

Planning Committee

4 October 2017

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	S	17/00233/OUTMAJ	Land on the east side of Hollins Lane Forton Lancashire	Outline application for a residential development comprising up to 43 dwellings with new access from Hollins Lane applied for (all other matters reserved)	PER	

arm/rg/pla/cr/17nc2

Committee Report**Date: 04.10.17**

Item Number	1
Application Number	17/00233/OUTMAJ
Proposal	Outline application for a residential development comprising up to 43 dwellings with new access from Hollins Lane applied for (all other matters reserved)
Location	Land On The East Side Of Hollins Lane Forton Lancashire
Applicant	Mr Greenwood
Correspondence Address	c/o Graham Anthony Associates 2 Croston Villa High Street Garstang PR3 1EA
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mrs Lyndsey Hayes**

Site Notice Date: 06/04/17

Press Notice Date: 29/03/17

1.0 INTRODUCTION

1.1 This application is before the Committee at the request of Councillor Wilson. Members will have the benefit of a site visit prior to the public meeting as the nature of the site and surrounding area cannot be adequately conveyed through photographs.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site relates to 1.9ha of undulating grassland on the eastern side of Hollins Lane. To the east the site is bound by the West Coast Main Railway line, to the south by a field and to the north by Cleveley Bank Lane. Along the western boundary of the site fronting Hollins Lane there are some residential properties as well as agricultural land which has been the subject of a recent outline planning permission.

2.2 The records available to the Council indicate that the land falls within agricultural land classification grade 3. The site falls outside of flood zones 2 and 3 but a wedge of land at the southern end falls within a designated minerals safeguarding area. There are no public rights of way in the vicinity that would afford a clear view of the site. There is a run of three grade II listed buildings some 90m to the north of the site on the opposite side of Hollins Lane. There are no biological heritage sites, ponds or protected trees in the vicinity.

3.0 THE PROPOSAL

3.1 The application seeks outline planning permission for the erection of up to 43 dwellings with access taken from Hollins Lane. The application seeks to agree the matter of access with layout, scale, appearance and landscaping reserved for later consideration.

3.2 The application is supported by a:

- Sustainability statement
- Design and access statement
- Agricultural land classification report
- Noise assessment
- Ecological appraisal
- Tree survey and arboricultural impact assessment
- Flood risk assessment
- Transport statement
- Transport assessment
- Landscape, Townscape and Visual Appraisal

4.0 RELEVANT PLANNING HISTORY

Neighbouring Site

4.1 15/00968/OUT – outline permission granted for a residential development of up to 8 dwellings with access applied for on land fronting Hollins Lane immediately to the west of the site. This site is split into two parts and the dividing strip of land would provide the access to the development scheme proposed in the current planning application.

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 The NPPF was published on 27th March 2012. It sets out the Government's planning policies for England and how these are to be applied in the determination of planning applications and the preparation of planning policy. Within the NPPF, the following paragraphs and sections are of most relevance:

- Paragraph 14
- Paragraph 17
- Section 4 – Promoting sustainable transport
- Section 6 – Delivering a wide choice of high quality homes
- Section 7 – Requiring good design
- Section 10 – Meeting the challenge of climate change, flooding and coastal change
- Section 11 – conserving and enhancing the natural environment
- Section 12 - conserving and enhancing the historic environment

5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

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

- Flood risk and coastal change
- Natural environment
- Noise
- Planning obligations
- Rural housing
- Travel plans, transport assessments and statements

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
- ENV10 – Listed Buildings
- ENV15 – Surface water run-off
- CIS6 - Securing adequate servicing and infrastructure

5.4 EMERGING LOCAL PLAN

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

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

- SP1 Development Strategy
- SP2 Sustainable Development
- SP4 Countryside Areas
- SP5 Forest of Bowland AONB
- SP7 Infrastructure Provision and Developer Contributions
- CDMP1 Environmental Protection
- CDMP2 Flood risk and Surface Water Management
- CDMP3 Design
- CDMP4 Environmental Assets
- CDMP5 Historic Environment
- CDMP6 Accessibility and Transport
- HP1 Housing Land Supply
- HP2 Housing Mix
- HP3 Affordable Housing
- HP9 Green Infrastructure in new residential developments
- SA1 – Residential Development

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

5.4.4 The 'Publication' draft Wyre Local Plan allocates a number of sites across the Borough considered suitable for new homes in order to meet the housing requirement. This list of allocated sites includes the application site under reference SA1/15 – Land East of Hollins Lane, Hollins Lane. The allocation considers key development considerations for housing delivery on the site, details of which will be outlined below under the assessment on principle section of this committee report.

5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 SPG2 – Trees and development

5.5.2 SPG4 – Spacing Guidance for New Housing Layouts

5.6 EVIDENCE BASE DOCUMENTS

5.6.1 The Rural Housing Needs Survey (2015-2020) concludes that there is considerable need for affordable housing across the Borough of Wyre to ensure long-term community sustainability.

5.6.2 The Fylde Coast Strategic Housing Market Assessment (2014) and Addendums 1 (2014), 2 (2016) and 3 (2017) was produced for the Fylde Coast Authorities of 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 2014 Fylde Coast SHMA and Addendums represent the most up-to-date assessment of OAN for Wyre. They indicate that Wyre's OAN lies between 400 - 479 dwellings per annum from 2011 - 2031 with a recommendation that the OAN figure should be 479 dwellings per annum. There is an estimated need for 300 affordable homes per year (over the next 5 years).

5.6.3 Wyre Settlement Study (2016) 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. Hollins Lane is ranked nineteenth within the list.

6.0 CONSULTATION RESPONSES

6.1 FORTON PARISH COUNCIL –

6.1.1 First response (04/04/17) objects on the grounds of:

- The discharge of surface water would cause the old field drain to the south to flood, exacerbating existing flooding problems.
- The scheme would increase traffic and have a highway safety impact. There is not continuous footpath and the junction with the A6 is poor.
- The scheme would be injurious to the character, amenity and appearance of the area.
- The application conflicts with section 7 of the NPPF, Policies SP13 and SP14 of the adopted Local Plan and Policies CS2 and CS24 of the emerging Local Plan

6.1.2 Second response (02/07/17) contains a submission on behalf of the Parish Council of a landscape and visual assessment and critique of development proposals to support their original objection.

6.2 HIGHWAYS ENGLAND – given the distance from junction 33 of the M6 and junction 1 of the M55, no objection is raised.

6.3 NATURAL ENGLAND – no objection raised. The scheme is unlikely to affect any statutorily protected sites. The site is close to an AONB and so the LPA should assess the proposal in accordance with national and local guidance and expertise. The AONB board should be consulted. The impact on protected species should be assessed using standing advice. The impact on any local designations should be considered. Opportunities to enhance biodiversity and the landscape character should be taken.

6.4 NETWORK RAIL – specific guidance related to design is provided. The safety, operation, or integrity of the rail network must not be affected. Consideration must be given to Network Rail land in respect of drainage, fencing, security, excavation and earthworks, planting, use of vibro-compaction or piling machinery and traffic movements. Specific requirements and standards are set out. The applicant must submit a Risk Assessment and Method Statement directly to Network Rail. A Basic Asset Protection Agreement would be required. The potential impact of noise and vibration must be considered. A matrix of recommended planting species is provided.

6.5 UNITED UTILITIES – Note that Hollins Lane is the subject of a number of recent proposals for new development. These include: 16/00835/OUTMAJ - 38 dwellings; 16/00062/FULMAJ - 10 dwellings; and 15/00711/OUTMAJ - 5 dwellings. Reviewed the submitted drainage strategy and pleased to note there will be no reliance on the existing public sewer for the discharge of surface water. To ensure this is secured in any planning permission granted, we recommend that connection of surface water to the public sewerage system is explicitly precluded in any condition. Given the volume of development proposals in the area, if planning permission is granted, United Utilities wishes to further discuss the full detail of the foul drainage proposals with the applicant to understand how the impact on the public sewer can be most appropriately managed. The proposed pumping station needs to be sited away from habitable buildings. Two public sewers cross this site and United Utilities will not permit building over and will require an access strip width of six metres. A modification of the site layout or a diversion of the affected sewer may be necessary. A number of conditions are recommended relating to securing drainage details.

6.5.1 A further response from United Utilities states the line of one of the combined sewers as shown on the indicative layout plan appears to be inconsistent with the UU public sewer map. A detailed site investigation should therefore be carried out to confirm the exact line of the sewers crossing the site prior to fixing the layout through any reserved matter approval. This should be included as an informative. Highlight the existence of a rising main and combined sewer and the easement is 3m either side of the centre line of each asset. Therefore the overall easement is likely to be greater than 6m in some parts of the site. Recommend the applicant discusses this matter in detail with the UU drainage engineer for the area. Recommend conditions relating to the protection of the public sewer and that this is included as an informative. Remain concerned that the indicative layout shows dwellings which are too close to the proposed pumping station therefore recommend a condition requiring any dwelling to be sited at least 15m away to minimise the risk from noise, odour and vibration.

6.6 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY) – No objections in principle to the proposed development for 43 dwellings, providing the applicant can address the issues regarding the sight lines from the proposed site access.

6.6.1 LCC have assessed the highway impact based on the 43 dwellings as part of this planning application and have also included the 8 properties approved by 15/00968/OUT (51 dwellings in total). The development will be accessed via a new access on to Hollins Lane. Hollins Lane is classified as the C447 and is categorised as a secondary distributor road with a speed limit of 30mph fronting the site access. A full week traffic survey was carried out by LCC on the 4th December 2014. LCC have not been able to exactly replicate the TRICS report within the submitted Transport Statement but the differences are negligible when the numbers are rounded up. Using that TRICS report, the development (including the 8 approved dwellings) will generate an estimated 248 two-way vehicular movements a day between 7am and 7pm with an estimated peak flow of 30 two-way vehicles during the morning peak period between 8am and 9pm and an estimated peak flow of 28 two-way vehicles during the evening peak period between 5pm and 6pm. LCC are of the opinion that the overall development will not have a severe impact on highway capacity in the immediate vicinity of the site.

6.6.2 LCC's five year data base for Personal Injury Accident (PIA), was checked on the 31st July 2017. There has not been any reported incidents near the access to the new development. There has been two incidents at the junction with Hollins Lane and the A6 Lancaster Road. Whilst any accident is regrettable, the highway network surrounding the site is considered to have a good accident record and indicates there are no underlying issue which the proposed development would exacerbate.

6.6.3 LCC's traffic survey (carried out on the 4th December 2014) indicates 85th percentile traffic speeds are 38mph in both directions. The impact of the development will reduce the speed of vehicles passing the site due to changes in vehicular movements around the site, as such an 85th percentile speed of 37mph would be reasonable. Using table 7.1 from Manual for Streets and an estimated 85th percentile speed of 37 mph then sight lines of 2.4 x 59m are to be provided in both directions from the new site access. The applicant should provide accurate details of the required sight line requirement before determining the application, ensuring this is fully over land within the applicants control and/or over the adopted highway and to fully show all works which would be required to provide the sight lines. The sight line must be within the red line boundary for this planning application.

6.6.4 The proposed geometry of the site access is to prescribe design standards for this size of development for all highway users. The new site access will need to be constructed under a section 278 agreement of the 1980 Highways Act.

6.6.5 To promote sustainable forms of transport, LCC supports the applicant's proposal to provide a 2m wide footpath for the full frontage of the site with Hollins Lane. This will need to be constructed as part of the new site access 278 works and the footpath improvements must be within the red line boundary for this planning application. Also recommends the two bus stops on the A6 Lancaster Road (near the New Holly Hotel) to be upgraded to quality bus stops as part of the off-site section 278 works. S106 contributions are not requested as the applicant is being asked to pay towards the bus stop improvements on the A6 and a new footpath for the full frontage of the site with Hollins Lane as section 278 works. Provisional comments are provided on the indicative site layout and regarding the future highway adoption under a section 38 agreement. A number of conditions are recommended.

6.7 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY) – the latest assessment from LCC (dated 13/09/17) confirms that the development proposed (43 dwellings) would generate a requirement for 5 secondary school places and 4 primary school places at the present time. This would equate to a required estimated financial contribution of £56,869.24 towards primary places and £107,116.35 towards secondary places (although actual contribution figure would be based on resultant dwelling sizes to be determined at reserved matters stage). A second assessment from LCC has been provided at the request of Wyre Council (dated 15/09/17) which confirms that the development proposed together with the adjacent development for 8 dwellings (ref: 15/00968/OUT) would generate a requirement for 6 secondary school places and 7 primary school places at the present time. This would equate to a required estimated financial contribution of £99,521.17 towards primary places and £128,539.62 towards secondary places (again actual contribution figure would be based on resultant dwelling sizes to be determined at reserved matters stage). LCC would intend to use the Primary education contribution to provide additional Primary places at Forton Primary School. This is the closest Primary school to the development that has space to accommodate an expansion. LCC would intend to use the Secondary education contribution to provide additional Secondary places at Lancaster Central High School. This is the closest Secondary school to the development that has space to accommodate an expansion.

6.8 LANCASHIRE COUNTY COUNCIL (MINERALS SAFEGUARDING) – no response received.

6.9 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY) – no objection subject to the imposition of three conditions. These would require the agreement of a surface water drainage scheme; prevent development prior to the implementation of that scheme; and agree a lifetime management and maintenance plan. Surface water should be drained in accordance with the established sustainable drainage hierarchy. The applicant must demonstrate that the more preferable options are not practicable before considering options lower down the hierarchy. General advice in respect of sustainable drainage systems is provided as well as specific advice relating to the design of the scheme. Development should not detract from the quality of any water bodies and so pollution prevention measures may be required. Land drainage consent may be required. Two advice notes are recommended.

6.10 GREATER MANCHESTER ECOLOGY UNIT (GMEU) – The site comprises an agricultural field dominated by species-poor semi-improved grassland. It is not

designated for its nature conservation value and it is not close to any specially designated sites. It has only low potential to support any specially protected or priority species. The mature hedge forming the boundaries of the site does however have some local nature conservation value. Note that part of this hedge will inevitably be lost to any approved development to enable new sightlines to be created for access to Hollins Lane from the new houses. The remaining hedge will be (very) fragmented. Recommend that compensation be sought for the losses to the hedgerow to require new hedgerow planting to be undertaken nearby, and new tree planting within the application site. The adjacent railway line also provides a useful green corridor; note the inclusion in the outline plans of a planted screen (landscape buffer) between the proposed new houses and the railway. Would support the inclusion of this feature although the retention of at least parts of the open views out to the west of the site as far as the Bowland Fells should also be a consideration in the design of this landscape feature. Recommend a condition requiring a detailed Landscape Plan for the development to be submitted, incorporating new hedgerow planting and a landscape buffer between the built development and the railway. Further recommend that landscaping proposals improve the plant species diversity and diversity of structure planting on the site to enhance the biodiversity value of the site. There shall be no vegetation clearance during the optimum period for bird nesting (March to July inclusive).

6.11 WBC HEAD OF ENGINEERS (DRAINAGE) – no objection in principle. Full surface water drainage plans must be agreed prior to any development. No surface water should be discharged to the combined sewer in Hollins Lane. The site is in flood zone 1 and is therefore at low risk of flooding.

6.12 WBC HEAD OF COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION – LAND CONTAMINATION) – the standard condition requiring the submission of a desk study should be attached to any permission granted.

6.13 WBC HEAD OF COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION – AMENITY CONSIDERATIONS) – with regard to noise from existing sources, no objection is raised subject to a condition requiring the mitigation measures contained within the submitted noise report to be implemented. It is noted that there is planning permission for development immediately to the west. Construction may give rise to amenity issues from noise and dust. As such, a construction management plan should be secured through condition.

6.14 WBC HEAD OF PARKS AND GREEN (PUBLIC OPEN SPACE OFFICER) – Note the provision of public open space on site/ No further comments at this stage.

6.15 WBC HEAD OF PARKS AND GREEN (TREE OFFICER) – the submitted tree survey and arboricultural impact assessment are agreed, including the tree protection plan. The indicative site plan shows the existing trees and indicates new trees and areas of planting. As landscaping is a matter for consideration, further details are required. The appropriate tree protection measures should be secured through condition.

6.16 AONB BOARD - no response received.

7.0 REPRESENTATIONS

7.1 Fifty-eight representations have been submitted raising the following issues:

- Cumulative impact with other schemes

- No need for new housing
- Inadequate infrastructure and services to support the development
- Impact on the character and appearance of the area
- Development not in-keeping
- Should provide bungalows for older people
- Existing foul and surface water drainage issues
- Existing drainage insufficient
- Increase in flood risk
- Remote from village centre
- Road network inadequate
- Impact on highway safety (particularly for pedestrians and children)
- Increase in traffic and congestion
- Lack of continuous footpath
- Junction with A6 is poor
- Private road used as turn-around for HGVs delivering to site
- Increased noise
- Increased pollution
- Proximity to existing properties
- Loss of privacy
- Insufficient landscaping
- Application 16/00709/OUT was refused on the basis of impact on the countryside

7.2 Potential impact on property value is not a valid planning consideration. The developer has the legal right to make the application regardless of any previous statements to the contrary. The misnaming of nearby properties on the submitted plans is inconsequential to the assessment or determination of the application.

7.3 Two representations have been received in support for the scheme.

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. This includes the submission of a site access plan indicating sightlines, revised indicative layout plan demonstrating a more appropriate housing mix and a landscape visual appraisal.

9.0 ASSESSMENT

9.1 The main issues are considered to be:

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

- Other Issues

PRINCIPLE

9.2 The application site falls within designated countryside as defined by the current adopted Wyre Borough Local Plan. Saved 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 NPPF which is a more recent expression of planning policy published in March 2012 and a significant material consideration. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, paragraph 47 of the NPPF makes it clear that one of the government's key objectives is to significantly boost the supply of housing by requiring the local planning authority to use their evidence base to ensure that the Local Plan meets the full, objectively assessed needs (OAN) for housing in the borough, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.

9.3 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. However, the 'Publication' Draft Wyre Local Plan (2011 – 2030) was approved by Full Council on 7th September 2017 for a six week public consultation. The 'Publication' stage is an advanced stage in the local plan process. Although it does not have the full weight of an adopted Local Plan it has been approved as a material consideration in the determination of planning applications from the date of publication. It has been prepared based on the completed housing evidence. This includes the Strategic Housing Market Assessment (including the 2017 Addendum 3) which confirms that a figure of 479 dwellings remains a robust and appropriate OAN figure. However the local plan sets an annual housing requirement of 411 dwellings for the period 2011 to 2031 as the evidence supporting the Local Plan shows that the full OAN cannot be delivered. This is considered to represent a robust and sound figure within the context of constraints in the borough. In accordance with the NPPF the 'Publication' draft Wyre Local Plan allocates a number of key sites considered critical to the delivery of these new homes. This includes the application site (and neighbouring site to the western boundary along the Hollins Lane frontage) under policy reference SA1/15 – Land East of Hollins Lane, which is a proposed housing allocation site for 51 dwellings. The current application seeks outline permission for up to 43 dwellings and so together with the approved neighbouring development of up to 8 dwellings, it would be in accordance with that allocation capacity figure. The provision of up to 43 dwellings would represent a notable quantitative contribution towards meeting the boroughs housing requirement, and being on a site allocated for housing in the 'Publication' Draft Wyre Local Plan weighs significantly in favour of the application.

9.4 The allocation contains a number of key development considerations for housing delivery on the site. These are as follows:

1. This site is to be brought forward in line with a masterplan to be produced covering the whole of the site. The masterplan must be agreed by the local planning authority prior to the granting of planning permission for any part of the site.
2. The development should be supported by a landscape and green infrastructure framework incorporating structured tree planting, on-site open space to include formal and informal play and pedestrian and cycle connectivity within and outside the site.

3. The design of the development should provide an 'organic' extension to the village. It should utilise important key vistas into the adjoining open countryside and provide a rural transition zone between the development and the wider countryside. Particular attention should be given to the nature and quality of boundary treatments.
4. The site lies within Flood Zone 1. Residual surface water should drain to towards Laburnum nurseries and into the canal.
5. A contribution towards highway improvements along Hollins Lane is likely to be required.
6. A number of trees are located within the boundary hedgerows are the subject of a Tree Preservation Order (reference 003/2016).
7. The site is not covered by any nature conservation designations. Potential ecological impacts should be considered due to the greenfield nature of the site and important features such as hedgerows and trees. Mitigation measures for habitat loss should be met in the local area.
8. The site lies adjacent to the West Coast Main Line which sits in a cutting forming the eastern boundary of the site. Regard should be had to the asset protection requirements of Network Rail, including the need for a Risk Assessment and Method Statement (RAMS) once any proposal has entered the development and construction phase for all works to be undertaken within 10m of the operational railway.

In response to the first point, the front portion of the site already has planning permission (up to 8 dwellings) and an indicative layout plan has been submitted with this application demonstrating how the two developments would relate. This is considered sufficient. In response to the second point, the indicative site plan includes provision for on-site public open space, a planting buffer along the eastern boundary and good connectivity through the site. This, together with the remaining points relating to design, drainage, highways, trees and hedgerows, ecology and impact on rail infrastructure, is assessed below under the relevant sections.

9.5 The Publication Draft Wyre Local Plan (2011 – 2030) identifies this as a key site to meet the borough's housing requirement over the plan period. Subject to this outline application not conflicting with any of the above criteria, this is considered to carry more weight than the policy conflict of this development with saved policy SP13 in the current Local Plan, which is considered to be an out-of-date policy for the purposes of housing land supply, particularly as the Council is currently unable to demonstrate a five year housing supply against the objectively assessed need figure.

IMPACT ON THE COUNTRYSIDE

9.6 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 NPPF 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. Nevertheless, there is an acknowledgement in the 'Publication' Draft Wyre Local Plan (2011 – 2030) through the allocation of key housing sites 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. Some erosion of the countryside on those allocated sites around existing settlements, including the application site, is therefore inevitable.

9.7 The application site lies beyond the limits to development on Hollins Lane, which is identified as a small rural settlement in the Council's 'Publication' Draft Wyre Local Plan as supported by the published Settlement Study. At present Hollins Lane is a linear hamlet running along the road of the same name to the west of the application site and does not have a defined centre. The more established main rural settlement of Forton lies some 1km to the north-west of Hollins Lane on the opposite side of the A6.

9.8 Hollins Lane has been subject to residential development pressure recently, with 5 dwellings built since 2011, 46 dwellings approved (including those subject to a S106 agreement) and 62 dwellings allocated in the 'Publication' Draft Wyre Local Plan (amounting to 113 dwellings in total since 2011). Apart from one site wedged between Hollins Lane and the A6, which has a resolution to grant outline planning permission subject to a completed S106 agreement for up to 38 dwellings (ref: 16/00835/OUTMAJ), the remainder of committed development is contained on smaller sites largely fronting Hollins Lane, as this was considered to be visually in keeping with the linear hamlet. The development of up to 38 dwellings was considered not to represent a clear incursion into open countryside given the relationship of the site to the A6 and would continue to be surrounded by large tracts of open countryside on all sides. No unacceptable impact on the character and function of the wider countryside area was anticipated. In the case of the application site, its distance and disconnection from the A6 means it is not considered to be as well contained in comparison, although its defining boundaries of Hollins Lane, Cleveley Bank Lane and the Main West Coast Railway Line on three sides does provide some containment from the wider countryside nevertheless. In view that it would continue to be surrounded by large tracts of open countryside no unacceptable impact on the character and function of the wider countryside area is anticipated here. It is, however, accepted that there would be a localised impact on the character of the countryside immediately around the site and on the character of the rural hamlet of Hollins Lane. This would weigh against the proposal.

9.9 Specifically in relation to the application site, the 'Publication' Draft Wyre Local Plan (2011 – 2030) expects the design of the development to provide an 'organic' extension to the village. It should utilise important key vistas into the adjoining open countryside and provide a rural transition zone between the development and the wider countryside. Given the relatively low density proposed and opportunities for landscape retention and enhancement to be incorporated into the development, which could be secured by condition or at reserved matters stage, there is no reason to believe that this criteria could not be achieved.

LOSS OF AGRICULTURAL LAND

9.10 The application site falls within Agricultural Land Classification Grade 3. A supporting document submitted with the application confirms the land as Grade 3b – moderate quality agricultural land. It is not therefore considered to be the best and most versatile agricultural land in accordance with the NPPF grading, and so the local authority is not required to give further consideration to its loss. The development of the site would not be detrimental to the borough's supply of quality agricultural land.

HOUSING DENSITY AND MIX

9.11 The indicative plan illustrates 43 dwellings on a site measuring 1.6ha in net developable area. This equates to a housing density of 27 dwellings per hectare, which is relatively low. However, it is acknowledged that Hollins Lane is a rural hamlet and that the surrounding area is characterised by detached properties within large plots. Furthermore the 'Publication' Draft Wyre Local Plan (2011 – 2030) expects the design of the development to provide an 'organic' extension to the village. As such, the housing density proposed is appropriate to the nature of the local area and is considered to be acceptable.

9.12 The indicative plan submitted indicates that a mix of houses would be provided in the form of detached market dwellings and semi-detached affordable homes. However, the housing mix is for assessment at reserved matters stage when Policy HP2 of the 'Publication' Draft Wyre Local Plan (2011 – 2030) will be a material consideration.

IMPACT ON AMENITY

9.13 The Council expects new build residential developments to satisfy the requirements of SPG4, including interface distances contained therein, in order to result in an acceptable layout and impact on amenity – both for existing residents and future occupants. This application seeks to agree the principle of development including access. Scale, appearance and layout are not matters for consideration. However, judging from the indicative layout plan and given the relatively low density of the scheme, there is no reason to believe at this stage that a reserved matters application will be unable to achieve the requirements of SPG4.

9.14 Given the surrounding land uses, the development of the site for housing is considered to be compatible. The indicative plan suggests the public open space area would be sited in the northern part of the site, which is considered to be appropriate. An exact location of the open space will be determined when layout is applied for, and this can also consider appropriate surveillance / overlooking from the proposed dwellings in the interest of public safety. For residents located near to the proposed new access, it is anticipated that there will be an impact from vehicle noise and headlights, however this impact is not considered to be significant due to the vehicle levels involved. In terms of impacts associated with the construction phase of the development, these will be temporary in nature and can be mitigated through effective site management methods required by condition. No unacceptable impacts on residential amenity are anticipated from increased noise or activity.

9.15 It is considered that the railway line would be the most significant source of noise nuisance for future residents. The application including the submitted noise report has been considered by the Council's Environmental Protection team. No objection is raised to the development on the grounds of noise although a number of conditions are recommended to ensure no unacceptable impacts.

LANDSCAPE AND VISUAL IMPACT (INCLUDING HERITAGE)

9.16 The applicant has submitted a Landscape and Visual Appraisal (LVA) Report. This LVA presents an assessment of the landscape, townscape and visual effects which are predicted to result from the erection of 43 dwellings. It assumes the construction of the 8 dwellings on the west boundary subject of outline planning permission (15/00968/OUT).

9.17 The site is not within any statutory or non-statutory landscape designations but it is part of a landscape recognised as locally distinct and highly valued. The site

falls within the Lancashire and Amounderness Plain National Character Area (NCA 32). This is characterised as a rich patchwork of fields, hedgerows and watercourses in a flat or gently undulating landscape punctuated by blocks of woodland and built form. Locally the site lies within the Lancashire Landscape Character Assessment (LCA) area 05i: West Bowland Fringes. Area 5i is transitional with the M6, A6 and railway separating fell-land from agricultural plains. The area is relatively dramatic in character with some exceptional views available. At its nearest point the Forest of Bowland Area of Outstanding Natural Beauty (AONB) lies approximately 1.3km to the east. The site is also within an area of Countryside.

9.18 Six viewpoints have been selected (including one within the AONB) to illustrate the visual capacity of the landscape to absorb the development and those visual receptors that will be affected by changes in their views.

In considering landscape effects, the overall effects of the development on the landscape features of the site are judged in the LVA to be of low magnitude and in combination with a medium-low sensitivity to change, which reflects the location of the site in a settlement edge context within a low value landscape, this would result in a slight-imperceptible, negative effect. In terms of impacts on West Bowland Fringes LCA, the effects of the development are judged to be concentrated within 0.5-1km of the site and of medium magnitude and medium to low, adverse. The LVA considers there would be no indirect effects on the AONB due to a combination of topography, vegetation and distance between the AONB and the site. Whilst there would be direct effects on the countryside, in the context of the wider Countryside the changes are considered relatively minor. In a more localised context, the site is considered to have a role in the maintaining the gently undulating character of the Countryside although the railway cutting separates it from the surrounding landscape. There is less of a sense of rural character and a stronger urban-edge perception to the site arising from its proximity to the eastern edge of Hollins Lane. Any impacts identified are likely to improve overtime as the landscape buffer matures.

9.19 In terms of predicted likely townscape effects and the effects on heritage, there is a terrace of three Grade II listed buildings (8, 9 and 10 Hollins Lane) located approx. 100m to the north of the site. These properties front Hollins Lane at a point where the road gently curves toward the north. Given the presence of intervening properties and the curve of the road, the LVA considers there is no visual connection between the site and the listed buildings. As such, the effect of the development is judged to have no change on the setting, character or heritage value of these listed buildings. In terms of the effects on Hollins Lane settlement, the development would be located behind an approved development of 8 dwellings and is judged to have no direct visual or physical relationship with Hollins Lane. Furthermore the presence of the mainline railway, an overhead power line and existing buildings are considered to give the site and its immediate surrounding landscape a more urban character. On balance the susceptibility of Hollins Lane to change is judged to be medium-low. In combination with a low magnitude of effect, it is considered that the level of effect on the character of Hollins Lane would be imperceptible.

9.20 In terms of predicted likely visual effects as determined by the six key viewpoints, these are summarised as being moderate-adverse for properties to the west of Hollins Lane who would experience close range views of the development; and moderate-slight, adverse for those travelling along Cleveley Bridge and south on Hollins Lane before turning onto Cleveley Bank Lane who would obtain partial views of the development. These are the worst case effects as the remainder are summarised in the LVA as being no change i.e. for visitors to the Forest of Bowland AONB who would experience a distant view of existing buildings to the north of the site on Hollins Lane as the site itself is screened by mature planting; for those

travelling towards the site from the south on Hollins Lane who would have an oblique view towards the site which would be screened by the dwellings; and for those approaching the site from the north on Hollins Lane who would also have an oblique view towards the development.

9.21 To conclude, the LVA submitted by the applicant considers that the proposed development of up to 43 dwellings is of a scale and nature which can be successfully accommodated within the local landscape and townscape without any unacceptable landscape, townscape or visual effects. The application is for outline planning permission which presents an opportunity in the determination of a reserved matters application to guide the form and layout of the proposals in response to the local vernacular and existing landscape and village character.

9.22 A Landscape and Visual Appraisal (LVA) Report has also been submitted on behalf of the Parish Council. Five main viewpoints have been selected to illustrate the visual capacity of the landscape / townscape to absorb the development. The National and Regional landscape designations which this site falls within demonstrate a landscape that is of medium sensitivity to change with distinct and definable characteristics and features and a landscape under noted pressure of new development and urban expansion. At a local level the sensitivity to change for the Hollins Lane landscape and townscape is assessed as medium-high. The capacity of Hollins Lane and the surrounding local landscape to accommodate change of the type proposed through the current proposals for residential development is considered low due to the very real possibility of all of a number of key landscape features being lost or degraded to a greater or lesser degree through development. It is considered that new development should follow the single plot depth, linear pattern of the existing village, principally along Hollins Lane. This is not the case with this application in terms of the scale of the proposals and its wholly inappropriate sub-urban layout on the village setting which takes houses east to the railway line and has access terminating in cul de sacs and driveways.

9.23 Both appraisals are considered to have been carried out by a suitably qualified landscape architect, in accordance with a recognised methodology, have considered relevant landscape designations / values / sensitivity to change and have looked at relevant key viewpoints of the development. Their different conclusions are noted particularly in relation to the impact of the development in the immediate local context. One explanation is that the applicant's appraisal looks at the impact specifically from this development of 43 dwellings whereas the one submitted on behalf of the Parish Council also considers the impact of wider developments and their effect on the changing character of Hollins Lane. It is possible to draw on both appraisals to assess the development.

9.24 From these appraisals in terms of the impact on the sensitive AONB receptor it is reasonable to assume there will be no unacceptable visual impact. It is also reasonable to assume, and having regard to the provisions of s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 that the development will not impact on the appearance, character or significance of the Grade II Listed Buildings to the north of the site which are designated heritage assets. In terms of the localised impact, there are views of the current undeveloped site from public vantage points along Hollins Lane and Cleveley Bank Lane, and so it is considered to make a positive contribution to the Hollins Lane rural hamlet townscape. Some views are partially interrupted by neighbouring dwellings or rolling topography. The site is considered to closer relate to the backdrop of built development along Hollins Lane more so than the open countryside to the east. Having said that, the scale and form of a development of up to 43 dwellings in an estate layout which projects a

considerable distance from Hollins Lane and the existing properties along this road frontage will present a more solid mass of built form at odds to the current linear pattern of development. It is acknowledged that the development proposed would have a significant localised visual impact as is inevitable for development of this scale on greenfield land. The detrimental visual impact that would be caused by the proposal is a material consideration that weighs against the application. It is important to acknowledge that this impact will have been considered in the 'Publication' Draft Wyre Local Plan when deciding which sites to allocate for housing. Through that process the visual harm of a development of this scale on the site was judged to be outweighed by the benefits to development; that judgement will have been informed by a sustainability appraisal. In order for an acceptable development to come forward, criteria 3 of the allocation policy for this site relating to design requires development to form an 'organic' extension to the village. It should utilise important key vistas into the adjoining open countryside and provide a rural transition zone between the development and the wider countryside. Particular attention should be given to the nature and quality of boundary treatments. At this stage and given the relatively low density of development proposed, there is no reason to believe that this criteria could not be achieved. It is considered that the agreement of appropriate design and landscaping at reserved matters stage which would help to soften the appearance of the development and integrate the land with the surroundings would ensure an acceptable visual impact is achieved.

ACCESS, PARKING AND HIGHWAY SAFETY

9.25 The application and submitted information has been considered by Highways England and Lancashire County Council as the respective highway authorities for the strategic and local networks.

9.26 Given the distance that the development is located away by road from the strategic road (SRN) network at M6 Junction 33 and M55 Junction 1, the development was not in itself result in a severe traffic impact upon the SRN. No undue impact on the strategic highway operation or safety is identified by Highways England.

9.27 In terms of the local network, LCC have previously identified significant capacity issues in the more southerly parts of the A6 and how this affects junction 1 of the M55. This site does not fall within that southerly section of the A6 where such constraints are identified. LCC have considered the predicted level of traffic movements associated with this development and do not consider this would have a severe impact on highway capacity in the immediate vicinity of the site.

9.28 In terms of highway safety, LCC have considered recent accident records and traffic speed counts. Using this information LCC consider that sight lines of 2.4 x 59m should be provided in both directions from the new site access. This new site access is to be taken from Hollins Lane and is in the same location as the site access approved for a neighbouring development of 8 dwellings located along the western boundary edge of the application site. An access plan has been provided to demonstrate that the required sight lines can be provided. Whilst LCC requested these sightlines to be within the application site boundary, they do fall within neighbouring land under the applicant's control or within adopted highway land and are therefore achievable. This can be secured by condition.

9.29 In order to improve sustainability and encourage walking, the provision of a footpath along the Hollins Lane frontage is requested together with upgrade improvements to two bus stops on the A6 in both northerly and southerly directions

closest to the junction with Hollins Lane. The footpath is outside the application site boundary but does fall within neighbouring land under the applicant's control. These improvements could be secured through condition and a S278 legal agreement. No S106 contributions are requested / considered necessary by LCC Highways to make the development acceptable.

9.30 LCC Highways have provided comments on the internal layout of the site based on the indicative layout plans submitted and on future highway adoption considerations. However, whilst this is useful for the applicant to consider in subsequent stages of the development process, they do not require further consideration here. LCC has requested that six conditions be attached to any permission granted. Four of these are considered relevant to this outline application or considered necessary for the scale of development proposed and should therefore be imposed. Subject to the imposition of these conditions, no unacceptable impacts on highway operation or safety are anticipated and the development is considered to satisfy both saved and emerging local plan policies and criteria 5 of the 'Publication' Draft Wyre Local Plan allocation policy relating to highway contributions on this site.

ECOLOGICAL AND ARBORICULTURAL IMPACT

9.31 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. The hedgerows offer some local habitat value and should be retained wherever possible. It is acknowledged that a loss of openness would result and so despite the limited existing diversity, opportunities for new landscaping and greenspace - including a landscape buffer along the eastern site boundary adjacent to the railway line embankment - to ensure no unacceptable loss of biodiversity should be sought from this development. The proposed retention of the existing trees and hedgerows is welcomed and any loss of trees and hedgerows should be compensated for by replacement planting. New planting would be required in any event to compensate for the visual impact of the development and enable it to integrate into the immediate landscape. To achieve the required highway sightlines a hedgerow along Hollins Lane will need to be removed and replanted, although the loss of this hedgerow would result if an approved neighbouring development along the Hollins Lane frontage were to come forward in any event. As these are required for ecological reasons (as well as for arboricultural and visual impact reasons) then securing appropriate compensation planting, tree protection and a suitable landscaping scheme could be secured through condition should the Council be minded to grant outline planning permission. On this basis and subject to the imposition of suitable conditions, no unacceptable ecological or arboricultural impacts are anticipated and the development is considered to satisfy both saved and emerging local plan policies and criteria 6 and 7 of the 'Publication' Draft Wyre Local Plan allocation policy relating to arboriculture and ecology on this site.

FLOOD RISK AND DRAINAGE

9.32 The site falls within flood zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The applicant has submitted a flood risk assessment (FRA). The FRA has considered different sources of site flood risk including ground water and sewers. Surface water runoff from the existing site is drained by a drainage culvert that leaves the development site on its southern boundary. It is intended that new surface water drainage will be constructed, appropriately sized to take all surface water runoff from the new buildings and hardstanding, be attenuated to Greenfield runoff (Qbar) and to

discharge into the culvert mimicking the existing scenario. Attenuation will be provided below ground. As such there is not therefore considered to be any change to the flood risk upstream or downstream of this location. As a result of the mitigation measures identified, the risk of flooding from the development drainage is considered low. The foul sewage from the site is proposed to be collected by a piped system to an onsite foul pumping station located within the site. A pumped discharge will be made into a public combined sewer that runs along the east side of Hollins Lane. Both proposed surface and foul water outline drainage strategies are considered appropriate by the Council's Drainage Engineer and the Lead Local Flood Authority (LCC). On this basis, it is not considered that the scheme would result in an unacceptable risk of flooding for future occupants or increased risk of flooding beyond the site boundary. Submission of full details of the drainage strategy can be imposed by condition. Should the applicant wish to depart from the strategy proposed in this outline application, this would be a matter for assessment at discharge of condition stage prior to a reserved matters application relating to layout being submitted. The relevant statutory consultees would have the opportunity to comment at that point. United Utilities (UU) also support the imposition of these drainage conditions. Whilst UU raise concerns relating to the indicative layout, primarily because the line of one of the combined sewers as shown appears to be inconsistent with their public sewer map, they acknowledge this layout is indicative at this stage and ask for informatives to be imposed requiring the applicant to liaise with them to ascertain the exact location of their assets. They also request a second informative stipulating a 3m easement requirement either side of the centre line of each asset. Finally they request a condition stipulating no dwelling to be sited within 15m of the proposed pumping station in the interest of residential amenity. The comments of UU are for the applicant to address when designing the detailed scheme layout and do not undermine the development being considered in this outline application. As such and subject to the imposition of the recommended conditions, no unacceptable drainage issues are anticipated and the development is considered to satisfy both saved and emerging local plan policies and criteria 4 of the 'Publication' Draft Wyre Local Plan allocation policy relating to drainage on this site.

ENVIRONMENTAL IMPACT

9.33 Given the scale of development and the location of the site, no unacceptable impacts on air quality are anticipated.

9.34 The Council's Environmental Protection team has requested that a desk study be secured through condition in respect of land contamination. Should this study reveal any likely contamination, a scheme of investigation must then be agreed along with any mitigation measures 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

9.35 In order to satisfy the 'Publication' Draft Wyre Local Plan, a coherent approach to infrastructure and planning obligation requirements is needed across the entire allocated site, which includes the application site for up to 43 dwellings together with a neighbouring site along the western site edge fronting Hollins Lane which has outline planning permission for up to 8 dwellings. The scale of that neighbouring development fell below the threshold for which infrastructure and contributions would normally be sought and so none were secured as part of that outline permission. There is therefore no issue of double counting. The exception being highway improvements, although the same off-site works (footpath and bus

stop upgrades) are required from both developments and so whichever is delivered first will be required to undertake the works. The agent has indicated agreement in principle with this comprehensive approach to calculating infrastructure requirements.

9.36 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. Policy HP3: Affordable Housing of the 'Publication' Draft Wyre Local Plan, supported by appropriate viability evidence, requires residential developments of 10 or more dwellings within Hollins Lane to include 30% affordable provision on site. A combined scheme of 51 dwellings would equate to a requirement for 15 affordable units. These 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. Indications from the Affordable Housing Officer are that a 50/50 split between affordable rent and intermediate housing with a mix of 2 and 3 bedroom houses would be required. A revised indicative layout has been submitted in response to concerns raised by the Affordable Housing Officer regarding the grouping and layout of the proposed affordable houses. These are now considered to be arranged in a more sympathetic tenure-blind layout with pepper-potting across the site. A 30% affordable housing scheme could be secured through condition and the housing mix / layout arrangement would be considered at reserved matters stage.

9.37 On the basis of the information provided, Lancashire Education Authority would require a financial contribution towards 7 primary and 6 secondary school places from the combined scheme of 51 dwellings. LCC intend to use the primary contributions to providing additional primary places at Forton Primary School and the secondary contributions to providing additional secondary places at Lancaster Central High School. These are the closest schools to the development site with space to expand. LCC also confirm both requests are in line with the CIL regulations. The exact financial contribution would be determined when accurate bedroom information became available (at reserved matters stage). These monies would be secured through a S106 legal agreement.

9.38 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. Against this policy a combined scheme of 51 units would equate to a requirement of 0.2ha (2040 sqm). The indicative layout plan submitted with the application shows the provision of some 2700 sqm of public open space within the site and, as such, this requirement is met. Policy HP9: Green Infrastructure in New Developments of the 'Publication' Draft Wyre Local Plan will eventually replace Policy H13. At this stage and given the relatively low density of development proposed, there is no reason to believe that the new requirements of this policy could not be achieved. A condition should be attached to any outline permission granted to secure the provision and management of this space. Details of location are for consideration at reserved matters stage.

9.39 It is 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.

OTHER ISSUES

9.40 Network Rail were consulted due to the close proximity of the site to the main railway line. In order to protect this asset they acknowledge the need for a Risk Assessment and Method Statement together with a Basic Asset Protection Agreement. This is required to be submitted directly to Network Rail and can be added as an informative to any outline permission. Details of landscaping and drainage in proximity to the railway line can be considered at discharge of condition / reserved matters stage. The development is considered to satisfy criteria 8 of the 'Publication' Draft Wyre Local Plan allocation policy relating to asset protection on this site.

9.41 Part of the southern area of the site falls within a designated Minerals Safeguarding Area (MSA). Given the relatively modest area size of the MSA and its proximity to existing residential properties it is not considered that any potential future minerals activity would be compromised by this development.

10.0 CONCLUSION

10.1 In light of the assessment set out above, the scheme proposed is considered to represent sustainable development and support delivery of the Council's housing strategy outlined in the 'Publication' Draft Wyre Local Plan. Whilst there would be some resultant harm from the development, including visual harm caused by introducing built development on a Greenfield site in the Countryside, this does not outweigh the benefits to development. On this basis, planning permission should be granted.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant outline planning permission subject to conditions and the completion of the necessary S106 legal agreement to secure appropriate financial contributions towards local education provision.

Recommendation: Permit

Conditions: -

1. In the case of any reserved matter, namely appearance, scale, layout or landscaping, 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 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 17/03/17 including the following plans:

- Location Plan drawing ref. GA2034-LP-01
- Site Access Plan drawing ref. GA2034-SAP-01

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

Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

3. The development shall not begin until a scheme for the provision of affordable housing as part of the development 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/bed spaces from this development and from approved development 15/00968/OUT (outline planning permission for up to eight units on adjoining land to the west of the application site);
- 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 RSL 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 and to ensure a comprehensive approach to infrastructure provision for development across the entire site allocation area as required by Policy SA1 - Residential Development (Site Allocation ref: SA1/15 - Land East of Hollins Lane) of the 'Publication' Draft Wyre Local Plan (2011 - 2030) .

4. 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, or any subsequent replacement Local Plan policy for the provision of public open space, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to

the first occupation of any dwelling on the site. In calculating provision this will be the policy requirements from this development and from approved development 15/00968/OUT (outline planning permission for up to eight units on adjoining land to the west of the application site).

Reason: To ensure adequate provision and delivery of public open space in accordance with Policy H13 of the Wyre Borough Local Plan (1999) and the National Planning Policy Framework and to ensure a comprehensive approach to infrastructure provision for development across the entire site allocation area as required by Policy SA1 - Residential Development (Site Allocation ref: SA1/15 - Land East of Hollins Lane) of the 'Publication' Draft Wyre Local Plan (2011 - 2030).

5. Prior to the submission of the first reserved matters application(s) relating to layout, or simultaneously with that first reserved matters application, a drainage scheme, which shall detail measures for the attenuation and the disposal of 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 the National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national guidance / standards. It will also be expected to be in accordance with the outline drainage strategy included within the Flood Risk Assessment and Drainage Strategy produced by CTC Infrastructure Ref No. 2016-C-174 dated November 2016 which was submitted as part of this outline planning application.

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.

Each reserved matters application relating to layout should demonstrate compliance with the agreed drainage scheme.

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and to prevent an undue increase in surface water run-off to reduce the risk of flooding in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework. The condition is required to be approved prior to the submission of the first reserved matters application relating to layout as full details have not been forthcoming with the outline application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services, a coherent approach to the design of drainage and housing layout, and that any proposed raising of levels can be assessed.

6. Prior to the submission of the first reserved matters application(s) relating to layout, or simultaneously with that first reserved matters application, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul 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 scheme details shall include, as a minimum:

- a. the location of the point of connection for foul water to the existing public sewer;
- b. the timing arrangements for the pumped foul discharge;
- c. the storage requirements for the pumped foul discharge; and
- d. the rate of discharge for the pumped foul discharge.

For the avoidance of doubt, there shall be no connection to the public sewer other than that agreed in writing by the local planning authority and foul and surface water shall be drained on separate systems. The foul water pumping station shall not be sited within 15 metres of a habitable building unless otherwise agreed in writing by the local planning authority.

Each reserved matters application relating to layout should demonstrate compliance with the agreed drainage scheme.

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

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health and in order to manage the risk of flooding and pollution from the public sewerage system in accordance with Policy ENV15 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework. The condition is required to be approved prior to the submission of the first reserved matters application relating to layout as full details have not been forthcoming with the outline application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services, a coherent approach to the design of drainage and housing layout, and that any proposed raising of levels can be assessed.

7. 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 the National Planning Policy Framework.

8. 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.

Reason: The development is for a sensitive end 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).

9. (A) The residential development hereby permitted shall be designed so that noise levels at each dwelling does not exceed the following levels as assessed in accordance with British Standard 8233 (2014) and WHO guidelines (or any subsequent replacement national standards / guidance):

- LAeq 50 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)
- LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)
- LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)
- LAFmax 45 dB 8 hours – indoors night-time (23.00-07.00)
- LAFmax 45 dB 4 hours – indoors evening (19.00-23.00)*
- LAFmax 60 dB 8 hours - façade level night time (23.00-07.00)
- LAFmax 60 dB 4 hours - façade level evening (19.00-23.00)*

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

*The evening standard LAFmax will only apply were the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

(B) Where noise mitigation measures are required to ensure compliance with the noise levels specified above e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be included within the first reserved matters application(s) relating to layout or appearance, demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupiers of the proposed dwellings and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and the National Planning Policy Framework. The noise assessment submitted with this outline application (produced by Sound Advice, dated 13/01/17 (ref GAA Hollins Lane)) demonstrates that appropriate mitigation is technically possible to achieve the required noise levels, but is based on the indicative site layout only. The condition therefore requires further mitigation details to be submitted with the first reserved matters application relating to layout or appearance to ensure a coherent approach to noise mitigation and the design of the development.

10. 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 (these will be expected to be 08.00 - 18:00 hours Monday to Friday, 08.00 - 13:00 hours on Saturdays and at no time on Sundays 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 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).

11. No development shall commence until a scheme for the construction of the site access and the off-site works of highway improvement [namely, upgrading two quality bus stops on the northbound and southbound carriageway of the A6 closest to the New Holly PH and provision of a 2 metre wide footpath fronting Hollins Lane along the entire length of the development site], including a timetable for implementation, has been submitted to, and approved in writing by, the Local Planning Authority. The site access and off-site works of highway improvement shall be constructed and completed in accordance with the approved scheme details including approved timetabling and be retained and maintained thereafter.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in accordance with Policy SP14 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.

12. The visibility splays shown on the approved site access plan (2.4 metres x 59 metres in both directions from the centre point of the site access along Hollins Lane) shall be provided prior to first occupation of the development 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 SP14 of the Adopted Wyre Borough Local Plan (July 1999).

13. 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 course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road. The road with all supporting infrastructure (drainage, footways, lighting and traffic calming measures) shall be completed prior to that phase of development being substantially constructed.

Reason: To ensure that satisfactory access is provided to support each phase of site construction hereby permitted in the interests of highway safety in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

14. No tree felling, tree works or works to hedgerows shall take place during the optimum period for bird nesting (March to July 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 11 of the National Planning Policy Framework (March 2012).

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

- Native tree and shrub planting
- Hedgerow planting (to compensate for the loss of hedgerow required to facilitate site access)
- Bolstering of existing hedgerows
- Landscape buffer along the eastern boundary between the development and railway line
- Bat bricks and/or tubes within the new development
- Bird Boxes
- Bat Boxes

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

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 and section 11 of the National Planning Policy Framework.

Notes: -

1. The applicant should be aware that the decision is subject to a separate legal agreement.
2. As noted in the application submission, two public sewers cross this site and United Utilities will not permit building over. They will require an access strip width of three metres either side of the centre line of the sewers which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with their Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.
3. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. The line of one of the combined sewers as shown on the illustrative plan appears to be inconsistent with the UU public sewer map. UU therefore advise that a detailed site investigation must be carried out to confirm the exact line of the sewers crossing the site prior to fixing the layout through any reserved matter approval. United Utilities' offer a fully supported mapping service and recommend the applicant contact the Property Searches Team by telephoning 0870 751 0101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.
4. Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The level of cover to the water mains and sewers must not be compromised either during or after construction. Should this planning application be approved, the applicant should contact United Utilities by telephoning 03456 723 723 or writing to Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.
5. If the applicant intends to offer wastewater assets forward for adoption by United Utilities (UU), the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should the applicant wish to progress a Section 104 agreement, it is recommended that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is

done entirely at the developers own risk and could be subject to change. For further information please contact United Utilities by email at wastewaterdeveloperservices@uuplc.co.uk

6. For the avoidance of doubt, the response from the Lead Local Flood Authority does not grant 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>

The response from the Lead Local Flood Authority does not grant permission to connect to the highway drainage network. Neither does it 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.

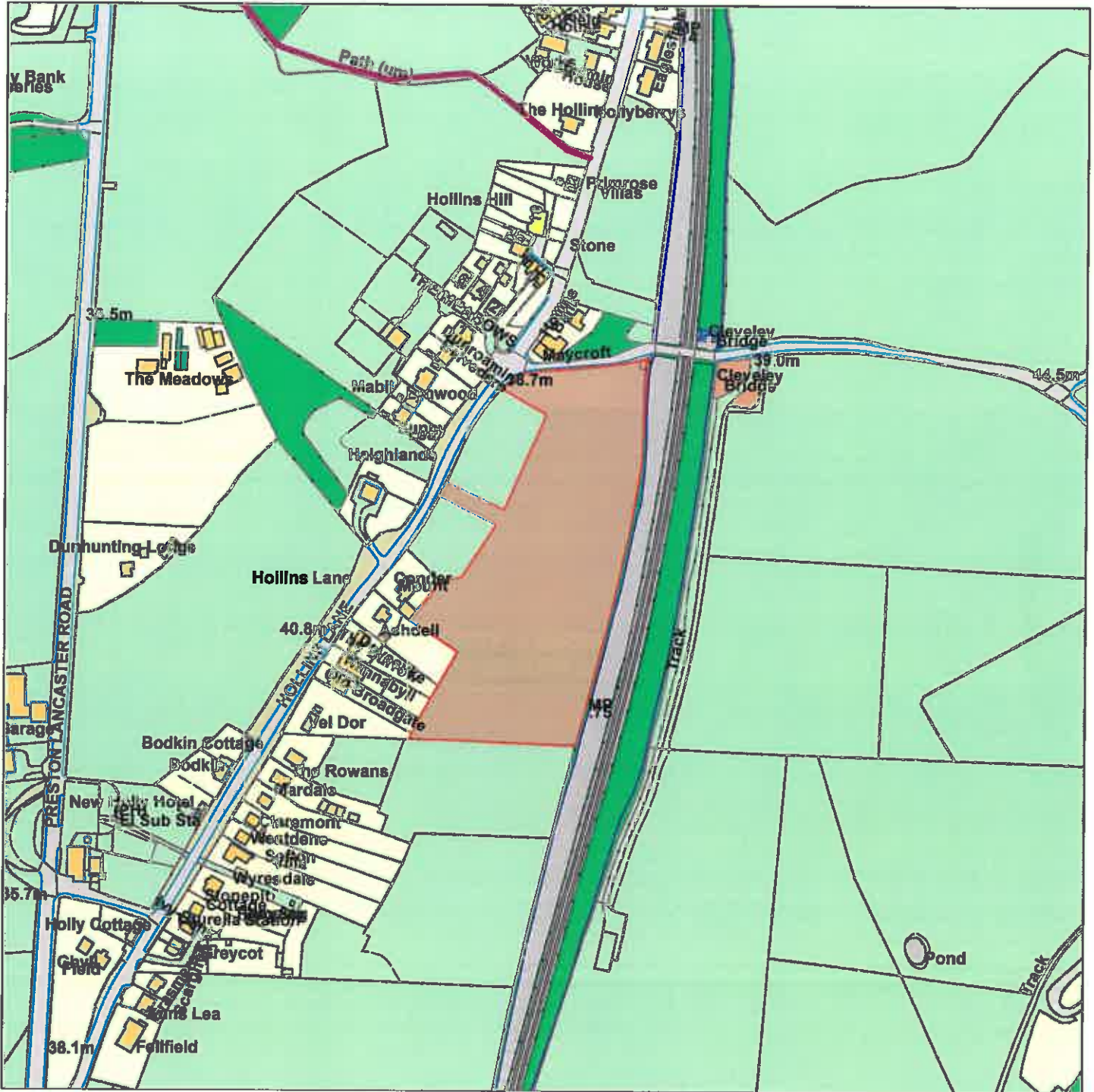
7. A risk assessment and method statement (RAMS) in respect of all works to be undertaken within 10m of the adjacent railway will need to be submitted to and agreed in writing with Network Rail to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. Network Rail Asset Protection should be contacted by email at AssetProtectionLNWNorth@networkrail.co.uk to discuss the RAMS requirements in more detail.

As the proposal includes works which may impact the existing operational railway, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The BAPA will be in addition to any planning consent. The applicant / developer should liaise directly with Network Rail Asset Protection (AssetProtectionLNWNorth@networkrail.co.uk) to set up the BAPA.

arm/rg/pla/cr/17/0410nc3

Planning Committee

17/00233/OUTMAJ - Land on East side of Hollins Lane Forton



Scale : 1:3467

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	22 September 2017
SLA Number	100018720