

Committee Report

Date: 06.09.2023

Item Number	06
Application Number	22/00815/FULMAJ
Proposal	Residential development for 184 no. dwellings with associated works (Phase 3)
Location	Land Off Lambs Road Thornton Cleveleys Lancashire
Applicant	Wainhomes (North West) Ltd
Correspondence Address	c/o Mr Gareth Salthouse 1-4 South Park Business Court Hobson Street Macclesfield SK11 8BS
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES

CASE OFFICER - Mr Karl Glover

Site Notice Date: 16/10/2022

Press Notice Date: 13/09/2022

1.0 INTRODUCTION

1.1 This application is before the Planning Committee for consideration as the application site falls primarily within an allocated site in the Wyre Local Plan and is of strategic importance. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the case officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application comprises of 9.35 hectares (ha) of undeveloped green fields and is located to the west of Raikes Road and east of Lambs Road in Thornton. To the south of the application site is an existing open field beyond which is residential properties which back on from Raikes Road. To the North West is Stanah Primary School and to the north east are residential properties and Thornton Equestrian Centre. The application site is bounded by hedgerows and the site levels and topography vary throughout.

2.2 The site forms part of a housing allocation (SA1/2 Lambs Road/Raikes Road) in the Wyre Local Plan 2011-2031. The allocation is made up of six parcels, referred to as Phases 1, 2a, 2b 3a, 3b and 3c in this report. Phase 1 in the south west corner of the allocation is under construction and close to completion having planning permission for 157 dwellings. The application site relates to Phase 3a of the allocation. The relevant planning history in relation

to the other phases within the allocation is set out in more detail within section 4 of this report.

3.0 THE PROPOSAL

- 3.1 This application seeks full planning consent for the erection of 184 dwellings with associated works this includes 55 (30%) affordable units. The proposed dwellings comprise of a mixture of 2, 3 and 4 bed units and include detached, semi-detached and terraced properties. The submitted plans show the retention of much of the existing hedgerows and provides green corridors and pedestrian links along with the retention of the onsite pond and a landscaped buffer to the eastern edge of the site alongside Raikes Road. The plans identify that 1.86ha of Green Infrastructure (GI) is to be provided on site including a children's locally equipped area of play (LEAP) within the central area of the site.
- 3.2 Vehicular and pedestrian access is proposed via Phase 1 (Shetland Court) and Phase 2 both of which are accessed from Lambs Road. A link would be provided to the south of the site to connect to Phase 3c.
- 3.3 The following documents have been submitted in support of the application:
- Tree Survey and landscape proposals
 - Planning Statement and design and access statement
 - Ecology Report
 - Shadow Habitat Regs Assessment
 - Market Housing Mix Report
 - Flood Risk Assessment
 - Preliminary Drainage Layout

4.0 RELEVANT PLANNING HISTORY

- 4.1 The site has the following relevant planning history:
- 4.2 Phases 2a, 2b, 3a,3b,3c
- 4.3 20/01018/LMAJ - HYBRID application: 1) Full planning application for the erection of 80 dwellings with vehicular access from Lambs Road and to land to the east (phase 3) and pedestrian access to land to the south (phase 1) and associated works to include landscaping and green infrastructure 2) Outline planning application for the erection of up to 194 dwellings, a one-form entry primary school (1.36ha) and a convenience retail store (up to 280sqm net sales floorspace) with associated works (all matters reserved for subsequent approval) - Permitted subject to conditions and S106 legal agreement - Pending decision.
- 4.4 Phase 1 Planning History
- 4.5 19/00981/RELMAJ - Reserved matters application for approval of landscaping and layout to reflect the revised access arrangement off Lambs Road approved under application 18/00875/OULMAJ. Withdrawn.
- 4.6 18/00875/OULMAJ - Variation of condition 3 to vary site access on planning permission 14/00553/OULMAJ. Permitted.

- 4.7 18/00457/REM - Reserved matters application for appearance, landscaping, layout and scale for the erection of 4 dwellings (substitution of plots 6-9 on reserved matters application 17/00050/REMMAJ). Permitted.
- 4.8 17/01021/REMMAJ - Removal of condition 07 (positioning of doors and windows) and variation of condition 12 to allow permitted development rights on application 17/00050/REMMAJ. Withdrawn.
- 4.9 17/00050/NOMAT1 - Non-material amendment to application 17/00050/REMMAJ for the removal of two ground floor side elevation windows to Plot 151. Accepted.
- 4.10 17/00050/NONMAT - Non material amendment to the approved landscaping plan on planning application 17/00050/REMMAJ to include a planted hedgerow along part of the western boundary adjacent to 6-8 Furlong Green, and a reduction in the length of the road by 1 metre adjacent to Plot 10. Accepted.
- 4.11 17/00050/REMMAJ: Reserved matters application for the erection of 157 dwellings with associated works. Approved.
- 4.12 14/00553/OULMAJ: Outline application for a residential development of up to 165 dwellings with access applied for off Lambs Road and Raikes Road. Application Refused. Appeal allowed.
- 4.13 Phase 2b Planning History
- 4.14 22/00781/FULMAJ - Erection of a retail store (Use Class E) with associated works and car parking (280sqm net sales area) - Permitted
- 4.15 Phase 3c Planning History
- 4.16 22/00780/FULMAJ - Proposed erection of 40 dwellings with associated landscaping, car parking and infrastructure works - Pending Consideration

5.0 PLANNING POLICY

- 5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 2011-2031) (INCORPORATING PARTIAL UPDATE OF 2022)
- 5.1.1 The Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (WLPPU31) was adopted on 26 January 2023 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 5.1.2 The following policies contained within the WLPPU 2031 are of most relevance:
- SP1 - Development Strategy
 - SP2 - Sustainable Development
 - SP7 - Infrastructure Provision and Developer Contributions

- SP8 - Health and Well-Being
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk and Surface Water Treatment
- 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
- SA1/2 - Lambs Road/Raikes Road, Thornton Site Allocation

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2021

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

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

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

5.2.3 In accordance with the National Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) §74, the council must be able to demonstrate a 5 year housing land supply position (with a 5% buffer) when dealing with applications and appeals. The latest available evidence on housing delivery is that set out in the council's Housing Implementation Strategy (base dated 31st March 2022) which demonstrates a deliverable housing land supply position of 10.63 years. The council's position therefore is that it is able to demonstrate a deliverable 5 year housing land supply.

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

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

- Guidance for Applicants - Green Infrastructure in New Residential Developments (Policy HP9)
- 5.3.2 National Planning Practice Guidance (NPPG)
- 5.3.3 The Conservation of Habitats and Species Regulations (amendment) (eu exit) 2019
- 5.3.4 The Wildlife and Countryside Act 1981 (as amended)
- 5.3.5 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
- 5.3.6 Planning (Listed Buildings and Conservation Areas) Act 1990
- 5.3.7 The Lambs Road / Raikes Road Masterplan was approved by the Council on 14 July 2021 and represents a significant material planning consideration to this application.

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY (EA)

6.1.1 No observations received

6.2 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.2.1 No objections. No further surveys are required to be submitted prior to determination. It is concluded that the development will not cause harmful impacts on the designated sites provided that mitigation measures proposed are applied and delivered.

6.3 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.3.1 Objects- No education contribution required however a holding objection remains on the basis that there is no mechanism for the school land to the north to be secured and transferred to LCC at nil cost.

6.4 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.4.1 No objections subject to conditions and financial contribution towards Travel Planning of £12,000

6.5 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

6.5.1 No observations received at the time of compiling this report

6.6 LANCASHIRE LEAD LOCAL FLOOD AUTHORITY (LLFA)

6.6.1 No objections subject to condition including the development to be carried out in accordance with the submitted FRA

6.7 NATIONAL HIGHWAYS (NH)

6.7.1 No objections subject to conditions

- 6.8 NATURAL ENGLAND (NE)
 - 6.8.1 No objections however additional information is requested in relation to the impacts upon Protected European sites and the submitted HRA
- 6.9 NHS FYLDE & WYRE INTEGRATED CARE BOARD (ICB)
 - 6.9.1 No objections subject to a financial contribution of £143,407 towards the reconfiguration and extension at Thornton medical centre and Beachwood Surgery
- 6.10 UNITED UTILITIES (UU)
 - 6.10.1 No objections subject to full drainage details being submitted. The Drainage strategy submitted is acceptable in principle however there are elements of the drainage design that may not be acceptable and as such pre commencement conditions are requested.
- 6.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)
 - 6.11.1 No objections subject to conditions
- 6.12 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY)
 - 6.12.1 No objection subject to conditions to control the impacts arising from Noise and light
- 6.13 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)
 - 6.13.1 No objections subject to condition requiring land contamination desk study
- 6.14 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (TREES)
 - 6.14.1 No objections
- 6.15 WYRE BC HEAD OF PUBLIC REALM AND ENVIRONMENTAL SUSTAINABILITY (PARKS DEVELOPMENT TEAM)
 - 6.15.1 No objections, initial feedback provided in relation to the children's play area. The amount of Green Infrastructure provided is acceptable
- 6.16 WYRE BC HEAD OF WASTE MANAGEMENT SERVICES
 - 6.16.1 No objections, advised that there will be no Waste/Recycling issues for the majority of properties but those with privately owned shared drives will have to present bins at a presentation point adjacent to the adopted highway
- 7.0 REPRESENTATIONS**
 - 7.1 The application has generated 4 letters of objection based on the following (summarised) concerns:

- Increase in vehicular movements resulting in highway safety impacts (in particular elderly, children and disabled people)
- Impacts upon resources including schools, traffic and health
- Increase in flooding and flood risk
- Concerns relating to the operations and construction outside of agreed hours on other phases of development

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Ongoing contact has been made with the applicant and agent to discuss the following matters:

- Site Layout
- Housing Mix
- Highway matters
- Request for further ecological information
- Discussion in relation the GI layout
- Financial contributions and other section 106 requirements
- Requirement for the removal of 2 units
- Agreement of Extension of time until 8th September 2023

9.0 ISSUES

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

- Principle of Development
- Primary School Site and other Infrastructure
- Housing Mix and Affordable Housing
- Visual impacts, Design and Layout
- Impact on Residential Amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Trees and Ecological Matters

Principle of Development

9.2 The application site falls within the settlement boundary of Thornton as defined in the Adopted Wyre Local Plan (WLP31). Policy SP1 of WLP31 directs new development to within settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. The majority of the site is allocated for housing development as part of site allocation Lambs Road/Raikes Road (SA1/2). The total allocation consists of 19.67Ha with a housing capacity of 400 dwellings. This application site makes up 1 of 6 identified phases (Phase 3A) within the allocation. Planning history relating to the other site phases is listed within section 4 of this report. To summarise Phases 1, 2A, 3A and 3C are proposed to deliver residential development with Phase 2A being approved for a retail convenience Store and Phase 3B is land identified for being reserved for a potential new primary school. Any loss of agricultural land within the allocation site has already been considered and accepted as part of the Local Plan making process. The principle of development has been established through application 20/01018/LMAJ which is in the final stages of having the Section 106 legal agreement finalised.

- 9.3 Site allocation SA1/2 contains 12 Key Development Considerations (KDCs) which are policy requirements that have to be satisfied. KDC1 states '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'. The Land off Lambs Road/Raikes Road Masterplan was formally approved by the Council in June 2021. Although the Masterplan itself does not create new policy, it does create a development framework, including vision, objectives and design principles that each planning application within the allocation should adhere to. The application proposal including locations of the housing, accesses and main highway network, Green infrastructure (GI) and the primary school site aligns with the Masterplan Framework (Uses section of the masterplan document). Specific KDCs and masterplan matters are subsequently discussed in each relevant section of this report.
- 9.4 Policy SP2 of WLP31 requires all new development to be sustainable. Relevant matters in this case would be to ensure housing provision meets the needs of all sections of the community; provision of strategic and local infrastructure and services; ensure accessible places and minimise the need to travel by car; reduce and manage flood risk; protect and enhance biodiversity, landscape and cultural heritage and green infrastructure assets; and achieve safe and high quality designed local environments which promote health and well-being. How the proposal achieves these sustainability considerations is discussed in turn in each relevant section of this report.
- 9.5 Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. The applicant has submitted a climate change / sustainability statement to demonstrate how the development will satisfy this criteria. A summary of the statement includes the following:
- The scheme includes sustainable transport links with footways and cycleways via a series of integrated greenspaces and thereby maximising opportunities for travel by means other than private vehicle. This includes cycleway along Lambs Road and a 3m wide connection to Raikes Road by bikes. It therefore encourages travel by means other than private vehicle.
 - The proposed development will include electric vehicle charging points to encourage the use of electric vehicles.
 - The proposed development includes linkages to Lambs Road via Phases 1 & 2 to take advantage of the new bus stops being provided along Lambs Road and the contributions secured for the Phase 1 development for improved bus service provision. It therefore encourages travel by means other than private vehicle.
 - The scheme includes a detailed landscape planting scheme that includes net gain terms of hedgerow, tree and shrub planting.
 - The scheme includes for the retention and enhancement of the existing only pond on the site, which is in the central POS area.
 - Compliance with new building regulations in terms of energy efficiency.
- 9.6 The applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan.

Primary School Site and other Infrastructure

- 9.7 Policy SP7 of WLP31 requires contributions towards infrastructure and in some cases new infrastructure on site. This includes affordable housing, green infrastructure, education, highway improvements and health care provision. The Lambs Road/Raikes Road Masterplan also identifies a number of infrastructure requirements that are integral to the creation of sustainable development and sets out the principles in which these should be delivered.
- 9.8 KDC6 of SA1/2 requires the allocation to make land available for a new primary school which will form part of the financial contributions towards education. The Masterplan considers the appropriate location for the primary school. It identifies 1.36 hectares of land to the north east of SA1/2 of flat agricultural land for a one form entry primary school. Its location has been accepted as part of the Masterplan process and has also been secured by reason of the resolution to grant permission for hybrid application 20/01018/LMAJ (S106 still to be finalised). The layout of the proposed residential development would allow for reasonable vehicular and pedestrian access to it. Access to the school from the development is indicative however the plans suggest 1 points of access. Lancashire County Highways have raised no objection in this application to the location of the school. Although this application does not include the delivery of the school it does secure a main point of access which can be conditioned accordingly. The application identifies the land for the school in the location proposed is in line with the provisions of Policy SP7 and the Masterplan as well as KDC6 of SA1/2 and the adjacent residential development proposed would not prejudice it from being delivered at a future date.
- 9.9 The Local Education Authority's (LEA) response confirms that in the event a new school site is needed to accommodate the number of housing developments coming forward in Thornton then applicants may be required to provide a contribution towards the purchase cost of the school site land. The LEA would seek to work with the Council to ensure such equalisation arrangements are established prior to the approval of any of the developments affected. There have been some discussions with the LEA and developer however no such equalisation arrangements are in place and having regard to the LEA's methodology for seeking contributions the Council does not consider this additional contribution request is reasonable or in conformity with the CIL Regulations. Furthermore KDC6 of SA1/2 requires land being made available to be part of the financial contributions, not as well as. In this instance and at the time of compiling this report the LEA are not seeking any financial contributions to mitigate the number of pupil places generated by this development for either primary or secondary education.
- 9.10 The Lancashire and South Cumbria Integrated Care Board (ICB) has advised that to mitigate the impact of this development on local health care facilities, a financial contribution of £143,407 towards the extension and reconfiguration of Thornton Medical centre and Beechwood surgery is required. This has been agreed by the applicant and is to be secured by Section 106 Agreement.
- 9.11 Policy HP9 of the WLP31 requires developments resulting in a net gain of 11 dwellings or more to make appropriate provision of green infrastructure (GI) on site. In this instance based on the housing mix proposed for 184 dwellings,

a total of 1.88ha of GI is required to be provided. The application would provide 1.86ha of GI on site comprising of informal green space and a local equipped children's play area (LEAP) which is located centrally within the site and also towards the northern most part. Whilst the amount being provided falls marginally short of the required 1.88ha the application does also propose some landscaped areas and landscape enhancements. This location and amount reflects that as set out within the masterplan. Full details of the LEAP including its equipment and surfacing has not been submitted however this can be conditioned and the management and maintenance of all GI is to be incorporated into the Section 106 agreement. The location of the GI is considered to be acceptable as it is close to the proposed dwellings offering good levels of security and surveillance. Based on the information provided the proposal complies with KDC3 of SA1/2 and Policy HP9 along with the parameters set out within the masterplan.

Housing Mix and Affordable Housing

- 9.13 Policy HP2 of the WLP31 requires new housing developments to widen the choice of housing types available in Wyre by providing a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA) which in this case is the May 2018 Addendum 3 Supplementary Note setting out a need for 38% 1 and 2 beds, 43% 3 beds and 18% 4+ bed units (subject to a consideration of local need and demand). Out of the 184 units proposed, 10% would be 2 beds, 45% 3 bed and 45% 4 bed. The mix proposed is not in accordance with the SHMA as it comprises a higher proportion of larger units compared to the smaller 1, 2 and 3 bed units. The applicant has provided a Market Demand report which suggests there is a local demand for the larger bed properties in Thornton. However officers consider this should be given limited weight given its scope and content. Initially the housing mix weighed even more in favour of the larger bed units and officers advised that this was not acceptable. As such the mix highlighted above is a result of the inclusion of more 2 bed units which ultimately reduced the amount of larger units. In terms of density the development is considered to be acceptable. It provides a spacious and wide choice of house types (detached, semi-detached and terraced) and floorspace sizes to appeal to different households. It is also of note that the other approved and pending developments within the allocation is similar in balance. Overall, the proposed housing mix is considered to be acceptable.
- 9.14 Also within Policy HP2 it sets out that to help meet the needs of an aging population and people with restricted mobility at least 20% of dwellings should be of a design suitable or adaptable for older people and people with restricted mobility. This equates to 37 suitable or adaptable units in this case. No details have been provided showing how this criteria will be satisfied. This can be conditioned to be provided.
- 9.15 Policy HP3 of the WLP31 requires 30% affordable housing on Greenfield sites in Thornton. This equates to 55 on site dwellings. The submitted plans identify 55 units which comprise of 18 x 2 bed dwellings and 37 x 3 bed dwellings. These are spread out throughout the site and are not all contained in one area. The design of the affordable dwellings is similar to the open market dwellings and is not compromised. No details have been submitted in relation to the tenure split for the affordable however this can be secured and considered along with the timing and delivery of the affordable units as part of

the S106 agreement. The proposed development is considered to comply with Policy HP3 of the wLP31.

Visual impacts, Design and Layout

- 9.16 KDC4 of SA1/2 sets out that the design of the development should provide an organic extension to the town. Particular attention should be given to the nature and quality of boundary treatments and an appropriate buffer to the estuary is required. Policy CDMP3 of the WLP31 also requires new development to be of a high standard of design. Within the policy a number of criteria are set out. Criterion (A) states that all development must be designed to respect or enhance the character of the area. Criterion (B) requires development to create a positive contribution to an attractive and coherent townscape both within the development itself and by reference to its integration with the wider built environment having regards to the pattern and design of internal roads and footpaths in respect of permeability and connectivity, car parking, open spaces, landscaping and views into and out of the development.
- 9.17 The development will inevitably transform the appearance of the landscape by introducing built form into an undeveloped area of agricultural land. It is therefore important to ensure the relevant policy requirements are met and that the development follows the design principles established by the Masterplan, which officers consider it does do. The layout is considered to provide an organic extension to the town with the landscaped green buffer provided along the boundary of the site and Raikes Road along with landscaped areas to visually break up the development when viewed from public vantage points. Also the retention of the majority of the existing trees and hedgerows along the boundary assists in providing soft edges to the site. The location of the GI will provide a visual buffer across the allocation and reduce the visual prominence especially when travelling north along Raikes Road. Lower density development on the eastern boundary will afford some views into the site.
- 9.18 In terms of design and layout during the course of the application numerous amendments have been made, in particular to address the spacing requirements outlined in Supplementary Planning Guidance 4 (SPG4). Amendments have been made to the layout of dwellings which front on to the main arterial route through the site to ensure there is acceptable visual breaks and active frontages with no blank featureless gable elevations on prominent corner plots. This has also reduced the amount of frontage parking which initially dominated the street scene.
- 9.19 The topography and levels across the site do vary and slightly rise towards the south of the site and in areas is undulating with an existing pond centrally located. This pond is to be retained and incorporated in to the area of GI. The submitted topographical survey demonstrates the Finished Floor Levels (FFLS) compared to that of the existing ground levels range from approximately 11m to 12.9m AOD depending on the change in levels and location within the site. Having reviewed the overall height of the submitted house types and the FFL set out in conjunction with the submitted site section drawings the development is not considered to have any significant adverse visual impacts upon the character of the area and the development will integrate with the surrounding built form in particular the developments within

Phase 1 and 2. A condition is to be imposed requiring the development to be carried out in accordance with the levels plans submitted.

- 9.20 The overall design and appearance of the house types proposed is considered to be acceptable. The dwellings will be constructed using various materials including facing brick and concrete tiled roof with a variety of decorative heads and cills. Full details of materials and material specification is to be conditioned accordingly as such details has not been submitted with the application.
- 9.21 No details of boundary treatments have been submitted with the application and as such this is also required to be conditioned for full details to be submitted and agreed. All site frontages are proposed to remain open plan, this too is to be conditioned. A landscaping plan has been submitted which demonstrates new areas of planting and green spaces and includes the retention of existing trees and the provision of new hedge and tree planting throughout. The Council's Tree Officer has advised that the planting specifications are adequate.
- 9.22 Following further amendments the site layout is now considered to provide sufficient parking provision to satisfy the requirements of Appendix B of the WLP31 and also bin storage proposed is agreed by the Councils Waste Management Officer. Overall the layout and design of the development is considered to be acceptable and would sit well within the context of the surrounding area whilst integrating with the wider site allocation and providing the necessary vehicle and pedestrian connections to adjacent phases. In turn the proposal is seen to satisfy Policy CDMP3 of the WLP31 and design guidance set out within SPG4 along with KDCs 2, 3 and 4 of SA1/2 and the principles of the Lambs Road and Raikes Road masterplan.

Impact on Residential Amenity

- 9.23 Policy CDMP3 of the WLP31 sets out that new development must not have an adverse impact on the amenity of occupants and users of nearby properties and must provide a good standard of amenity for the occupants of the development itself. Given the sites location within the allocation, the development of Phase 3A as proposed would really only have any potential impacts upon the residential units which have been constructed as part of Phase 1 to the west and also the proposed developments for phase 2 to the west and phase 3C to the south. The only residential property located to the east is Underbank Cottage which is located at the junction with Underbank Road. An assessment of the impacts upon these nearby residential properties in terms of overlooking and loss of privacy is set out below.

Properties from Phase 1 - Southdown Close, Portland Close, Herdwick Avenue, Romney Close

- 9.24 The proposed layout and interface distances between the existing dwellings and that of the proposed properties has been assessed. Towards the south west of the site the dwellings back on to a parking court and plot 4 has a side to side relationship to the nearest dwelling with a separation of approx. 5m between. Along the western boundaries plots 1-3 and 184-173 back on to the recently constructed dwellings. With the exception of 2 units there is generally a 20 to 21m rear to rear relationship between units. Whilst there is a very minor shortfall from that of the 21m distance set out in SPG4 it is not

considered that there will be and harmful or detrimental impacts upon the residential amenity of these properties as a result of overlooking or loss of privacy. At present a high-level 1.8m high close boarded timber fence is located along the boundary with existing trees/vegetation adjacent. The relationship between these properties is considered to be acceptable and would comply with Policy CDMP3 of the WLP31.

Proposed Dwellings for Phase 2

- 9.25 Planning Application 20/01018/LMAJ received a resolution to grant planning full planning consent for 80 dwellings as part of phase 2. Whilst these dwellings have not been constructed the relationship to the development proposed in this application is a material consideration. As such the agent has provided an overlay of the approved site plan for the units in Phase 2 which allows an assessment of any potential impacts. In this instance Plots 157-170 which are identified as affordable units will back on to the properties of phase 2. The rear to rear interface distance in this instance exceeds the 21m stipulated within SPG4. The proposed development is not considered to have any impacts upon the amenity of the properties sited in this location and would also comply with Policy CDMP3 of the WLP.

Underbank Cottage

- 9.26 The proposed development will not have any impacts on the amenity of the Underbank Cottage which is sited on the opposite side of Raikes Road at the junction with Underbank Road. It is screened by mature and dense vegetation which is proposed to remain and there are no dwellings to be sited in close proximity.

Land to the south - Phase 3 C

- 9.26 Whilst the parcel of land to the south of the site remains in agricultural use a detailed planning application for 40 dwellings is currently pending consideration and a vehicular link is proposed into the site. The applicant has provided an overlay of that proposed development and again the rear to rear interface distance exceeds that of the required 21m. Full details of boundary treatments along the southern boundary is to be conditioned. The layout and relationship of the proposed dwellings has been assessed against the siting of the proposed dwellings which make up this application and it is considered that there will be no adverse impacts upon the amenity of the potential future occupants on either site should the applications both be approved.
- 9.27 Turning to impacts upon occupants of the proposed dwellings, initial concerns were raised during the application in relation to some of the plots being too close which resulted in an unacceptable relationship between dwellings. Following a number of revisions the proposed layout achieves the interface distances within SPG4. Overall having assessed the full impacts of the proposed development on the surrounding residential properties it is considered that the development would not result in any adverse impacts on neighbouring amenity and would comply with the provisions of Policy CDMP3 of the WLP31 and the spacing guidance set out within SPG4.

Impact on Highway Safety, Access and Highway network

- 9.28 In assessing the highway impacts arising from the development the application is assessed against the provisions of Policy CDMP6 of the WLP31 and KDCs 1 and 2 of SA1/2 and the National Planning policy Framework (NPPF). LCC Highways have assessed the application and have advised that they do not have any objections to the proposals and are satisfied that all of the issues identified during the application have been fully addressed. In this instance the applicant has provided numerous amendments and additional information to address the various responses provided by LCC Highways. These matters are set out within this section of the report.
- 9.29 In terms of highway capacity LCC Highways have raised no objections to the impacts arising from additional vehicular movements within the local highway network. The principle of residential development and the impacts on the highway networks in relation to capacity has been thoroughly assessed as part of the hybrid planning application 20/01018/LMAJ in which a Transport Assessment (TA) was comprehensively assessed. As part of that application it was concluded that LCC Highways agreed with the TA submitted that the development would not have an unacceptable impact on the local highway network in terms of highway safety, capacity or amenity. National Highways also considered the TA including additional information submitted and the impact on the wider strategic highway network and raised no objections subject to a condition requiring a travel plan to be secured. This will ensure that the traffic generated by this development is minimised as much as possible given that the future layout of the A585 Skippool junction will operate close to / over capacity at peak times.
- 9.30 In relation to Sustainable Transport the application has been amended to provide a pedestrian and cycle link to Raikes Road. This is located adjacent to plots 101 and 102 and is opposite and slightly north of Underbank Cottage. This link is also a requirement of KDC2 of SA1/2 and can be conditioned to be carried out as and constructed as part of a 278 agreement.
- 9.31 During the course of the application numerous amendments have been submitted to address the concerns from Officers and LCC Highways in relation to the standards of parking and the internal highway network. This includes the addition and provision of the internal highway being designed as a 20mph road with better use of horizontal deflection, vertical deflection such as road humps and cushions. It also requires the widening of driveways to meet the required standards. The Highways officer has advised that based on the revised plans they are satisfied that the internal layout is acceptable and they can now support the proposal. The parking generally provides one space to the side/rear or to the front of the dwellings. Policy CDMP6 (point 2) requires the appropriate provision for Electronic Vehicle Charging points to be provided for each dwelling. This can be conditioned.
- 9.32 Accesses into the site are to be achieved via 3 main points of access. One from Phase 1 and phase 2 into the site from the western boundary, with a future access along the southern boundary into Phase 3C. A vehicular access is also provided to the northern boundary into the proposed school site. A condition requiring these access points to be provided is to be attached.
- 9.33 Subject to conditions and a financial contribution of £12,000 towards Travel Planning it is considered that the proposal satisfies Policy CDMP6 of the WLP31 and SPG4 along with the KDCs set out above.

Flood Risk and Drainage

- 9.34 KDCs 8 and 9 state that very small parts of the site on the northern periphery fall within Flood Zone 3 where housing will not be permitted. Residual surface water should drain into the River Wyre at Ramper Pot via Underbank Road.
- 9.35 The applicant has submitted a Flood Risk Assessment and Drainage Management Strategy. No sequential test is required as no dwellings are proposed outside of Flood Zone 1 as indicated in the FRA. Therefore the proposal satisfies KDC8. The submitted Drainage Strategy sets out that surface water run off management options have been assessed in accordance with the sustainable drainage hierarchy. It has been set out that based on the ground conditions infiltration is not likely to provide a full drainage solution. The Drainage Strategy also sets out that the proposal for surface water management at the site will be to discharge run off to the watercourse network. In this instance the proposal is to discharge into the River Wyre (Main River) located to the east of site via the new surface water connection being constructed to serve the already approved Phase 1 development. Phase 3 will therefore also discharge in this manner, utilising the existing infrastructure serving Phase 1 where capacity allows. It is proposed surface water run-off from the development site will be restricted to mimic the pre-development greenfield rate (QBar) calculated to be 34.8l/s. The restricted flow will generate a storage requirement during periods of intense rainfall. This drainage principle is considered to comply with KDC9 and is also considered to be acceptable by the Council Drainage Engineer subject to no surface water being directed towards Lambs Road and full technical drainage details being conditioned to be submitted and agreed. No objections have been raised by the Lead Local Flood Authority or United Utilities, again, subject to appropriately worded conditions.
- 9.36 Foul water flows generated by the new development are proposed to discharge into the public foul water sewer located to the west of the site within Lambs Road. No objections have been raised by statutory consultees in relation to this. Whilst the local concerns in relation to flooding have been acknowledged, based on the development satisfying policy CDMP2 of the WLP31 the relevant KDCs and the parameters set out within the masterplan, and the comments from the relevant professional consultees, it is not considered that there would be an unacceptable flood risk from the proposal. As such and subject to conditions, no unacceptable drainage issues are anticipated.

Trees and Ecological Matters

- 9.37 The application site is not subject to any ecological designations, however it is approximately 500m from the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and Morecambe Bay Ramsar site as well as the Wyre Estuary SSSI. KDC5 of Policy SA1/2 requires that potential ecological impacts to the adjacent ecological designations and on the site due to its greenfield nature and features such as hedgerows, trees, ponds and watercourses should be considered, and that buildings and surrounding habitat should be surveyed for signs of use by bats, Barn Owls and nesting birds. KDC11 states the site is located within 3.5km of Morecambe Bay European protected nature conservation site and home owner packs for future home owners highlighting the sensitivity of Morecambe Bay to recreational disturbance will be required. The applicant has submitted an

ecology report as part of the application, and this shows the existing large pond on site would be retained.

- 9.38 During the course of the application additional ecological information has been requested as required by Natural England to assess the potential significant effect on the impacts upon the European designated sites. Following the submission of the additional surveys Greater Manchester Ecology Unit (GMEU) have advised that they do not believe any further surveys are required prior to determining the application.

Impacts upon designated sites

- 9.39 The Habitats Regulation Assessment (HRA) of the Wyre Local Plan has indicated that the development of the application site would be unlikely to cause harm to the special nature conservation importance of the designated sites, subject to further local surveys which have now been undertaken to inform the current application. This conclusion has also been reached for previous elements of the overall development scheme. In particular, bird surveys undertaken of this site and the wider site to inform previous applications have determined that the application site is not functionally linked to the designated site.
- 9.40 There are no direct hydrological linkages between the application site and the designated nature conservation site, but as a precaution to avoid any possibility of water pollution from the site reaching the Estuary GMEU have recommended that a Construction Environmental Method Statement should be required to be prepared for the development by Condition, and once approved, implemented in full. The CEMS should include specific measures for the avoidance of water pollution during the construction of the scheme.
- 9.41 GMEU have advised that the application site is too distant from the designated nature conservation sites for any significant disturbance effects to arise through noise, lighting or visual disturbance, although there could be some disturbance to birds which may use fields between the application site and the Estuary. These impacts can be mitigated by using standard construction industry best practice. The CEMS recommended above should also provide details of how noise and visual disturbances are to be avoided during any construction period, most likely achieved by fencing the development site.
- 9.42 The development has the potential to have indirect effects on the designated nature conservation sites by causing increased recreational pressures on sensitive parts of the Estuary and nearby coastline. To address this concern, as a Condition of any permission which may be granted to the application, GMEU have recommended that a home-owners pack providing information about the nature conservation importance of the Estuary, and of the need to avoid disturbance to important bird populations, should be supplied to new residents of the development.

Impacts upon Habitats

- 9.43 GMEU have further advised that the application site is dominated by improved agricultural grassland of limited nature conservation value, but there are some habitats of local ecological value, including trees, hedgerows, ditches and ponds. The layout and landscape plans for the development indicate that

these locally important habitats can be retained and protected as part of the scheme, or replaced if lost. It is required that the condition for the CEMS includes proposals for the protection of retained habitats during the course of any construction period.

Impacts on Species and Biodiversity Net Gain (BNG)

- 9.44 Some of the trees on the application site have the potential to support bat roosts, but it would appear that it would be possible to retain these trees. GMEU advise that any trees which are later found to need to be removed to facilitate the scheme should be inspected prior to removal for bat roosts. In addition it is recommended that a sensitive lighting scheme should be designed for the scheme, to avoid excessive lighting of retained habitats and surrounding fields and hedgerows. Nesting birds should be protected by requiring any vegetation clearance works or groundworks to be undertaken outside of the optimum time of year for bird nesting (March to August inclusive).
- 9.45 The improvements to the structural landscaping on the site will lead to biodiversity enhancement of the area, providing that landscape features are properly protected and managed. Overall the proposed development complies with the parameters of the masterplan and satisfies KDC5 of the site allocation SA1/2 and also accords with paragraphs 174 - 177 of the NPPF and Policy CDMP4 of the WLP31.

Other Matters

Contamination

- 9.46 Matters relating to site contamination have been addressed in the application with the Council's Environmental Health Officer requesting that the standard contaminated land and gas protection measures conditions be attached.

Heritage

- 9.47 KDC10 of SA1/2 sets out that Raikes Farmhouse is a Grade II Listed Building located off Raikes Road adjacent to the site. It goes on to set out that to mitigate against any impacts on the setting of the listed building the current tree screening to the eastern edge of Raikes Road should be protected and strengthened. Furthermore the use of appropriate building mass within the setting of the listed building would minimise any negative impact.
- 9.48 The Council's Conservation Officer has advised that given the development is approximately 160m to the south of Raikes Farmhouse then it is not considered that the development would have any material impact upon either the appearance or setting of the heritage asset. Furthermore other buildings, both extant barns and approved dwelling houses would be sited in the intervening space between the current proposal, the previously approved school and the listed building, effectively screening any views between them. The development is not considered to have any material impacts upon the appearance or setting of the Listed building and is considered to sustain the significance of this designated heritage asset, thus complying with the NPPF and Policy CDMP5 of the WLP31 and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Noise and Air pollution

- 9.49 The application has been accompanied by Air Quality Assessments. Whilst there were no objections from the Council's Environmental Health officer in relation to the noise a condition is required for an additional survey to be submitted to assess the need for any potential mitigation measures arising from noise from the recently approved convenience store to the west and any potential construction noise. Construction noise is to be considered accordingly within the Construction Environmental Management Plan which is to be provided prior to development commencing. The Environmental Health officer has advised that the development is unlikely to give rise to additional impacts upon air quality and that the assessment methodologies are appropriate and reasonable assumptions have been made. A number of conditions have been recommended by the Environmental Health Officer to mitigate against the proposed development.

10.0 CONCLUSION

- 10.1 The proposal would be in accordance with the approved Lambs Road and Raikes Road masterplan and would comply with the relevant planning policies of WLP31 including the key development considerations set out in site allocation (SA1/2). It would secure the relevant infrastructure necessary to mitigate the development including access in to the land to the north for a new primary school if required. The submitted layout, design and appearance of the development is considered to be acceptable and subject to conditions would not result in any adverse or detrimental impacts upon neighbouring amenity.
- 10.2 The new access points onto this Phase of the development along with the cycle and pedestrian connections on to Raikes Road are considered acceptable. The application is to provide the necessary financial contributions towards health care and the required off site highway improvement works are also to be secured via condition.
- 10.3 It is not considered that the proposal will be harmful to biodiversity or trees and would involve additional habitat features and tree planting. All other relevant planning matters have been assessed to be acceptable subject to conditions. Overall, the proposal has been assessed to comply with the NPPF, relevant policies of the Adopted Local Plan and the Lambs Road and Raikes Road Masterplan subject to a section 106 legal agreement and the imposition of a number of conditions.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

- 11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.
- 11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

- 12.1 Grant full planning permission for 184 residential dwellings subject to conditions and a S106 legal agreement to secure on-site affordable housing (30%) and green infrastructure and financial contributions towards health care

and travel planning. That the Head of Planning and Regeneration be authorised to issue the decision following the satisfactory completion of the S106 agreement.

Recommendation: Permit

Conditions: -

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

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

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 02.09.2022 including the following plans/documents:

- Location Plan: drawing ref: LP01
- Proposed Site Layout Plan drawing ref: 0003 R.
- Tree Survey Plan (Iain Tavendale Arboriculturalist)
- Tree Survey Report (Iain Tavendale Arboriculturalist)
- Green Infrastructure Plan drawing ref: 14-029-POS03
- Tracking Plan (Tetra Tech): 004-01 P02
- Tracking Plan (Tetra Tech): 004-02 P02

House Types

- Candalwood (ref: CAN-2B643.P.H.01)
- Laburnum (ref: LAB.3B798.P.H.01)
- Laurel (ref: LAU.3B843.P.H.01)
- Acacia (ref: ACA.3B990SA.P.H.01)
- Hawthorn (ref: HAW.4B1112.P.H.01)
- Walnut (ref: WAL4B1153.P.H.01 & WAL4B1153.P.F.01)
- Foxglove (ref: FXG.4B1288.P.H.01 & FXG.4B1288.P.F.01)
- Candelberry (ref: CBY.4B1294.P.H.01)
- Hornbeam (ref: HOR.4B1349SA.P.H.01 & HOR.4B1349SA.P.F.01)
- Willow (ref: WIL4B1442.P.H.01)
- Witchhazel (ref: WIT.4B.1503.P.H.01 & WIT.4B.1503.P.F.01)
- Elm (ref: ELM.4B1649.P.H.01 & ELM.4B1649.P.F.01)
- Garage Single (ref: GAR.S.P.01)
- Garage Double (ref: GAR.D.P.01)
- Garage Paired (ref: GAR.P.P.01)
- Cypress (CYP-150-H-P1)

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

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

3. No development above ground level shall be commenced until a phasing programme for the whole of the application site has been submitted to and approved in writing by the Local Planning Authority. This phasing plan shall include delivery of:-

- the main internal spine road
- the dwellings and their respective spur roads
- all green infrastructure including children's play facility (LEAP) and landscaping
- boundary treatments outside of private curtilages
- pedestrian/cycle access link to the eastern boundary
- provision of the spur road/pedestrian link to the school site
- Provision of vehicular links to the southern and western boundaries

The development shall be carried out in accordance with the approved phasing programme unless an alternative programme has otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the proper development of the site, to ensure the timely delivery of supporting infrastructure and to ensure the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with policies SP7, CDMP3, CDMP6 and SA1/6 of the Wyre Local Plan (2011-31)

4. Prior to commencement of the development, a construction phasing programme for delivery of the site accesses and all off-site works of highway improvement (to be carried out as part of a section 278 agreement under the Highways Act 1980) namely:-

- Pedestrian and cycle link to the eastern boundary
- Vehicular and pedestrian access to the school land
- Vehicular and pedestrian access to the southern and western boundaries

shall be submitted to and approved in writing by the Local Planning Authority. The site accesses and off-site highway works shall be delivered in accordance with the agreed phasing programme, unless any alternative phasing programme is subsequently submitted to and approved in writing by the Local Planning Authority.

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

5. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

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

6. Prior to the first occupation of the dwelling(s) hereby permitted a plan indicating the positions, design, materials and type of boundary treatment to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed before the dwelling(s) is first occupied. The approved details shall thereafter be maintained and retained.

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

7. Prior to the commencement of development, details of the existing and proposed ground, slab and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity in accordance with Policies CDMP3 of the Wyre Local Plan (2011-31). The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application.

8. Prior to the commencement of development, a drainage scheme which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan and shall follow the parameters as set out within the Drainage strategy and Flood Risk assessment submitted with the planning application (Updated FRA and Drainage Statement (reportref: HYD757_LAND.OFF.LAMBS.ROAD_FRA&DMS) including any mitigation measures set out within.

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 separately from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

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

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

- 9. Prior to the commencement of development, details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:
 - a) The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments

- ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

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

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

10. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Updated FRA and Drainage Statement (report ref: HYD757_LAND.OFF.LAMBS.ROAD_FRA&DMS). including the mitigation measures and recommendations detailed within Chapter 8. The mitigation measures shall be fully implemented prior to first occupation of any dwelling or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

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

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

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

12. Prior to the commencement of development, including any demolition works and site clearance, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:
- (a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team
 - (c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays
 - (d) contractors' compounds and other storage arrangements
 - (e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period
 - (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
 - (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
 - (h) external lighting (including timing) of the site during the demolition / construction period
 - (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (j) recycling / disposing of waste resulting from demolition / construction work
 - (k) measures to protect watercourses against spillage incidents and pollution
 - (l) how biodiversity would be protected throughout the construction period including from noise, lighting or visual disturbance
 - (m) the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify appropriate mitigation measures necessary to protect and prevent pollution of these waters from sediments entering the river Wyre/Estuary

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

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, during site preparation and construction, in accordance with Policies CDMP1, CDMP4 and CDMP6 of the Wyre Local Plan and the provisions of the NPPF.

13. (a) The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any other development takes place within the site.

- (b) No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to those dwelling(s) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.
- (c) In the event of any estate roads not being proposed for adoption by the Local Highway Authority, then details of their road construction (surface materials and depth) and highway infrastructure (footways, street lighting, drainage) shall be submitted to, and approved in writing by, the Local Planning Authority. No dwelling hereby approved shall be first occupied until the new estate road(s) affording access to that dwelling has been constructed in accordance with the approved details.

Reason: To ensure that satisfactory access is provided to the development site, that the road surfaces are visually acceptable, that the private roads are of sufficiently adequate construction to support any loading applied to them to enable effective waste management and emergency services access, and that the necessary infrastructure is provided in the interests of highway safety in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

- 14.
 - a) Prior to the first occupation of any dwelling, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.
 - (b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.
 - (c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

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

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

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

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

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

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

18. No dwelling hereby approved shall be first occupied until the parking / turning area shown on the approved Planning Layout Drg.No.102 Rev R, as relating to that dwelling has been laid out, surfaced and drained. The parking / turning areas shall thereafter be retained and maintained and not used for any purpose other than for the parking and manoeuvring of vehicles without express planning consent from the local planning authority first being obtained.

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

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

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

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

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

21. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

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

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development.

22. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification);
- (a) no fences, gates, walls or other means of enclosure shall be erected along the front or side boundaries of the curtilage of any dwellinghouse forward of the main front elevation or side elevation, or along the side or

rear boundaries of the curtilage of any dwelling beyond the rear elevation where that elevation directly faces a highway; and

- (b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking,

without prior express planning permission from the local planning authority.

Reason: To safeguard the appearance of open plan development and junction highway visibility in accordance with Policies CDMP3 and CDMP6 of the Adopted Wyre Borough Local Plan.

- 23. The pedestrian/cycle connection shown linking to the eastern boundary with Raikes Road as shown on the approved site layout plan shall be constructed up to the respective site boundary in surface materials that have first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved phase it falls within.

After its construction in accordance with this condition the said pedestrian/cycle connection shall thereafter be maintained and remain open and unobstructed at all times unless and until they have both been adopted by the local highway authority.

Reason: In order to ensure that the links are appropriately designed and managed, and are provided to the boundary with any adjacent land to ensure access is not prejudiced in accordance with the provisions of Policies CDMP3, CDMP6 and SA1/6 of the Wyre Borough Local Plan 2011-2031.

- 24. The pedestrian and vehicular connections shown linking to the northern boundary to the school land and the pedestrian and vehicular connections to the southern boundary (Phase 3C) and to the western boundary (to Phase 1 and 2) as shown on the approved site layout plan shall be constructed up to the respective site boundary in surface materials that have first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the approved phase they fall within. The pedestrian and vehicular connections shall thereafter be maintained and remain open and unobstructed at all times.

After their construction in accordance with this condition the said three pedestrian and vehicular connections shall thereafter be maintained and remain open and unobstructed at all times unless and until they have both been adopted by the local highway authority.

Reason: In order to ensure that the links are appropriately designed and managed, and are provided to the boundary with any adjacent land to ensure access is not prejudiced in accordance with the provisions of Policies CDMP3, CDMP6 and SA1/6 of the Wyre Borough Local Plan 2011-2031.

- 25. Prior to the installation of any external lighting within the development a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall demonstrate that artificial lighting will be designed so that it is not intrusive to visual amenity or illuminate potential habitat for bats (e.g. hedgerow, trees) and or/ bird breeding places. The assessment shall demonstrate that the lighting will be installed in accordance

with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 and the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009 (or any subsequent replacement guidance).

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

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

26. Prior to first occupation of any dwelling hereby approved, details of the Local Equipped Area for Play (LEAP) shown on the approved site layout plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include how this is to be laid out, the design / appearance of play equipment including materials, surfacing and enclosure(s) of the LEAP area and any other associated equipment including benches and waste bins. The LEAP shall be provided in accordance with the approved details.

Reason: To ensure adequate provision and delivery of public open space in accordance with Policies SP8 and HP9 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

27. The measures contained within the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan with respect to those trees shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

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

28. Prior to the first occupation of any of the dwellings hereby approved, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan (and an associated Travel Plan Co-ordinator as specified in the approved Travel Plan) shall be implemented and operational from the point of the first occupation of any of the dwellings hereby approved for a period of not less than five years from the date of full occupancy of the development.

Reason: To promote sustainable development by encouraging sustainable travel modes and reducing dependence on private motor vehicles in

accordance with Policy CDMP6 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwelling(s) on plots 167-168 and 169-182 inclusive, shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwelling(s) without prior express planning permission from the local planning authority from the local planning authority.

Reason: To ensure that the Local Planning Authority have control over any future development of the dwellings in the interests of preserving the character and amenity of the area and the residential amenity of occupants of the site in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

30. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) hereby approved shall be retained solely for the housing of a private motor vehicle, and at no time shall any works be undertaken that would prevent it from being used for that purpose without prior express planning permission from the Local Planning Authority.

Reason: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

Reasons: -

Notes: -

1. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.
2. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.
3. The applicant should be aware that the decision is subject to a separate legal agreement.

