscene. The NPPF states that local planning authorities should not attempt to impose architectural styles or particular tastes but does consider it appropriate to promote and reinforce local distinctiveness. The houses in the immediate area are of different styles and designs and there is a mix of modern and older housing. As such there is no established local architectural vernacular for the development to conform to. On this basis, the different house-type designs proposed are considered to be acceptable. Materials can be agreed through condition and a mix of materials would be sought to add to the variety and interest of the estate and avoid visual monotony.

9.17 With regard to boundary treatments, 1.8m high brick boundary walls are proposed along the first two property boundaries facing the estate road running from Raikes Road but otherwise 1.8m high close-boarded fencing is proposed along plot boundaries. Where this fencing would be visible from the estate roads it would be set behind a landscaping strip that would provide some screening. The fencing would be simplistic and functional in appearance but would provide visual coherence around the estate. Additionally, a condition is recommended to prevent the erection of front boundary treatments without prior written approval in order to maintain the coherence and open plan character of the estate. As such, the design of these boundary treatments is acceptable.

9.18 In general it is considered that the scheme has been designed to an acceptable standard. Consequently and subject to the imposition of appropriate conditions on any permission granted, no unacceptable visual impacts are anticipated and the appearance of the different elements of the scheme and of the proposal overall is considered to be acceptable.

## LANDSCAPING

9.19 The planting plan submitted shows that hedgerow would be maintained along the northern and eastern boundaries of the site with the open countryside beyond. Hedgerow would also be provided and maintained along the Lambs Road frontage and would follow the line of the access road into the estate. The roundabout to be created on Lambs Road would be landscaped. This would soften the appearance of the development and provide better integration with the surroundings.

9.20 Internally, planting would be provided around the identified area of public open space and front garden areas are shown. This would soften the internal street scenes and prevent domination by car parking. The application has been considered

by the Council's Parks team and, other than against the size of the public open space area, no objections have been raised.

9.21 It is recommended that a condition be attached to any permission granted to require the applicant to agree which parts of the site would be given over to private curtilage and which areas, aside from the block of public open space, would be maintained by a private management company. Officers are mindful that land given over to private curtilage would be subject to householder permitted development rights and would be managed at the discretion of the home owner. The condition is therefore considered necessary to ensure that those areas of landscaping that front the estate roads are maintained properly and coherently for communal benefit in the interests of the appearance of the estate.

9.22 In light of the above, the proposed landscaping is considered to be acceptable.

## OTHER

9.23 The principle of development was established at outline stage and any necessary contributions towards local education provision should have been secured at that point. There is no justification to ask for planning obligations of this kind as part of a reserved matters application.

9.24 The matters of site drainage, land contamination and affordable housing were considered at outline planning application stage and relevant conditions were attached to the outline permission granted. As such, they are not matters for consideration as part of the assessment of this application. These matters would be resolved through the discharge of the relevant conditions attached to the outline permission.

## **10.0 CONCLUSION**

10.1 The principle of development and the details of the access to the site were established at outline stage under planning permission ref. 14/00553/OULMAJ. This application has sought to agree the reserved matters of layout, scale, appearance and landscaping. These have been considered as set out in the assessment above. The proposals are considered to be acceptable and so, subject to the imposition of the conditions listed below, planning permission should be granted.

## **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

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

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

## **12.0 RECOMMENDATION**

12.1 Grant planning permission subject to the conditions listed below.

## Recommendation: Permit

### Conditions: -

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application validated by the Local Planning Authority on 19th January 2017 including the following plans/documents:

- Site location plan ref. 14-029 OS-01
- Proposed site layout plan (including levels) ref. 14-029 0001 Rev I
- Landscape structure plan ref. 5397.01 Rev B
- Baird house type plan ref. 3.217/P(EG)/BU/L10/300 Rev #
- Bell house type plan ref. 2.213/P/BU/L10/300 Rev #
- Brancaster house type plan ref. 3.113CB/P/BU/L10/300 Rev -
- Brancaster SA house type plan ref. 3.113SACB/P/BU/L10/300 Rev -
- Cavendish house type plan ref. 5.340/P/BU/L10/300 Rev #
- Chinley house type plan ref. 1.345(6)/P/BU/L10/MCK Rev -
- Claydon house type plan ref. 3.118/P/BU/L10/300 Rev #
- Claydon SA house type plan ref. 3.118SACB/P/BU/L10/300 Rev #
- Eton house type plan ref. 4.343/P/BU/L10/300 Rev A
- Gainsborough house type plans ref. 5.235FA/PE/L10/300 Rev #;  
5.235FA/PF/L10/300 Rev #; 5.235/P/BU/L10/300 Rev #; 5.235/P/L10/300 Rev C
- Haversham house type plan ref. 4.342/P/BU/L10/300 Rev B
- Haversham SA house type plan ref. 4.342SA/P/BU/L10/300 Rev A
- Haversham DA house type plan ref. 4.342DA/P/BU/L10/300 Rev #
- Jenner (special) house type plan ref. 4.209SCB/P/BU/L10/300 Rev #
- Montgomery house type plan ref. 5.133/P/B/L10/300 Rev C
- Montgomery DA house type plan ref. 5.133DA/P/B/L10/300 Rev #
- Nelson house type plan ref. 4.350/P/BU/L10/300 Rev #
- Newton house type plan ref. 4.201/P/BU/L10/300 Rev A
- Newton (render) house type plan ref. 4.201/P/BRU/L10/300 Rev #
- Nightingale house type plan ref. 4.204/P/BU/L10 300 Rev #
- Nightingale SA house type plan ref. 4.204SACB/P/BU/L10 300 Rev #
- Nightingale DA house type plan ref. 4.204DACB/P/BU/L10 300 Rev #
- Oakmere house type plans refs. LL/2.346HL/P/BU/L10 Rev #
- Oxford house type plan ref. 4.309/P/BU/L10/300 Rev #
- Oxford DA house type plan ref. 4.309DA/P/BRU/L10/300 Rev #
- Richmond house type plans ref. \*\*\*/5.236/P/TB/L10/300 Rev # and  
082/5.236/F/L10/300 Rev #
- Scott house type plan ref. 4.406/P/BU/L10/300 Rev A
- Shakespeare house type plan ref. 4.341/P/BU/L10/300 Rev A
- Trevithick house type plan ref. 3.205CB/P/BU/L10/300 Rev #
- Whitemoor house type plan ref. 4.344/P/BU/L10 300 Rev A
- Wren house type plan ref. 4.404CB/P/BU/L10 300 Rev #
- Wren DA house type plan ref. 4.404DACB/P/BU/L10 300 Rev #
- Single garage plans ref. PGL/2.0/1/B Rev A and PGL/2.0/2/B Rev #
- Double garage plan ref. PGL/5.0/2/B Rev A
- Paired/double garage plan ref. PGL/1.0/1/B Rev A
- 1.8m screen wall plan ref. SW/01
- 1.8m feather edged fence plan ref. WD-01

The development shall be retained hereafter in accordance with these details.

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

2. Building work shall not commence on any building until details of the materials to be used in the construction of the external surfaces of that building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

3. Prior to the commencement of development, details of the surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in accordance with these agreed details.

Reason: In the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

4. Prior to any of the dwellings hereby approved being first occupied, the car parking provision shown on site layout plan ref. 14-029 0001 Rev G as relating to that dwelling shall first be provided and shall thereafter be retained.

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 paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

5. Notwithstanding the information shown on site layout plan ref. 14-029 0001 Rev G, details of secure cycle storage to include the provision of racks sufficient to accommodate one bicycle per apartment shall be submitted to and agreed in writing by the Local Planning Authority. This agreed cycle storage shall then be provided prior to any of the associated apartments being first occupied and shall thereafter be retained.

Reason: In order to encourage travel by sustainable modes in accordance with the provisions of paragraph 17 of the NPPF.

6. (a) Prior to any of the apartments hereby approved being first occupied, a waste management plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall detail the provision of refuse bins to meet the needs of the apartment blocks hereby approved. The development shall then proceed in full accordance with this approved plan.

(b) Prior to any of the dwellings hereby approved being first occupied, details of the appearance of any refuse storage facilities associated with that dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these approved details.



(c) The refuse storage provision shown on site layout plan ref. 14-029 0001 Rev G and agreed through this condition shall be provided before the associated dwelling(s) are first occupied and shall thereafter be retained.

Reason: In order to ensure that waste is properly managed within the site in the interests of visual and residential amenity in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

7. Notwithstanding the information shown on the approved plans, the doors and windows of the dwellings hereby approved shall be recessed by no less than one brick width from the face of the elevation in which they sit.

Reason: In the interests of good design in order to ensure that the buildings offer visual depth to break up their massing in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

8. (a) Prior to the commencement of development, a Landscaping Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall include details of those responsible for management of the landscaping on site and a programme for general maintenance of any communal areas.

(b) Prior to the commencement of development, a plan shall be submitted to and agreed in writing by the Local Planning Authority that shows which areas of open space and landscaping shown on the approved site layout plan ref. 14-029 0001 Rev G and landscape structure plan ref. 5397.01 as hereby approved shall be:

- given over to private residential curtilage
- managed as communal landscaping in accordance with the Landscaping Management Plan required by (a)
- managed as public open space in accordance with the Landscaping Management Plan required by (a)

The development shall then be maintained in accordance with these agreed details.

Reason: In order to provide clarity as to the boundaries of residential curtilage and to ensure that the landscaping provided on site is appropriately managed in the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999). These details are required prior to commencement to ensure that the landscaping delivered as part of the scheme is managed appropriately in the interests of the visual amenity of the area in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

9. (a) Prior to the commencement of development a phasing plan for the delivery of the housing and associated landscaping detailed on landscape structure plan ref. 5397.01 shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The landscaping as detailed on landscape structure plan ref. 5397.01 as hereby approved shall be carried out in full accordance with these approved details within the first planting season following the completion of the associated development as set out in the phasing plan required under part (a) above.

(c) The landscaping as detailed on landscape structure plan ref. 5397.01 as hereby approved shall be implemented in full prior to the final dwelling hereby approved being first occupied.

(d) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with the provisions of paragraph 17 and section 11 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999). The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development in the interests of the visual amenity of the area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

10. (a) The boundary treatments shown on site layout plan 14-029 0001 Rev G and detailed on plans ref. SW/01 (1.8m screen wall) and WD01 (1.8m fence) shall be provided before the associated dwellings hereby approved are first occupied and shall thereafter be retained and maintained.

(b) Where boundary walls are shown on the approved plan referenced above, these walls shall be constructed of brick to match that of the associated dwelling.

Reason: In the interests of residential amenity so secure private curtilage and in the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

11. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) hereby approved shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose.

Reason: To ensure that sufficient off-street vehicle parking provision is available to meet the needs of the development in the interests of residential and visual amenity and highway safety in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

12. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

- (i) the dwelling(s) shall not be extended;
- (ii) no works shall take place that would preclude the use of the driveways hereby approved for the parking of cars; and
- (iii) no boundary treatments shall be erected forward of a property elevation facing a road.

Reason: To ensure that the Local Planning Authority has control over any future development in order to safeguard the residential amenities of neighbours; in order to ensure that sufficient off-street parking provision is available to meet the needs of the development; and to ensure that the estate retains its open plan character in the interests of residential and visual amenity and highway safety in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

13. (a) No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. These details shall include a plan showing areas of road proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any stretches of road within the estate would be privately managed.

(i) details of a Road Management Plan to detail how those sections of road would be maintained in perpetuity, and

(ii) details of the surfacing of those sections of road, shall be submitted to and agreed in writing by the Local Planning Authority.

(c) The streets shall thereafter be maintained in accordance with the approved management and maintenance details as set out above or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: In order to provide certainty as to the responsibility for the roads within the development; in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; to ensure that any areas of private road are suitable for use by refuse collection trucks; and to safeguard the visual amenities of the locality and users of the highway in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

14. The new estate roads shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

15. Notwithstanding the information shown on the approved plans, the windows serving bathrooms, en-suites and WCs as shown on the house type drawings hereby approved shall be obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured) and maintained as such thereafter. Any subsequent repaired or replacement glazing shall be fitted with obscure glass to the same level of obscurity.

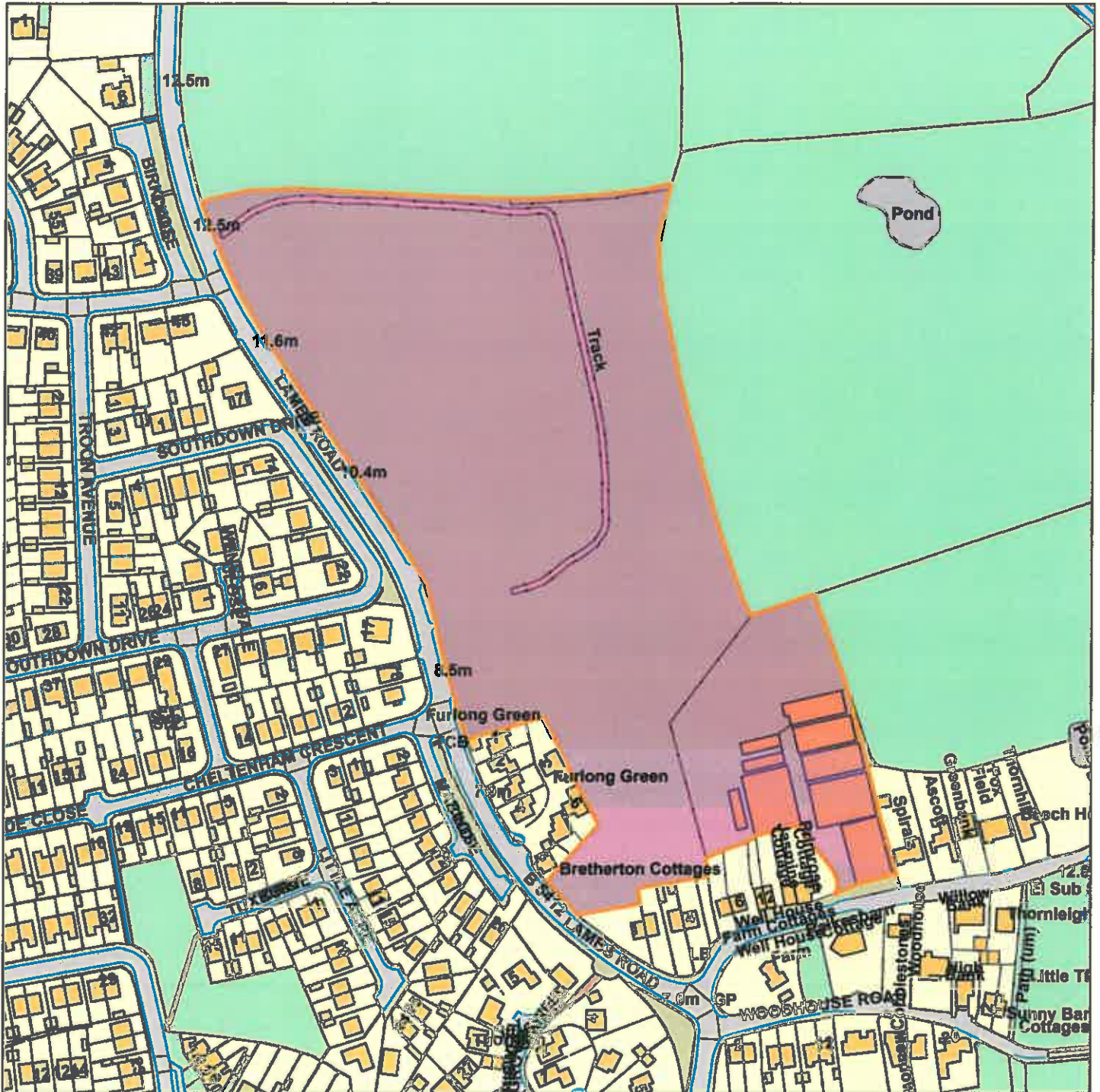
Reason: To safeguard the privacy of occupants in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

arm/rg/pla/cr/17/0609nc6

# Item 3

## Planning Committee

17/00050/REMAJ - Land off Lambs Road Thornton Cleeveleys



Scale : 1:2774

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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 3
<b>Date</b>	24 August 2017
<b>SLA Number</b>	100018720

**Committee Report****Date: 06.09.2017**

<b>Item Number</b>	<b>4</b>
<b>Application Number</b>	<b>17/00470/FUL</b>
<b>Proposal</b>	<b>Erection of a replacement dwelling and the demolition of existing dwelling (Re-submission of application 16/00500/FUL)</b>
<b>Location</b>	<b>Faulkners Fold Cottage Faulkners Lane Forton Preston Lancashire PR3 0AL</b>
<b>Applicant</b>	<b>Ms S England</b>
<b>Correspondence Address</b>	<b>c/o Graham Anthony Associates 2 Croston Villa High Street Garstang PR3 1EA</b>
<b>Recommendation</b>	<b>Permit</b>

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

1.1 This application is before Members at the request of Councillor Wilson. The application is a re-submission of application 16/00500/FUL which was presented and subsequently approved (subject to conditions) by the Planning Committee on 1 March 2017. As there has been a change in Committee Members since March a site visit is proposed to aid new members in particular in understanding the proposal and its context.

1.2 This application is a re-submission of application 16/00500/FUL which was approved by Members of the Planning Committee (subject to conditions) on the 1st March 2017. Following the previous approval it was brought to the attention of the local planning authority that the incorrect Ownership Certificate A (Section 25 of the application form under Article 14 of the Town and Country Planning Development Management Procedure Order 2015) had been signed by the applicant which claimed that the land was in sole ownership of the applicant. Information submitted to and sought by the council has, however, shown that a small part of the red edged land (not affected by the proposed replacement dwelling) was not within the applicant's ownership, and the remainder of the site was in joint ownership which was not originally declared. It should be noted that it is always the applicant's responsibility to ensure that the correct Certificate is served, the council is not required to ascertain correct details of ownership as part of the consideration of the application. To regularise the error the application has been re submitted in exactly the same form as the previous application with the correct ownership certificate, certificate B now submitted. This certifies that the applicant has given the requisite notice to everyone else who, on the day 21 days before the date of the application, was the owner of any part of the land or building to which this application relates. The red edge which identifies the application site in the submitted location and site plans has also been reduced omitting the tapered area of hardstanding to the north of the

existing dwelling. It has been stated by a neighbouring resident that the incorrect certificate has again been submitted as they believe that certificate D should have been submitted. Certificate D states "the applicant certifies that all reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner and/or agricultural tenant of any part of the land to which this application relates, but I have been unable to do so" and then asks the applicant to outline what steps have been taken. The case officer has checked with the agent/applicant and a land registry check has also been undertaken which demonstrates that the area of land which is the subject of this application does fall within the registered title of the applicant together with the person named in the Certificate B.

## **2.0 SITE DESCRIPTION AND LOCATION**

2.1 The site which forms the subject of this application relates to Faulkners Fold Cottage which is located on the eastern side of Faulkners Lane approximately 280m north of the junction with Ratcliffe Wharf Lane in a rural and detached location south of the main settlement of Forton. The subject property is a small, 2 storey detached cottage constructed of random coursed stone under a steeply pitched slate roof with full stone window surrounds and decorative stone corner quoins. The dwelling has a small pitched slate roof porch to the front and a small lean-to extension to the rear. To the south of the main dwelling adjacent to the lane is a detached pitched roof outbuilding also constructed of natural stone. The dwelling sits on the eastern side of the lane with an area of hardstanding to the north which is currently used for parking and to the south on a slightly higher level is a small domestic garden area which comprises of a number of trees and mixed vegetation.

2.2 Directly opposite the site on the western side of Faulkners Lane is an irregular parcel of land approximately 0.083 hectares (0.204 acre) in an area which is also considered to be associated domestic curtilage to the subject property. To the southern end of this land is an existing gated access and a large area of gravelled hardstanding. The boundaries are defined by a stock proof post fencing beyond which is a mature hedgerow of mixed species. There are also a number of mature trees within the boundaries as well as sporadically located fruit trees within the site. There is an open water course adjacent to the northern and western boundary which then enters a culvert under Faulkners Lane.

2.3 The surrounding area is rural in character. To the north, east and west is open agricultural land. To the south is a traditional slobbered stone cottage which faces north overlooking the application site known as Faulkners Fold, south of which is a pair of semi-detached red brick dwellings. The application site is on land defined as 'Countryside Area' on the Local Plan Proposals Map and a Public Right of Way (PROW) Footpath number 8 runs along Faulkner's Lane and passes Faulkner's Fold Cottage to the west.

## **3.0 THE PROPOSAL**

3.1 This application is a re-submission of application 16/00500/FUL, full details as to why the application has been submitted is set out in paragraph 9.2 below. The proposal seeks full planning consent for the erection of a replacement dwelling and the demolition of the existing property. The replacement dwelling is to be sited on the western side of Faulkners Lane (opposite the existing property), centrally located within the parcel of land currently associated with Faulkners Fold Cottage. The existing gated access along the eastern boundary is to remain along with the vehicular access towards the southern boundary of the site. The proposed

dwelling is shown on the submitted plans to measure approximately 11m in width x 7m in depth x 4.15m to the eaves and 7.65m to the ridge, a small pitched roof porch measuring 2.5m x 2m (2m to eaves and 3.5m to ridge) to the front is also proposed along with a pitched roof side extension measuring 2.3m x 3.3m (2m to the eaves and 4m to the ridge) which is shown to provide a utility room. To the rear of the dwelling a lean-to rear extension is proposed measuring 4m x 3.5m and to the front at first floor level are two small pitched roof dormers. The replacement dwelling is to be constructed from natural stone under a slate roof with decorative corner quoins.

3.2 Following the demolition of the existing dwelling the land on the eastern side of Faulkners Lane is to be used as domestic curtilage and the existing stone garage and wood store are to remain in situ. Additional hedge planting and landscaping is also proposed along the western boundary.

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

4.1 16/00500/FUL - Erection of a replacement dwelling (following the demolition of existing dwelling) - Permitted

4.2 13/00165/FUL - Two storey side extension (amendment to approved 10/00934) - Permitted

4.3 10/00934/FUL - Two storey side extension to include rear balcony - Permitted

4.4 09/00405/OUT - Outline application with all matters reserved for one dwelling house and use of existing dwelling as a holiday cottage - Refused

4.5 94/0310 - Outline application for 1 detached dwelling - Refused

#### **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.

5.1.2 The planning system should play an active role in guiding development to sustainable solutions. There is a need for the planning system to perform an economic, social and environmental role. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. Decision takers at every level should seek to approve applications for sustainable development where possible.

5.1.3 In decision making there should be 12 principles which include support sustainable economic development and responding positively to wider opportunities for growth and the needs of the business community should be taken into account. A high quality of design and amenity are needed. Support for the re use of existing buildings and promote mixed use developments.



#### 5.1.4 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. Local Planning Authorities should be proactive to meet the development needs of business.

#### 5.1.5 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.

#### 5.1.6 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 (under the design section) 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.

#### 5.1.7 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).

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

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

#### 5.1.9 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, that the development should be refused.

5.1.10 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). 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 135)

## 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 H7 - Replacement Dwellings
- 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
- Policy CIS7 - Wastewater Management
- Policy TREC12 - Public Rights of Way

## 5.3 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

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

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

## 5.4 EMERGING LOCAL PLAN

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).

5.4.1 Relevant policies in the emerging Local Plan include:

- Policy CS13 - Sustainable Development
- Policy CS14 - Quality of Design
- Policy CS16 - Transport, Accessibility and Movement
- Policy CS17 - Infrastructure and Community Facilities
- Policy CS18 - Green Infrastructure
- Policy CS19 - Biodiversity and Geodiversity
- Policy CS24 - The Countryside
- Policy CS25 - Flood Risk and Water Resources

## **6.0 CONSULTATION RESPONSES**

6.1 ENVIRONMENT AGENCY - No observations to make

6.2 FORTON PARISH COUNCIL

6.2.1 Objects, the Parish Council strongly objects to the demolition of Faulkners fold Cottage. The building is an 18th century cottage which forms an integral part of the charming hamlet of Faulkners Fold. It is an important part of the heritage of Forton and should be preserved as part of the historic character of the area. The cottage is in sound condition and although small it has planning permission for an extension. Its loss would have a significant visual impact on the character of the landscape and the hamlet. This development would exacerbate the flooding problems that already occur in this area during heavy rain, which arise from run off from a large acreage of fields that drain into the brook on the perimeter of the site. Clarification is required on whether surface water will discharge to soakaways or to the brook.

6.3 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.3.1 No objections, GMEU commented previously on application 16/00500/FUL. Ecological issues including roosting bats, nesting birds and ecological mitigation. All of which are considered to be able to be resolved by condition. A license will be required from Natural England should permission be granted for the destruction of the bat roost. A relevantly worded condition has been recommended to ensure that an appropriate license is obtained prior to demolition or site activity. Advice has also been provided about how to apply Natural England's three derogation tests. The submitted survey also identified house sparrows nesting in the building and as such a condition to ensure the protection of nesting and breeding birds has been recommended. Additional conditions relating to the enhancement of the natural environment have also been recommended and an informative relating to great crested newts.

6.4 UNITED UTILITIES

6.4.1 No objections subject to the applicant implementing the proposal in accordance with the surface water drainage hierarchy and sustainable drainage principles (SUDS) as set out within the NPPG.

6.5 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE

6.5.1 No objections, advised that the subject building is shown on the 1847 mapping system and is considered to be of some historic interest. It would be preferable if the building could remain in situ however if consent should be granted it is considered necessary that a formal building record is compiled before its demolition. An archaeological recording condition has been recommended.

6.6 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.6.1 No objections, advised that the Highways Development Control Section does not have any objections to the proposals and is of the opinion that the development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

6.7 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY)

6.7.1 No objections, verbal response received advising that the proposal is unlikely to affect the public right of way (PROW) however an advice note is required to advise the applicant that the PROW should not be blocked off.

6.8 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.8.1 No objections in principle. Advised that full drainage plans shall be conditioned to be provided for approval prior to commencement of any works and any foul drainage discharging to the watercourse must first pass through a package treatment plant in accordance with the Environment Agency Guidance. Clarification has been sought on the discharge of surface water.

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

6.9.1 No objections subject to a desk study being conditioned to be provided to assess the site for potential land contamination

6.10 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (TREES)

6.10.1 No objections, A tree protection plan is required to indicate the type and position of protective barrier fencing to ensure that all elements of the construction of the dwelling is undertaken outside of a demarcated construction exclusion zone. Specifications are required for all new proposed trees and hedgerows. The loss of the small orchard trees which are positioned within the site is not a concern as they have a low retention value.

6.11 HEALTH AND SAFETY EXECUTIVE (HSE)

6.11.1 No objections, following the completion of the online HSE planning advice web application (PADHI+) the HSE do not advise against the development

6.12 CADENT GAS

6.12.1 No objections, advised that the development will not affect Cadent Gas assets

## **7.0 REPRESENTATIONS**

7.1 At the time of compiling this report there have been 8 letters of objection received. The primary reasons for opposition are listed below:

- Dwelling should not be demolished and should be Listed for the reason of its age
- New building will blot the landscape
- Building is an old cottage in good condition of historical importance to the area
- Disruption to the single track
- Existing dwelling should remain and the new build would contribute to housing shortfall
- Faulkners Fold Cottage is part of a charming hamlet along a rural lane which is also a public footpath
- New build would be out of character on the landscape
- Loss of agricultural land
- Brown Hare and deer have been seen in this area
- Lane is not suitable for too many cars which would accompany a house of this size
- Development should take place in accordance with the description and the new dwelling should only be constructed following the demolition of the existing dwelling
- The proposed site is a separate plot of land not domestic curtilage
- Replacement dwelling should be built on the same footprint which would limit impact on the hamlet
- Impacts arising from flooding
- Percolation tests on land adjacent reveals the site is unsuitable for soakaways
- Raising levels would also put the risk of flooding to neighbouring properties
- Incorrect certificate of ownership has been submitted again, Certificate D should have been submitted - (Plan demonstrating ownership accompanies this response)

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

8.1 Discussions have taken place with the agent in relation to landownership and procedural matters relating to the application.

## **9.0 ISSUES**

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

- The Principle of Development and Compliance with Planning Policy
- Design and the visual impacts upon the landscape and the character of the area
- Impacts upon Residential Amenity
- Highway Safety, Parking and Public Right of Way
- Flood Risk and Drainage
- Ecological Impacts
- Impacts upon Trees
- Heritage Considerations

## The Principle of Development and Compliance with Planning Policy

9.2 Members are advised that whilst this is a re-submission of application 16/00500/FUL there are no material planning changes which have occurred since the last application, the sole variation being the technicality relating to the Ownership Certificate and the reduction in the red edge as set out above in paragraph 9.2. As such the principle of the development and the compliance with Local and National Planning Policy remain unchanged. There have been no major changes to national or local policy since March 2017.

9.3 When considering this planning application reference should be made to Section 38(6) of the Planning and Compulsory Purchase Act which states "if regard is to be had to the development plan for purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise". The statutory development plan in this case comprises the saved policies of the Wyre Borough Local Plan (1999). The National Policy Framework (NPPF) is a significant material consideration whilst little weight can be afforded to the emerging Local Plan. In accordance with the NPPF 'due weight' should be given to the relevant saved policies of the Local Plan.

9.4 As the proposal seeks consent for a replacement dwelling the criteria and contents set out in Saved Policy H7 apply. This states the replacement of a dwelling in those areas outside settlements which are designated as open countryside will only be permitted where the proposal is sympathetic to the dwelling which is being replaced. In all cases a replacement dwelling will only be permitted provided that it:

- a) Is appropriate in character to the area
- b) Is developed using materials appropriate to the locality
- c) Involves a high standard of design which enhances the visual quality of the landscape and
- d) Meets the design and amenity requirements of Policy SP14

9.5 Policy H7 is considered to be the starting point in assessing the principle of the development. Concerns have been highlighted by neighbouring residents as to whether or not the land on the western side of Faulkner's Lane opposite the existing dwelling is actually defined or characterised as domestic curtilage associated with the subject dwelling. At the time of the Case Officer's site visit the land was overgrown and had a small number of sheep and chickens located within. Given the separation from the existing dwelling by the lane and the provision of a well maintained side garden to the south of the existing dwelling the applicant advised that the land has been used as domestic garden prior to and ever since 2001. A letter was also submitted in evidence by the applicant which was sent from the Councils Planning Enforcement Officer on the 11th April 2001 which confirmed that the land had been identified as part of the domestic curtilage at that time.

9.6 Despite the information submitted as part of this application and images provided as part of the previous application 16/00500/FUL by neighbouring residents, it is considered that the land is domestic curtilage to the subject property. The land is close to, and associated with, the application property and falls within the same site and in principle the siting of a replacement dwelling within is acceptable. It is appropriate to apply the criteria of Saved Policy H7. Policy H7 states that the replacement dwelling within the area designated as open countryside will only be

permitted where the proposal is sympathetic to the size of the dwelling which is being replaced. Whilst the proposed dwelling in this instance is larger in scale and footprint than the existing dwelling, in terms of its design, materials and style it is seen to be sympathetic. The proposal seeks to use natural stone and where possible re-use the existing materials from the dwelling to be demolished which will ensure it is appropriate to the locality; in turn the proposal is seen to comply with the general provisions and Criteria A-E of Policy H7. Details of design and impacts upon the character of the area are discussed later on in this report. Within the observations received from neighbouring residents it is stated that the dwelling would not comply with Policy H7 as it will be materially larger than the dwelling it replaces and detailed calculations have been submitted. However Saved Policy H7 seeks to prevent larger replacement dwellings which are located within areas of Greenbelt and not within the designated Countryside Area which is where the application site lies. The principle of the proposal is considered to satisfy policy H7 and policy SP13.

9.7 The National Planning Policy Framework (NPPF) is silent on replacement dwellings in the countryside. However this does not mean that all new applications for rural replacement dwellings are contrary to the NPPF or that such applications should be resisted. It is likely that most new replacement dwellings would be built to a higher standard, more sustainable and would be more thermally efficient than the dwelling replaced. Whilst the NPPF does not specifically mention replacement dwellings as an example of an accepted form of sustainable development in rural area, neither does it specifically state such forms of developments are not sustainable. Within the submitted Design and Access Statement the applicant advises that the new dwelling would be much more efficient than that of the existing dwelling. Furthermore in this instance there will be no increase or net gain in terms of housing numbers and as such the locality and disconnection from community services or facilities is not to be attributed any substantial weight within the determination of the application. In essence the proposed new dwelling would be no more isolated than the existing dwelling it is replacing. It is considered that as officers are now satisfied there is sufficient evidence to demonstrate the land is within the domestic curtilage of Faulkner's Fold Cottage the principle of the development would comply with both local and national planning policy. However all other matters such as impacts upon residential amenity and the visual impacts, highway safety, flood risk and ecological impacts (amongst other matters) are to be fully assessed as part of the overall planning balance. The assessment of these issues is set out below.

Design and the visual impacts upon the landscape and the character of the area

9.8 The application site lies at the northern end of Faulkners Lane which when accessed from Ratcliffe Wharf Lane is narrow and windy in character with high-level hedgerows either side of rolling agricultural fields. The application site lies in a detached location within a small group of traditional buildings which make up Faulkners Fold. Whilst these buildings are not listed they are considered to have important historic value and integrity, evidence of which has been documented within the neighbour responses and also within the comments submitted by Lancashire Archaeological Advisory service. Whilst it would be preferable for the existing cottage to be retained on the same footprint in its existing form, a replacement dwelling on the opposite side of the lane is not seen to have significant visual impacts upon the character of the landscape or the small cluster of dwellings for which it is located within.

9.9 Section 7 of the NPPF (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. At a local level Criteria B of Saved Policy SP14 states that new development should be acceptable in the local landscape in terms of scale, mass, siting and use of materials. The siting of the proposed dwelling is to be set in from the southern boundary by 17m leaving a sufficient visual break and spacing from the dwelling to the south. The scale of the dwelling is increasing in both footprint and height. The existing property is approximately 6.7m to the ridge whereas the replacement property is 7.6m to the ridge. Whilst there is a marginal increase in scale the proposed dwelling would not appear as an incongruous or overbearing feature within the landscape and would comply with the provisions set out within policies H7 and SP14 of the Local Plan. Initially under application 16/00500/FUL the proposal was for a red brick dwelling which was far less traditional in design however following concerns from the Case Officer this was amended and a revised scheme for a natural stone under slate was submitted. The applicant has confirmed that the materials used in the construction of the existing dwelling will be re-used in part for the replacement dwelling, this will ensure that the development will integrate into the rural setting and limit any visual impacts.

9.10 Following the demolition of the existing dwelling the land will be reinstated to grassland with the existing garage remaining in situ and the existing hardstanding removed. New hedgerow and tree planting is proposed along the western boundary, full details of which can be secured by appropriately worded conditions. In this instance it is seen to be reasonable and necessary to remove, via condition, Permitted Development Rights for the property to ensure the control of any domestic outbuildings within the curtilage of the site and to prevent the land where the existing dwelling is at present, becoming over developed and out of keeping with the intrinsic rural character of the area.

#### Impacts upon Residential Amenity

9.11 Within the vicinity of the application site there are a number of residential dwellings, the closest being Faulkner's Fold which is approximately 23m south of the position of the replacement dwelling and faces north overlooking the application site. A number of concerns have been raised as a result of the neighbour consultation process; amongst other points, concerns about overbearing impacts and the loss of privacy have been raised. Supplementary Planning Guidance 4 (SPG4) stipulates minimum separation distances between new build residential properties (also used for assessing separation distances between new dwellings and existing dwellings). This document requires front-to-side separations for 2 storey dwellings to be 13m. In this instance whilst the concerns raised by the neighbouring residents is acknowledged there is approximately 23m from the front elevation of Faulkner's Fold and the southern gable elevation of the proposed dwelling. This separation far exceeds the spacing guidance set out within SPG4 which is designed to prevent overbearing impacts. Furthermore there are no windows on the southern elevation which would result in any significant impacts upon the habitable rooms of this property. Whilst there are other dwellings further south of Faulkners Fold these dwellings are not affected by the development given the separation involved and the intervening structures. The proposal therefore complies with Saved Policy SP14 of the Local Plan and also the guidance set out within SPG4.

#### Highway Safety, Parking and Public Right of Way (PROW)

9.12 The parking arrangements will not change significantly from that which is already in situ, the proposed site plan shows the existing parking to the south of the site is to remain, this area of hardstanding also provides sufficient room for vehicles to turn and leave in a forward gear. As the proposal is for a replacement dwelling



there will be no net increase in vehicular movements within the lane. Lancashire County Highways have raised no objections to the proposal and as such the proposal raises no concerns in terms of highway safety. As Faulkners Lane is also an adopted PROW (FP number 8) Lancashire County Council PROW Officer has been consulted on the proposal. A verbal response has been provided advising that the relocation of the existing dwelling to the site opposite would not have any adverse impacts on the PROW or require a diversions. An advice note advising that the PROW should not be blocked off or impeded during construction phase has been attached.

## Flood Risk and Drainage

9.13 The Environment Agency records identify the application site as being within Flood Zone 1 which is defined as within the National Planning Policy Guidance (NPPG) as being low risk. The site is assessed as having less than a 1 in 1,000 annual probability of river or sea flooding (0.1%). As the application site is less than 1 hectare and is not within an area at high risk of flooding (Flood Zones 2 or 3) then there is no requirement for a site specific Flood Risk Assessment. Furthermore the site does not fall within the relevant statutory criteria for the Local Planning Authority to consult the Environment Agency on the development.

9.14 There have been a number of public concerns raised in respect of surface water flooding and in support of these concerns numerous photographic images have been provided showing localised flooding in close proximity to the application site. Saved Policy ENV15 of the Local Plan sets out that increased rates of surface water run-off will not be permitted where it would lead to adverse impacts. Paragraph 103 of the NPPF also requires local planning authorities, when determining planning applications, to ensure flood risk is not increased elsewhere. In accordance with the NPPF and the NPPG it is stated that the site should be drained on a separate system with foul water draining to a public sewer and surface water draining in the most sustainable way. The NPPG outlines that the hierarchy to be investigated by the applicant when considering a surface water drainage strategy. Applicants are requested to consider the following drainage options in the following order of priority:

- 1 into the ground (Infiltration)
- 2 to a surface water body;
- 3 to a surface water sewer, highway drain, or another drainage system and then as a last option;
- 4 to a combined sewer.

9.15 The applicant has advised that they do not feel that the use of soakaways within the site would work in this location due to unacceptable ground conditions and as such they envisage that surface water would be connected to the nearby water course to the west of the site at an appropriately controlled discharge rate. This would represent the second most sustainable drainage option in accordance with the above hierarchy as set out within the NPPG. As there are no local foul sewers within the area then a new foul water treatment tank would be required to be installed. The Councils Drainage Engineer has been consulted on this application and has raised no objections in principle subject to full drainage plans to be submitted prior to the commencement of any works. These details can be secured via an appropriately worded condition. The observations received by local residents have been taken into consideration however as the proposal is for a replacement dwelling with similar

means of drainage as existing and as the site falls outside of an area at high risk of flooding and with no objections from the Drainage Engineer then it is not anticipated that the proposal would be at risk of flooding or increase the risk of flooding elsewhere within the locality, in particular upon neighbouring properties.

## Ecological Impacts

9.16 National planning policy seeks to ensure new development proposals contribute to conserving and enhancing the natural environment including biodiversity. As the application involves the demolition of the existing stone constructed dwelling which is sited in close proximity to open water courses and mixed vegetation an ecological appraisal was requested to be undertaken and provided. The submitted Phase 1 Ecological Survey submitted identified that there was a small transitional bat roost identified within the house to be demolished which was used by a single Soprano Pipistrelle Bat. The survey also recommends and sets out a number of mitigation measures within the report.

9.17 The Council's ecology consultant (GMEU) have advised as part of the previous application, comments which are to be repeated as part of this application, that the proposed mitigation proposals contained within the ecology report assume that the new house will be built, and alternative bat roosting potential provided in the new build, before the demolition of the existing house commences. Given the status of the bat roosts present it is considered that it would be possible to provide temporary roosting provision for bats in the form of artificial boxes placed on nearby structures or trees before the new house, and the permanent new roosting provision, was available. It is recommended that a comprehensive Method Statement be prepared and conditioned giving full details of measures to be taken to mitigate harm to bats. GMEU have advised the Council that because the carrying out of this development would cause the disturbance of a protected species then a licence from Natural England would be required under Regulation 53 of the Conservation of Habitats and Species Regulations 2010 to authorise the development to go ahead. Regulation 9 (3) of the Habitats Regulations provides that a competent authority must have regard to the requirements of the Directive and consider the likelihood of a licence being granted. GMEU advise that it is likely that a licence will be obtained from Natural England. Supporting information submitted by the applicant from Natural England also appears to confirm the likelihood that a licence would also be granted. However, in deciding on whether or not a licence is likely to be granted and for the avoidance of doubt, Natural England's Guidance states that the Local Authority as a responsible authority must consider the three derogation tests under the Habitat Regulations. These tests are:

1. The proposed development must meet a purpose of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment" Regulation 53(2)(e).
2. The competent authority must be satisfied "that there is no satisfactory alternative" Regulation 53(9) (a), and:
3. "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" Regulation 53(9) (b).

9.18 There are no accepted definitions of the above terminology and Natural England confirms that each case will be based on its own merits. The proposed development does not involve obvious elements which will preserve public health or public safety. However given the thrust of national planning policy to promote sustainable economic growth it is arguable that the development contains some social and economic benefits as part of an over-riding public interest e.g. the creation of employment opportunities during construction and the introduction of a new dwelling which the applicant advises would be much more thermally efficient than the existing dwelling which in turn would provide minimal but some environmental benefits.

9.19 The second test relates to there being no satisfactory alternatives. In the guidance it sets out that there are always going to be alternatives to a proposal and, in terms of licensing decisions, it is for Natural England to determine that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the Protected Species. In this case the replacement dwelling will allow the applicants to continue to live and remain in the locality whilst providing a more cost effective and thermally efficient dwelling. The applicant has stated that the current house is of poor construction and design and they wish to significantly improve their carbon footprint, reduce maintenance and provide additional space for the growing family. As such in this instance without moving away from Faulkner's Lane there are no satisfactory alternatives.

9.20 The third test sets out that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The submitted bat survey states that the site is used by a singular Soprano pipistrelle bat as a transitional roost. Bats are likely to rely on a number of roost sites in buildings and trees in the local area. GMEU have stated that they are satisfied that the development can occur without causing a negative impact on the nature conservation of the bats as long as adequate mitigation is provided. Based on the supporting information by the applicant and the advice from Greater Manchester Ecology Unit, Officers are satisfied that the proposed replacement dwelling would satisfy the three tests.

9.21 Within the Ecology report house sparrows were also identified as nesting in the building proposed for demolition. GMEU have advised that a condition is suitable to protect these birds during breeding season. On balance it is recommended that subject to mitigation measures and conditions the proposal would not have any significant adverse impacts upon protected species.

#### Impacts upon Trees

9.22 The submitted proposed site plan indicates that with the exception of the orchard trees within the site all other trees and hedgerows are to be retained. The Council's Tree Officer has raised no objections to this and has stated the orchard trees are considered to be of low retention value. A condition requiring a tree protection plan and a new landscaping details is suggested. The suggested Landscaping condition will also satisfy the comments from GMEU who have advised that new planting could contribute to enhancing the natural environment and provide mitigation for the loss of bird nesting habitats as a result of the demolition of the existing dwelling.

## Heritage Considerations

9.23 The application property is not a listed building and neither are the surrounding residential properties. However Section 12 of the NPPF (Conserving and enhancing the historic environment) states that 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. Comments have been received from neighbouring residents who have concerns about the new dwelling affecting the historic character of the lane and the setting of the small group of buildings. Lancashire Archaeological Advisory Service have highlighted the historic importance of the group and the lane and stated that the subject building is part of a row of structures shown on the east side of Faulkners Lane on the 1847 Ordnance Survey Mapping system but by 1892 most of these had been demolished leaving Faulkners Cottage and the outbuilding to the south. The Archaeological service has stated that whilst the building is considered to be of some historical interest it has undergone a number of changes and refurbishments. During the refurbishment it is noted that a porch has been added to its west front and the window surrounds on this side also appear to have been replaced. Whilst it would be preferable to retain the existing cottage as it is not a Listed building the PLA cannot insist on this the scale and design of the replacement property directly opposite is not seen to significantly alter the character of the lane or have any significant visual impacts upon the setting of the small group of dwellings. The replacement property is to be constructed of stone used in the existing dwelling along with natural slate. These materials are all seen to be in keeping with the character of the surrounding properties. A condition has been requested by Lancashire Archaeological Advisory Service requiring an archaeological recording and analysis of the existing dwelling.

## Other Issues

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

9.25 Gas Pipe Line - Approximately 96m to the north east of the application site is a National Grid Gas pipeline which runs north to south either side of the site. As part of this application Cadent Gas have been consulted and advised that the development will not affect any of their assets. Furthermore the Health and Safety Executive (HSE) have also been consulted via the online Web application which has stated the HSE do not advise against the development.

9.26 Loss of view is not a material planning consideration.

## **10.0 CONCLUSION**

10.1 The principle of the replacement dwelling has already been established under application 16/00500/FUL. The reasons for objection by local residents to the development have been taken into consideration however the demolition and rebuild of the dwelling directly opposite in the manner and form proposed is not seen to result in any significant adverse or detrimental impacts upon the character of the area or on the residential amenity of neighbouring properties. Subject to conditions other matters such as drainage and ecology are seen to be issues which can be suitably mitigated against with the requirement of further details to be provided prior to demolition/construction (by condition). It is considered that the proposal would comply with both Local and National Planning Policy and is therefore considered to be 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 Planning Permission be granted subject to conditions.

### **Recommendation: Permit**

#### **Conditions: -**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
  
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 01/06/2016 including the following plans:
  - Proposed Site Plan Drawing Number GA3006-PSP-01-C
  - Proposed Elevation and Floor Plans (Revised) Drawing Number GA3006-002-D
  
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the replacement dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Such details shall make provision for the re-use of those materials used in the existing dwelling (Faulkners Fold Cottage) as far as is reasonably practicable. The development shall be carried out using the approved materials.
  
4. 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. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.
  
5. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development under Parts 1 and 2 of Schedule 2 to that Order shall be carried out without the express permission of the Local Planning Authority.

6. Notwithstanding the details submitted with the application, prior to commencement of the development hereby approved, a drainage scheme for all surface water and foul drainage associated with the development shall be submitted to and approved in writing by the Local Planning Authority in accordance with the sustainable drainage hierarchy outlined in the National Planning Policy Guidance. The development shall be implemented in accordance with the approved details, prior to first occupation of the development and thereafter maintained, managed and retained in accordance with this agreed detail.

7. No development, including site clearance/demolition, shall commence until a scheme for the protection of all trees/hedges being retained on and off site has been submitted to, and approved in writing by, the local planning authority. No development shall commence until the approved scheme of protection has been fully implemented. The protection measures shall be retained for the duration of the works, and only removed once the development is complete and all machinery and works material removed from the site.

8. No development shall take place until full details of both hard and soft landscape works (Landscape Plan) has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved prior to first occupation of the dwelling hereby 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. Within the submitted landscape plan mitigation should also be provided for loss of bird nesting habitat, in particular house sparrow, through provision of artificial nesting opportunities.

9. No development approved by this permission shall be commenced until details of the existing and proposed ground, slab and finished floor levels have been submitted to and approved in writing by the Local Planning Authority.

The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies SP14 and ENV15 of the Adopted Wyre Borough Local Plan (July 1999). 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.

10. No demolition shall commence or works to trees or shrubs shall occur between 1st March and 31st August (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

11. No development shall take place (including any demolition, ground works or site clearance) until a Method Statement describing measures to be taken for mitigating for potential harm to bats has been submitted to and approved in writing by the local planning authority. The content of the Method Statement shall include the:

- a) Purpose and objectives for the proposed measures;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) Extent and location of proposed measures shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of demolition and construction;
- e) Persons responsible for implementing the measures described;
- f) Initial aftercare and long-term maintenance (where relevant);

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

12. No demolition, site clearance or construction shall commence until the Local Planning Authority has been provided in writing with either:

- a) a licence issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 in respect of the likely harm to Soprano Pipistrelle Bats as a result of the demolition of the existing dwelling authorising the demolition, site clearance or construction : or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the demolition, site clearance or construction will require a licence.

13. Within three months of the first occupation of the replacement dwelling hereby approved the existing dwelling (known as Faulkners Fold Cottage) as shown on site plan (GA3006-PSP-01-C) shall be entirely demolished, the ground levelled and returned to grassed form and any leftover materials removed from the site. The applicant shall provide, in writing, to the Local Planning Authority the date of first occupation and confirm in writing that the condition has been complied with once the works required by this condition have been completed.

14. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority.

15. No development shall commence until details of the means of enclosure of the site have been submitted to, and approved in writing by, the local planning authority. The development shall then be constructed in accordance with the approved details and all boundary treatments shall be maintained and retained (as approved) at all times thereafter.

**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. To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
4. 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).
5. In the interest of the amenity and character of the countryside area in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
6. To ensure that the proposed development can be adequately drained; to prevent the increased risk of flooding, both on and off site resulting from the proposed development; and to ensure that water quality is not detrimentally impacted by the development proposal, in accordance with saved Local Plan policy ENV15 and the National Planning Policy Framework.
7. To prevent damage to trees resulting from the development including during construction works.
8. 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).
9. To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies SP14 and ENV15 of the Adopted Wyre Borough Local Plan (July 1999). 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.
10. In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.
11. In the interest and conservation of Protected Species and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
12. In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
13. The retention of the existing dwelling would result in two dwellings at the site, contrary to Policy SP13 of the Adopted Wyre Borough Local Plan (July 1999)



14. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

15. In the interest of visual amenity and so that the local planning authority shall be satisfied as to the details.

**Notes: -**

1. The programme of work should include the creation of a formal record of the building to be demolished. This should comprise a written and drawn record to Level 2 supplemented by a full photographic record, as set out in "Understanding Historic Buildings" (Historic England 2016). It should be undertaken by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists ([www.archaeologists.net](http://www.archaeologists.net))

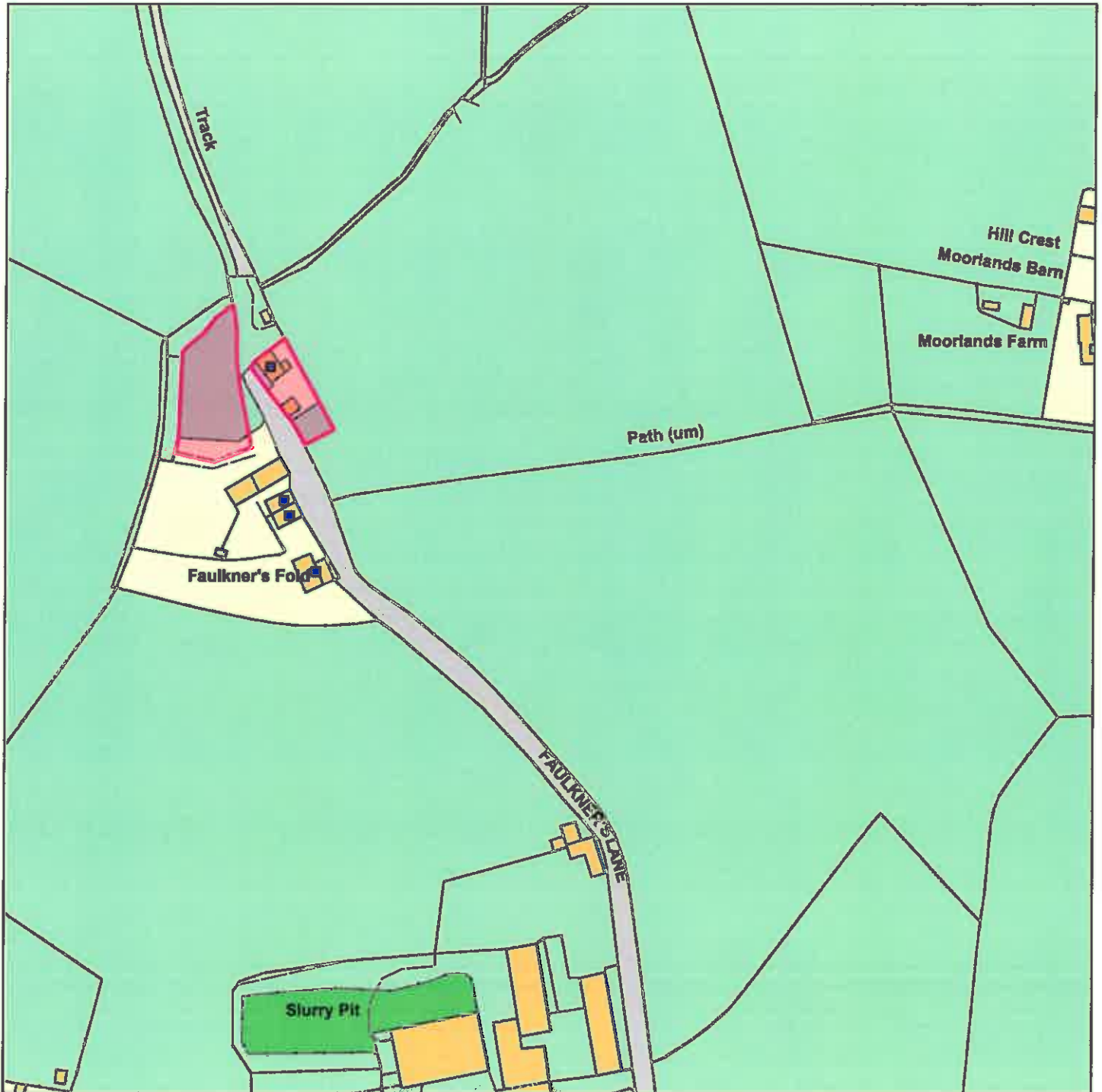
2. The grant of planning permission does not entitle a developer to obstruct a right of way, and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

arm/rg/pla/cr/17/0609nc6

# Item 4

## Planning Committee

17/00470/FUL- Faulkners Fold Cottage Forton



Scale : 1:1733

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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 4
<b>Date</b>	24 August 2017
<b>SLA Number</b>	100018720