

Committee Report

Date: 11th January 2023

Item Number 1

Application Number	22/00762/FULMAJ
Proposal	Erection of 160 dwellings with associated access, parking, landscaping, public open space and infrastructure.
Location	Land North Of Bourne Way Fleetwood Road North Thornton Cleveleys
Applicant	Mr John Matthews
Correspondence Address	Suite 114 Newton House Birchwood Park Warrington WA36FW undefined
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mr Rob McKillop

Site Notice Displayed: 02.09.2022

Press Notice: 17.08.2022

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration as the application site falls within an allocated site in the Wyre Local Plan and is of strategic importance. The application has also been requested to go before the planning committee at the request of Councillor Andrea Kay. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site is located on the western side of Fleetwood Road North in Thornton, with the Iron Horse Pub to the east, and existing dwellings to the west (Pheasants Wood). The site is rectangular, comprising open undeveloped grassland (approximately 8.4 hectares in area). There is a Main River, Springfield Watercourse, running along the northern boundary, and an Ordinary Watercourse, a tributary of the Springfield Watercourse, running along the southern boundary, beyond which is the Bourne recreational fields. There is an existing access opposite the roundabout on Fleetwood Road North, and a second field access further to the north.

- 2.2 The site is a residential housing allocation under Policy SA1/3 of the Wyre Local Plan for 153 dwellings (based on the estimated developable area). The southernmost part of the application site is located within Flood Zone 3 (highest probability of flooding).

3.0 THE PROPOSAL

- 3.1 This is a full application for the erection of 160 dwellings with associated access, parking, landscaping, public open space and infrastructure. The dwellings comprise of a mixture of house types including 1 bed apartments, 2, 3 and 4 bed semi, detached and terraced dwellings. 48 of the units (30%) are identified as affordable properties. The proposed single point of access would be via the west side of Fleetwood Road North opposite the roundabout. The site layout plan shows dwellings spanning across the majority of the site, with 3.33ha of green infrastructure (GI) and sustainable drainage features proposed in the northern and south western parts of the site.

- 3.2 The following documents have been submitted in support of the application:

- Tree Survey
- Transport Assessment
- Travel Plan
- Noise Impact Assessment
- Planning Statement
- Ecology Report
- Shadow Habitat Regs Assessment
- Archaeological Assessment
- Market Housing Mix Report
- Masterplan and Design & Access Statement
- Flood Risk Assessment
- Ground (Assessment) Contamination
- Preliminary Drainage Layout

4.0 RELEVANT PLANNING HISTORY

- 4.1 Planning records show no history associated with the application site. Other relevant planning history which is in close proximity to the site is as follows:
- 4.2 21/01152/OULMAJ - Outline application (all matters reserved excluding access) for the construction of up to 130 new residential dwellings (Use Class C3), structural landscaping and green infrastructure and creation of access comprising eastward extension of the main access road and two points of vehicular access to the residential site and the construction of a cycle/footway - Pending Decision
- 4.3 19/00347/FULMAJ - Hybrid planning application consisting of full planning permission for the erection of 41 dwellings and outline permission for up to 45 dwellings and 42 apartments (all matters reserved except for access) - Permitted - 9/10/2020

5.0 PLANNING POLICY

- 5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

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

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

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP6 - Viability
- SP7 - Infrastructure & Developer Contributions
- SP8 - Health and Well-being
- CDMP1 - Environmental Protection
- CDMP2 - Flood risk and Surface water
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility and Transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure
- SA1/3 - Land between Fleetwood Road North and Pheasant Wood (Masterplan allocation)

5.1.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) Para 74, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's Housing Implementation Strategy (published August 2022) which demonstrates a deliverable housing land supply position of 6.74 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

5.2 EMERGING LOCAL PLAN PARTIAL REVIEW

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

5.3 OTHER MATERIAL CONSIDERATIONS

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

5.3.2 The following sections / policies set out within the NPPF are relevant to the determination of this application:

- Chapter 2 - Achieving sustainable development
- Chapter 4 - Decision-making
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 12 - Achieving well-designed places
- Chapter 15 - Conserving and enhancing the natural environment

5.4 OTHER GUIDANCE AND LEGISLATION

5.5 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

- Supplementary Planning Guidance 2 - Development and Trees
- Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts
- Guidance for Applicants - Green Infrastructure in New Residential Developments (Policy HP9)

5.5.2 National Planning Practice Guidance (NPPG)

5.5.3 The Conservation of Habitats and Species Regulations (amendment) (eu exit) 2019

5.5.4 The Wildlife and Countryside Act 1981 (as amended)

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY (EA)

6.1.1 No objections subject to conditions relating to contamination, biodiversity and compliance with the submitted FRA.

6.2 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.2.1 Updated overwintering bird survey results is required to overcome objections.

6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.3.1 No contribution required.

6.4 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.4.1 No objections subject to conditions, off-site highway improvements and travel plan contribution.

6.5 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

- 6.5.1 No objection, subject to conditions.
- 6.6 LANCASHIRE LEAD LOCAL FLOOD AUTHORITY (LLFA)
 - 6.6.1 No objection subject to conditions.
- 6.7 NATIONAL HIGHWAYS (NH)
 - 6.7.1 No objections.
- 6.8 NATURAL ENGLAND (NE)
 - 6.8.1 Updated overwintering bird survey results required to overcome objections.
- 6.9 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG)
 - 6.9.1 No objections subject to financial contribution towards reconfiguration and extension of Thornton Medical Centre & Beechwood Surgery.
- 6.10 UNITED UTILITIES (UU)
 - 6.10.1 No response received.
- 6.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)
 - 6.11.1 No objections subject to conditions.
- 6.12 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY)
 - 6.12.1 No objection in respect of noise and odour impacts subject to conditions.
- 6.13 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)
 - 6.13.1 No objection to land contamination subject to conditions. An Air Quality Survey is requested.
- 6.14 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)
 - 6.14.1 No objections to tree survey. Landscaping details and management details are required.
- 6.15 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PARKS DEVELOPMENT TEAM)
 - 6.15.1 No objections subject to financial contribution towards off site play area at the Bourne recreational fields and on site green infrastructure to be secured.
- 6.16 WYRE BC HEAD OF WASTE MANAGEMENT SERVICES
 - 6.16.1 No objections raised.
- 7.0 REPRESENTATIONS

7.1 A representation has been submitted by Paul Maynard (MP). The following points of objection have been made: -

- Traffic flows along full length of Fleetwood Road North and cumulative impact from other development should be considered. Mistaken assumptions that traffic from the new housing will exit via Bourne Way and Amounderness Way have been repeatedly shown to be wrong - yet collecting data relating to Fleetwood Road North and South has been specifically excluded from being collected for the purposes of the applications.

Fleetwood Road has become increasingly busy as the population has grown, and there are no safety measures along its length - despite an obvious need for pedestrian crossings.

- As Amounderness Way - particularly at the junction with West Drive - becomes an ever slower route, more cars utilise Fleetwood Road North and South, and this will increase further still as a result of this housing.

7.2 At the time of compiling this report, 233 public representations have been received, with points of objection summarised as follows:

Housing and Infrastructure

- Too many dwellings are proposed and there are too many new developments in the area;
- Alternative sites should be considered;
- There is a lack of affordable housing;
- There is insufficient infrastructure to support further population increase, including doctors, dentists, schools, pharmacies, hospitals, supermarkets and public transport;
- The topography of the site will lead to a loss of privacy.
- Increase in antisocial behaviour combined with a lack of police resources.
- The location of affordable housing is prejudiced.

Highways

- The surrounding road network is congested and Fleetwood Road North is too dangerous, with no traffic calming measures - the development will worsen this;
- Suggested accesses would be unsuitable and there are a lack of pedestrian crossings;
- Traffic Management plan will be ineffective at reducing the highways impact if not enforced;
- The scope of the transport assessments is too narrow.

Drainage/ Flooding

- Development would have a negative effect on drainage in the surrounding area;
- The existing ditch does not have capacity to contain high volume of water - surface water outfall should be to the river and not flood existing playing field;
- Flood Risk and Drainage Assessment did not account for existing properties.

Environmental

- Site is a habitat for wildlife such as; foxes, rabbits, bats, migratory birds, domestic birds, hedgehogs, crested newts, butterflies, and bees;
- This would result in loss of green space which would impact on people's amenity and recreation and is visually harmful, particularly given the topography;
- Development potentially expands into the Green Belt;
- There would be air and noise pollution from HGV's and future private vehicles etc;
- There are ground contamination issues due to former use of the site for landfill.

Other Issues

- Bourne Hill has the potential to be a heritage site due to a potential presence of historical artefacts - mitigation should be carried out as suggested;
- There is a lack of local employment available to new dwelling owners which is unsustainable;
- Planning application details/plans should not be revised from the initial submission;
- Developer should have to install solar panels on all houses;
- Development does not align with the council's position on climate change and there is no guarantee that the development will be carbon-neutral and eco-friendly;
- Site was believed to be allocated as a cemetery.

8.0 CONTACT WITH APPLICANT/AGENT

- 8.1 The applicant has provided additional and updated details during the application, including a revised layout with a reduction in the total number of units proposed. An extension of time has been agreed until the 12/1/2023 and all of the off site financial contributions have also been agreed.

9.0 ISSUES

- 9.1 The main issues to be considered in the determination of this application are:

- Principle of development and Policy compliance
- Scale, Design and Impacts upon the Character of the area
- Impact on Amenity of neighbouring properties
- Highway safety and parking
- Impacts arising from flood risk and drainage
- Trees
- Ecology
- Housing mix
- Affordable Housing
- Green Infrastructure
- Health care
- Education
- Viability

Principle of development and Policy compliance

- 9.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan 2011-31.
- 9.3 The application site is allocated for residential development under Policy SA1/3 of the Wyre Local Plan (2011-31). This policy also states that 153 dwellings should be delivered at the site, however this is an estimated capacity figure based on the site area and should not be taken as a limit. It is noted that the proposed development is for 160 units which would accord with Policy SA1/3. Policy SA1/3 also requires the site to be brought forward in line with a masterplan. A Masterplan has been submitted for consideration alongside this application which is considered to be acceptable and consistent with other housing only allocations. The proposals are aligned with the details and parameters of the Masterplan, which takes into account the Key Development Considerations (KDC's), or policy requirements, for this site allocation.
- 9.4 Policy SP2 of the Local Plan sets out that development should contribute positively to the physical, social, environmental and economic character of the area. The physical impacts are discussed in the report below. It is considered that the development's location would allow for future occupiers to access local services via walking, cycling and public transport and would therefore score well in terms of social sustainability, and the construction of the building and future population would support the local economy. In respect of environmental considerations, the development would provide on-site green infrastructure and open space, with additional tree planting and landscaping to be provided. Furthermore, electric vehicle charging points would also be secured by condition to enhance the sustainability credentials of the scheme. Overall, the scheme is considered to accord with the aims of Policy SP2 of the Local Plan.
- 9.5 Overall, the principle of the proposed residential development is considered to be acceptable, subject to other material considerations to be discussed below and compliance with the key development considerations (KDC's) set out in Policy SA1/3.

Scale, Design and Impacts upon the Character of the area

- 9.6 Policy CDMP3, Section 12 of the NPPF and the National Design Guide seek to ensure high quality design including layouts. The development generally spans the central part of the site, with open space to the north and southern boundaries. Case officer concerns were raised during the application about the density of the scheme and visual implications. Following discussions with the applicant, the number of dwellings proposed has been reduced from 180 to 160 in total. Whilst the general layout occupies a similar area, it is considered that this significant reduction would result in a more appropriate density for this location.
- 9.7 When considering the layout in greater detail, the main access road leads into the site from the existing roundabout on Fleetwood Road North, with secondary roads branching off. The proposed dwellings are set out in blocks fronting onto the internal roads, and generally have small front gardens and/or

driveways with private gardens to the rear. Following amendments, continuous frontage parking has been significantly reduced and the position of dwellings has been improved, with additional room available for landscaping. The amendments would ensure street scenes are not dominated by parked cars and are softened with landscaping features, and building lines have also been straightened to ensure a more uniform appearance. Dual aspect house types are used for prominent corner plots, which would limit the prevalence of blank side elevations being visible within street scenes, and would improve natural surveillance. Whilst it is noted that the layout still includes some plots that are angled, with gardens that taper to a narrow point, these are not uncommon and would not result in any significant visual harm.

- 9.8 In terms of house types, it is noted that some two and a half storey properties are proposed (with dormers to provide accommodation in the roofspace). Following discussions, taller properties are now generally grouped together as much as practicable, with greater consideration having been given to matching the roof heights between adjacent plots. This is deemed to provide a more graduated approach to building heights and would reduce any stark visual contrasts between plots. A mix of house types have been proposed which have some similar proportions, characteristics and design features. A mixture of hipped roofs and side gables are proposed which is considered appropriate in this location. The nearest existing properties are to the west on Pheasants Wood. Generally speaking, the proposed layout and design characteristics would not represent any significant contrast to these existing houses, and it is noted that the new properties would be read in a separate visual context. It is accepted that some changes in land levels would be necessary, however this would not result in any significant visual implications. Whilst the topography means some parts of the site are more prominent, attempts have been made via amendments during the application to ensure the development is has an appropriate appearance and relationship with surrounding land.
- 9.9 Overall, no unacceptable harmful impacts have been identified in respect of the character or visual amenity of the surrounding area. The application is deemed to accord with Policies CDMP3 of the Local Plan and would not conflict with the Key Development Considerations (KDCs) set out in Policy SA1/3 of the Local Plan.

Impact on Amenity of neighbouring properties

- 9.10 In terms of physical impacts, the development would be opposite existing dwellings to the west along Pheasants Wood. It is noted that there would be a difference in land levels between the proposed houses and those existing to the west. The most likely affected dwellings would be those at the eastern end of Bluebell Close, particularly No's 18-24. The submitted layout shows that a row of dwellings would back on to these existing properties, with the exception of plot 95 which would be side on to the boundary. Concerns were raised with the applicant about the potential outlook from upper floor windows in plot 95, particularly No.24. The layout has been amended with this plot positioned further from the boundary, with additional space for landscaping to the boundary include. Whilst some outlook towards the rearmost part of the garden of No.24 and No.22 Bluebell Close could be gained, this would be via a slanting angle and is not considered to be significantly different to existing relationships between some of the existing properties on Bluebell Close and

elsewhere in the surrounding area. As such, this outlook is not considered significantly harmful to amenity. The dwellings (plots 89-93) that back on to the western boundary would accord with the Council's Design guidance in SPG4 in terms of garden lengths and separation distances, and would not result in any significant reduction in privacy. No other overlooking impacts have been identified. The proposed difference in land levels would result in some additional overbearing impacts, however this is not considered to be significantly harmful given the intervening distances, and no unacceptable overbearing or overshadowing impacts would arise. An appropriate boundary treatments to the rear boundary of these gardens would be secured via condition should permission be granted.

- 9.11 In terms of the proposed dwellings, the layout would include separation distances in accordance with the interface distances set out in SPG4, and whilst there would be a minor shortfall in some garden lengths within the proposed layout, future occupiers would still generally have a good standard of amenity in terms of garden sizes and relationship with surrounding buildings. It is noted that the reduction in units during the application has resulted in some improvement to separation distances and garden sizes proposed. Overall, on the basis of the aforementioned considerations, the application would have an acceptable impact on neighbouring amenity and would accord with Policy CDMP3 of the Local Plan (2011-31).

Highway safety and parking

- 9.12 Policy CDMP6 of WLP31 sets out the necessary criteria to ensure an effective and efficient transport system for movement and people from one place to another can be achieved and that new development is capable of being accessed and serviced safely without compromising safety elsewhere on the network. Concerns were raised by local residents and the Local MP in respect of increased traffic along Fleetwood Road North and the associated highway safety implications. Concern has also been raised about the submitted Transport Assessment which has been considered under the application and by consultees.
- 9.13 In respect of LCC's Personal Injury Accident records for the last 5 years, there have been 4 slight and one serious collision on Fleetwood Road North between the proposed access road and the junction at Bourne Road.
- 9.14 The application site is self-contained with one point of vehicular access proposed to the site via the existing roundabout on Fleetwood Road North. Separate pedestrian accesses are also proposed in the eastern boundary at the northern and southern ends of the site to promote sustainable travel. Appropriate visibility would be achieved at the new access and the internal access roads are confirmed to be appropriate for adoption by LCC Highways.
- 9.15 In respect of future trip generation, LCC has confirmed likely trip rates of 72 departures during the morning peak of 08.00 and 09.00, and likely arrivals of 72 vehicles during the evening peak of 17.00 and 18.00. They have assessed the impacts on the wider network along Fleetwood Road South, including the Bourne Way junction, and have confirmed that the potential increase in trips is acceptable. LCC have advised, however, that Fleetwood Road North has poor safety record from its junction with Bourne Road/Way and its junction with Victoria Road East. As such, they have sought a contribution of £100,000.00 towards highways safety improvements to

mitigate against the highways safety risk caused by increased traffic along this stretch, as well as £50,000 towards improvements at the junction with Bourne Way. Additionally, off site works including tactile paving and crossing improvements to the roundabout at the site access are requested, in combination with a review and enhancement of road markings and provision of cycle lanes to mitigate highways safety risks. A contribution towards Travel Plans is also sought. The applicant initially requested additional justification and evidence that the £100,000 was CIL compliant, reasonable and necessary in relation to the proposed development. Following a further response and clarification from the Highways Officer the applicant has confirmed and agreed to pay all of the requested financial contributions. LCC Highways have considered the likely impacts and confirmed that they do not envisage an unacceptable impact on highway safety as a result of the proposals. Mitigation in the form of highways improvements and contributions would be secured by conditions or legal agreement should permission be granted.

- 9.16 National Highways have no objections to the proposals. Whilst this current application would generate extra vehicle, pedestrian and cycle movements, it is considered that the proposed development, in combination with other nearby development, would not result in any significant detrimental impacts on highway safety. On the basis that no objections have been raised by National Highways or LCC Highways, it is considered that this outline application would not result in any unacceptable impact on highways safety and would accord with Policy CDMP6 of the Local Plan and the NPPF.

Impacts arising from flood risk and drainage

- 9.17 An area of land across the southern part of the site, and a narrow strip of land along the northern boundary fall within Flood Zones 2 and 3. The majority of the site, comprising the central area where development is proposed, fall within Flood Zone 1 (lowest risk). In respect of river flooding, based on Environment Agency information, the submitted Flood Risk Assessment (FRA) sets out that the existing site levels are considerably higher than the flood levels in a 1 in 100 river flooding event. The FRA also concludes that, in respect of flooding from the sea, that minimum finished floor levels of 7.20m and road levels of 6.90m should be provided, to ensure appropriate protection from flooding. These details would be conditioned should permission be granted.
- 9.18 The Environment Agency (EA) has no objections in respect of flooding, subject to development being carried out in accordance with the submitted FRA. Lancashire Lead Local Flood Authority (LLFA) has also advised development should accord with the submitted FRA, and has requested conditions in respect of sustainable drainage, construction management and drainage management and maintenance. Subject to conditions, no objections are raised by the LLFA. Similarly, the Council's Drainage Engineer does not raise objections to the scheme and has advised that maintenance details are submitted in respect of sustainable drainage features. A full drainage strategy and surface water drainage details would be secured by way of condition, as well as drainage management and maintenance details.
- 9.19 Given the site is allocated for residential development under Policy SA1/3 of the Local Plan, the flood risk sequential test and exceptions test are not required. Overall, subject to suitably worded conditions, the application is

deemed to have an acceptable impact in terms of flooding and drainage in accordance with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of the Wyre Local Plan.

Trees

- 9.20 There are some existing trees and shrubs within the western part of the site. There is a hedgerow along part of the eastern boundary, plus there are rows of shrubs and vegetation along each watercourse to the northern and southern boundaries respectively. The proposed development would be set centrally and would not impact on any vegetation along the northern and southern boundaries. Some bramble and gorse would be removed to the western boundary, and a small section of hedgerow would be removed for pedestrian access to Fleetwood Road North. A Tree Survey has been submitted for consideration, including tree protection measures. The Council's Tree Officer has confirmed that the information is appropriate, and no objection were raised to the relatively minor removal of vegetation at the site. Whilst some amendments to the layout have taken place, the position of protective fencing would still remain appropriate.
- 9.21 In terms of proposed landscaping, full details have not been provided at this stage. It is noted that, following amendments and a reduction in number of units, there is greater scope for landscaping to be provided along streets and adjacent to dwellings. It is also noted that there are large areas to the north and south where some additional landscaping is likely to be appropriate. The layout shows new planting along the eastern boundary which would soften the development in views along Fleetwood Road North. A condition would be added to any permission granted to ensure appropriate landscaping and new tree planting details are agreed, as well as suitable management and maintenance details. On this basis, it is considered that the proposed development would have an acceptable impact on trees and landscaping in accordance with Policy CDMP4 of the Local Plan.

Ecology

- 9.22 The site lies within 3.5km of the Morecambe Bay SSSI, SPA and SAC, which are designated to reflect the importance of this coastal habitat for ecology and wildlife. A Shadow Habitat Regulations Assessment (HRA) and Wintering Birds Survey were submitted to evaluate the potential impact on migratory birds. Greater Manchester Ecology Unit (GMEU) and Natural England have both advised that additional further details in respect of Wintering Birds are necessary before each of these consultees can confirm that the site is not functionally linked land. It is noted that other land in the surrounding area is used by wintering birds, however the submitted HRA concluded that the application will have no adverse effect on the integrity and conservation objectives of the relevant designated conservations sites. The submitted HRA does, however, recommend the mitigation measures are incorporated to achieve this, including Homeowner Information Packs. Other mitigation can potentially be secured by condition as necessary. Subject to confirmation from GMEU and Natural England that no objections are raised, and suitable mitigation being achieved via condition, it is considered that the application would not result in any adverse effect on the integrity and conservation objectives of the Morecambe Bay & Duddon Estuary SPA and Morcambe Bay Ramsar Site.

- 9.23 In respect of other ecological matters, it is noted that the site has previously been in use as an agricultural field. Some overgrown vegetation would be removed, although this is considered to have limited ecological or habitat value in itself. Given a significant area of land would remain undeveloped in the northern and southern parts of the site, subject to appropriate landscaping, the scheme would still provide a similar level of vegetation and habitat value. Moreover, additional landscaping and tree planting would be required within streets, as well as other open areas, which would allow for green wildlife corridors, and more variety in terms of vegetation to support local wildlife. Conditions would be added to any permission granted in respect of amphibian and mammal mitigation measures, as well as biodiversity enhancement measures and vegetation removal (outside bird nesting season). Overall, it is considered that subject to suitably worded conditions, the application would not have any significant harmful impact on protected species or local ecology.
- 9.24 Overall, subject to confirmation that the site is not functionally linked to the Morecambe Bay SSSI, SPA and SAC and can be screened out of further assessment under the Habitat Regulations, there would be no unacceptable impact on ecology and protected species. On this basis, the application would not conflict with Policy CDMP4 of the Local Plan, The Wildlife and Countryside Act 1981 (as amended) and section 15 of the NPPF.

Housing Mix

- 9.25 Policy HP2 of the Local Plan requires new housing developments to provide a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. Of the 160 units proposed, 14.4% would be 1 and 2 beds, 45.6% 3-bed and 40% 4-bed. The proposed mix comprises a higher proportion of larger units, however the applicant has submitted a market demand report and supporting details which indicate a demand for larger properties in this area. It is accepted that there is a greater demand for these units, and current trends towards home-working have likely contributed towards this. In relation to this development, an increase in the number of smaller properties would likely increase the density of development further which is unlikely to be visually acceptable in this edge of settlement location. It is acknowledged that in addition to the bedroom mix, the development is providing a wide choice of house types (detached, semi-detached and terraced) with different floorspace sizes to appeal to different households. As such, the application is therefore considered to contribute towards meeting the need for smaller properties in the area as well. On balance, the proposed housing mix is not considered to conflict significantly with the SHMA evidence and, in view of the submitted Market Demand Report, the proposed mix is considered to be justified.
- 9.26 Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. A condition would be added to any permission granted to ensure the application meets the adaptability target of 20% of all units.

Affordable Housing

- 9.27 A 30% affordable housing contribution would apply to this site, as set out in Policy HP3 of the WLP31. This should be provided onsite, unless it can be demonstrated that such a provision is not appropriate (and a financial contribution will instead be provided in lieu of an onsite provision). In this case, the applicant has identified 48 affordable units which would equate to 30%. The proposed affordable units would be split to different parts of the site and are not concentrated in one area. A mix of smaller and larger affordable units are proposed which are considered to be appropriately designed and suitably located. On this basis, the application would meet the requirements of Policy HP3. This affordable housing provision would be secured via a suitably worded Section 106 Agreement.

Green Infrastructure (GI)

- 9.28 Key Development Consideration (KDC) 2 of Policy SA1/3 requires development to be supported by a landscape and green infrastructure framework incorporating structured tree planting and pedestrian and cycle connectivity within and where possible outside the site. Policy HP9 of the Local Plan requires appropriate provision of green infrastructure on site. The submitted layout plan shows open space would be provided in the northern and southern parts of the site, including footpath links to Fleetwood Road north at each end of the site. The submitted layout plan also shows landscaping features within these areas.
- 9.29 160 dwellings would generate a requirement for 1.57 hectares of green infrastructure. The indicative layout plan shows green infrastructure covering an area of approximately 3.33ha. This would represent a provision over the required total in terms of on-site green infrastructure. In respect of children's play facilities, given the site's proximity to the recreational land to the south of the site on Bourne Way, a financial contribution of £55,929 towards play equipment on that site would be sought. Whilst on-site provision of a locally equipped area of play (LEAP) would usually be sought for this scale of development, it is considered preferable to have a single facility that is better equipped rather than several smaller play areas. Given the proximity, this would provide an acceptable recreation facility to future occupiers, and the open space on site would also provide additional recreation opportunity. On this basis the application would accord with Policy HP9 and KDC 1 as set out in Policy SA4 of the WLP (2011-31).

Health Care

- 9.30 Lancashire and South Cumbria Integrated Care Board have requested a financial contribution of £97,915.00 towards the reconfiguration and extension of Thornton medical centre and Beechwood surgery. This is calculated on the projected additional population and is considered necessary to mitigate the impact of this development on local health care facilities.

Education

- 9.31 Lancashire County Council Education has not requested a contribution towards local education provision on the basis that projected school places are covered by current funding commitments.

Contamination

- 9.32 The Environment Agency (EA) has recommended that a planning condition is attached to any permission granted in respect of mitigating the risk of water pollution relating to land contamination. A Desk Study was submitted and updated during the application. The Council's Environmental Health Team has no objections to the proposals subject to further site investigation being submitted for approval when available and gas protection measures being secured to prevent unacceptable contamination risk. This is considered to address concerns raised by the EA, and subject to suitably worded conditions it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.

Other Matters

- 9.33 Archaeology - An Archaeological Assessment was submitted for consideration. This recommends that a programme of archaeological work is undertaken, in collaboration with Lancashire County Council (LCC) Archaeology. LCC Archaeology have confirmed agreement with this recommendation, and requested this is secured by conditions should permission be granted. On this basis, the development would safeguard any remains of archaeological and historical importance at the site.
- 9.34 Noise and Odour - The Council's Environmental Health Team has no objections in respect of these matters, subject to noise reducing trickle ventilation being included to the windows of certain plots.
- 9.35 An Air Quality Survey was originally requested by the Council's Environmental Protection Team. However following further discussions with The Environmental Health Officer it was advised that given the location of the application site and current data recorded for the area, it was unlikely that the addition of 160 dwellings would give rise to additional impacts upon air quality in the local area. It is considered that any impacts from dust or pollution during the construction phase can be suitably mitigated by condition requiring a construction environmental management plan (CEMP). A condition would also require the provision of electric vehicle charging points (EVCP) to ensure compliance with Policy CDMP6 of WLP31.
- 9.36 Waste Collection - No issues have been raised by Wyre's Waste Services Department. Details of bin collection/storage areas including location, design and appearance can be secured by condition.

10.0 CONCLUSION

- 10.1 The site is allocated for residential development under Policy SA1/3 of the Local Plan and the proposed development is therefore acceptable in principle. No unacceptable impacts have been identified in respect of design, amenity, highways safety, drainage, flooding and ecology. Planning obligations would be provided in accordance with Policy SP6 and guidance in the NPPF. All other material impacts have been assessed and found to be acceptable and overall, subject to conditions and a Section 106 legal agreement, the proposed development is 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 Grant full planning permission subject to conditions and a S106 Legal Agreement to secure on-site Affordable Housing and on site Green Infrastructure provision and financial contributions towards health care, off site Green Infrastructure, highways safety improvements and Travel Plan. That the Head of Planning Services be authorised to issue the decision upon the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 26.07.2022 including the following plans/documents:

Plans

- Site Location Plan Drg No.101;
- 1800mm High Brick Wall plan Drg No.F01;
- 1.8m High Acoustic Fence plan Drg.No.F014-1;
- 1200mm High Stock Proof Fence plan Drg No.F06;
- 1200mm High Entrance Wall plan Drg No.F01-2;
- 1800mm High Gated Fence Drg No.F02;
- Planning Layout Drg.No.102 Rev L, received 12th December 2022;
- Pumping Station Layout, received 8th December 2022;
- Pumping Station Kiosk, received 8th December 2022;
- Sections Through Boundary Drg.No.102-2 Rev A, received 12th December 2022;
- Preliminary Drainage Layout Drg No.30536/100 Rev E, received 12th December 2022;

House Types

- Single garage plan Drg No.SG-P-01;
- Arnside House plan Drg No.AR-P-01;
- Bollington House plan Drg No.BL-P-01;
- Caton/Croston House plan Drg No.CA/CR-P-01;
- Croft House plan Drg No.CF-P-01;
- Cheadle House plan Drg No.CH-P-01;
- Culcheth House plan Drg No.CU-P-01;

- Edenfield House plan Drg.No.ED-P-01;
- Freckleton House plan Drg No.FE-P-01;
- Formby House plan Drg.No.FM-P-01;
- Frodsham House plan Drg.No.FR-P-01 Rev A, received 8th December 2022;
- Haigh House plan Drg.No.HA-P-01;
- Hartford Special House plan Drg.No.HTSP-P-01;
- Plumley House plan Drg.No.PL-P-01;
- Tarleton House plan Drg.No.TA-P-01;
- Willaston House plan Drg.No.WN-P-01;
- Kingsleigh Plus House Type Drg.No.KI-P-01, received 3rd November 2022;

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

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

3. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (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 CDMP3 of the Wyre Local Plan (2011-31).

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

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;

- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the NPPF.

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

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

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

6. No development shall commence until details of how surface water will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include as a minimum measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate. The development shall be constructed in accordance with the approved details.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere to ensure compliance with policy CDMP2 of the Wyre Local Plan.

7. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Ironside Farrar Ltd (Ref: 30536/SRG/FRA) including the mitigation measures and recommendations detailed within Chapter 8. The mitigation measures shall be fully implemented prior to first occupation of any dwelling or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

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

8. Prior to the commencement of development, a Biodiversity Enhancement Measures Scheme shall be submitted to and approved in writing by the Local Planning Authority, including a timetable for implementation. The approved scheme shall be carried out in accordance with the approved details and shall be retained thereafter.

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

9. Prior to commencement of development, a Reasonable Avoidance Measures method statement for amphibians and mammals shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved document, including all the mitigation measures included.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

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

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

11. Prior to first occupation, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

12. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site, and validation of the approved measures shall be submitted to, and approved by, the Local Planning Authority in writing on completion of the works. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

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

13. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The measures shall include as a minimum: ventilation of confined spaces within the building, a ground slab of suitable construction, a low permeability gas membrane, minimum (ideally none) penetration of the ground slab by services, and passive ventilation to the underside of the building. The development shall be carried out in accordance with the approved scheme and thereafter be maintained and retained. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above protection measures are not required. The results shall be submitted to and approved in writing by the Local Planning Authority. Any gas monitoring programme 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.

Reason: The development is within 250m of a closed landfill site. Works are therefore required in the interests of public safety and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

14. Prior to first occupation of any dwelling hereby approved, the off-site works of highway improvements listed below shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority:

- Introduction of tactile paving provision at the existing uncontrolled crossing points of the compact roundabout, with modifications to refuge islands where necessary;
- Review of existing road markings and road signs with replacement/enhancements provided where necessary;
- Provision of cycle lanes from the compact roundabout to the signalised crossroads of Bourne Road/Way and Fleetwood Road North.

The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

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

15. The visibility splays from the proposed new site access points as shown on approved Planning Layout Drg.No.102 Rev L shall be provided prior to first occupation of any dwelling served by that access point, and shall not at any time thereafter be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

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

16. No dwelling hereby approved shall be first occupied until the parking / turning area shown on the approved Planning Layout Drg.No.102 Rev L, received 12th December 2022, as relating to that dwelling has been laid out, surfaced

and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

Reason: To ensure that adequate off road parking is provided and retained to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

17. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings unless it is demonstrated that such provision of EVCP is not practical or due to identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

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

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

- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
- (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
- (d) contractors' compounds and other storage arrangements
- (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routeing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

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

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

19. (a) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base (road base) level up to the entrance of the site compound before any other development takes place and shall be further extended before any development commences fronting the new estate road.
- (b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) have been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base (road base) level.

Reason: To ensure that satisfactory access is provided to the development site in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

20. No development shall take place until a programme of archaeological work and investigation (which shall include the timetable for the investigation) has been submitted to and approved in writing by the Local Planning Authority. The approved programme of archaeological work and investigation shall be carried out as approved.

Reason: Such a programme of archaeological work and investigation was not submitted with the application but is necessary prior to the commencement of development to ensure that any archaeological remains at the site are recorded and to ensure that there is an understanding of the significance of the heritage asset before it is lost, in accordance with policy CDMP5 of the Wyre Local Plan (2011-31) and Section 16 of the NPPF.

21. Prior to the commencement of above ground development a scheme to demonstrate how at least 20% of the dwellings shall be of a design suitable or adaptable for older people and people with restricted mobility shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, retained and maintained thereafter in accordance with the approved details.

Reason: To meet the needs of the ageing population and people with restricted mobility in the borough in accordance with Policy HP2 of the Wyre Local Plan (2011-31) and the provisions of section 5 of the NPPF.

22. No part of the development shall be commenced until details of the refuse storage provision (including location, design and materials of construction) have been submitted to and approved in writing by the Local Planning Authority. The refuse storage area(s) shall be provided in accordance with the approved details prior to first occupation or first use of the development and shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the site and locality and the residential amenity of occupants and neighbours, in accordance with Policies CDMP1 and CDMP3 of the Wyre Local Plan (2011-31). The details are required prior to the commencement of the development because they were not submitted with the application.

23. Prior to first occupation of the dwelling to which the noise mitigation measures relate, the measures set out in the Applicant's email received 8th December, namely trickle vents and mechanical extract vents, shall be implemented in full. The approved noise mitigation measures shall thereafter be retained and maintained.

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

Reasons: -

Notes: -

1. The programme of archaeological work should include a topographical and geophysical survey, followed by such subsequent work as required to investigate and record any remains encountered. Each subsequent phase of work following the topographical and geophysical surveys should be carried out following the further submission of a written scheme of investigation for each phase. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists. Lists of suitable contractors are available on the following websites:
Chartered Institute for Archaeologists (CIFA) <http://www.archaeologists.net/>
British Archaeological Jobs and Resources (BAJR) <http://www.bajr.org/>
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal);
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal);
 - on or within 16 metres of a sea defence;
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert;
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing: enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity. The following guidance on the rights and responsibilities of riverside ownership is available on GOV.UK: <https://www.gov.uk/guidance/owning-a-watercourse>.
3. The proposed development is within 250 metres of a site regulated by the Environment Agency through the Environmental Permitting Regulations. Future occupants of the proposed development could be exposed to emissions

associated with the regulated waste activity which may include one or more of the following:

- Odour
- Dust
- Noise
- Bioaerosols
- Pests

The severity of these impacts will depend on factors such as the size of the facility, the way it is operated and managed, the nature of the waste it receives and / or the prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts, the facility and the proposed development will co-exist, with the potential for some residual impacts. In some cases, such residual impacts may cause concern to occupants of the proposed development but there will be limits to the measures that the operator can take to prevent impacts from existing operations on new receptors.

4. The applicant should incorporate pollution prevention measures to protect ground and surface waters. The latest Pollution Prevention Guidance targeted at specific activities is available on GOV.UK at <https://www.gov.uk/guidance/pollution-prevention-forbusinesses> . In particular, measures should be taken to ensure pollution of adjacent watercourses does not occur during construction of the development.
5. Waste On-Site The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works is waste or has ceased to be waste. Under the Code of Practice:
 - excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution;
 - treated materials can be transferred between sites as part of a hub and cluster project;
 - some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommends that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice;
- The waste management page on gov.uk;
Waste to be taken off-site
Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:
 - Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2016
 - The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN

14899:2005 'Characterization of Waste

- Sampling of Waste Materials – Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on gov.uk for more information.