

Committee Report**Date: 07.02.2024**

Item Number	01
Application Number	23/00624/FULMAJ
Proposal	Redevelopment of site for 21 new dwellings with associated landscaping and vehicular access
Location	Normoss Farm 40A Normoss Road Normoss Lancashire
Applicant	Walbury Commercial Ltd
Correspondence Address	c/o Mr Harry Tonge 130 Highgate Kendal LA9 4HE
Recommendation	Refuse

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Rob McKillop**

Site Notice Date: 31.08.2023

Press Notice Date: 16.08.2023

1.0 INTRODUCTION

1.1 This application is presented to Planning Committee at the request of Councillors Roger Berry and Steve Nicholls. The concerns identified relate to the proposed development being inappropriate and located within the Green Belt. Concerns were also raised about the number of dwellings for the size of the site, and the car parking being distant from the properties they served which could result in security issues. A site visit is recommended to enable members to understand the site context beyond the plans submitted and site photographs taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site lies on the north side of Normoss Road. The site previously hosted agricultural buildings of differing sizes but these have since been removed with the site cleared with some hard surfaced areas remaining. There is an open agricultural field immediately to the north, with residential properties beyond. There are some residential properties to the west fronting on to Normoss Road and the land to the east is used for storage of stone and building materials as part of a business operation. The land to the south is largely open rural land with some dwellings and farm/equine buildings. No.36 Normoss Road, immediately adjacent to the south western boundary would be retained, with the adjoining buildings already largely removed. The site has had several different uses over the years including a caravan site for static caravans. The surrounding land is relatively flat and there is a pylon

with overhead cables running along the northeast of the site. The site lies within the Green Belt as defined by the Wyre Local Plan 2011-2031 (WLP31).

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the erection of 21 dwellings including landscaping and vehicular access onto Normoss Road. The proposed access would be repositioned further to the east along Normoss Road, with the existing access closed. The dwellings would essentially be pseudo-terraced properties proposed in four linear blocks. One block (5-10) would project north from the adjoining rear elevation of No.36 Normoss Road, with another block (1-4) facing opposite with an estate road in between. Another block (16-21) would be perpendicular to these dwellings, and a final block (11-15) would be to the west behind No.40 Normoss Road. The 21 dwellings comprise of 10 x2 bed units and 11 3 x bedroom properties including 7 units identified as affordable properties (33%).

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

- Design & Access Statement
- Planning Statement
- Flood Risk Assessment
- Landscape Proposals
- Schematic Drainage Layout
- Preliminary Ecological Appraisal

4.0 RELEVANT PLANNING HISTORY

4.1 20/01314/FULMAJ: Erection of 28 dwellings (including 8 affordable units) with associated landscaping, including open space, attenuation lake and vehicular access onto Normoss Road. Refused.

4.2 19/01006/DEM: Prior approval for the demolition of redundant farm buildings. Prior approval not required.

15/00297/AEA: Application for additional environmental approval to extend the time limit for implementing the planning permission to 1 May 2021. Accepted.

4.3 15/00297/FULMAJ: Redevelopment of existing farm and caravan park to create 21 residential units with associated landscaping and vehicular access onto Normoss Road. Permitted.

4.4 12/00229/FULMAJ: Application to replace an extant planning permission (09/00090/FULMAJ) in order to extend the time limit for implementation for conversion and extensions to ex-agricultural buildings to provide charity headquarters including offices and ancillary accommodation and associated 24 respite holiday units, creation of new vehicular access off Normoss Road and associated car park and landscaped areas, creation of lakes, childrens play areas and gardens. Permitted.

4.5 09/00090/FULMAJ: Conversion and extensions to ex-agricultural buildings to provide charity headquarters including offices and ancillary accommodation and associated 24 respite holiday units, creation of new vehicular access off

Normoss Road and associated car park and landscaped areas, creation of lakes, childrens play areas and gardens. Permitted.

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 2011-2031) (INCORPORATING PARTIAL UPDATE OF 2022) AND BARTON NEIGHBOURHOOD PLAN (2019-2030)

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. The Barton Neighbourhood Plan (2019-2030) was adopted on 30 November 2023 and forms part of the development plan for Wyre, where decisions are made within the Barton Neighbourhood area. 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
- SP3 - Green Belt
- SP7 - Infrastructure Provision and Developer Contributions
- SP8 - Health and Wellbeing
- CDMP1 - Environmental Protection
- CDMP2 - Flood Risk & Surface Water Management
- CDMP3 - Design
- CDMP4 - Environmental Assets
- CDMP6 - Accessibility & Transport
- HP1 - Housing Supply
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure in New Residential Developments

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2023

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th December 2023. 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 2023 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 13 - Protecting Green Belt Land
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment

5.3 OTHER MATERIAL CONSIDERATIONS

5.3.1 WYRE SUPPLEMENTARY PLANNING GUIDANCE

The following is 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) (October 2020)

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

5.3.3 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

5.3.4 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.3.5 NATIONAL DESIGN GUIDE - SEPTEMBER 2019

5.3.6 NATIONAL DESIGN GUIDE AND THE NATIONAL MODEL DESIGN CODE

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY

6.1.1 No response received during the application.

6.2 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.2.1 An up to date ecological survey, including bat survey, is required and a biodiversity net gain assessment is requested.

6.3 LANCASHIRE COUNTY COUNCIL EDUCATION AUTHORITY

6.3.1 No objection subject to financial contribution towards any required school places (to be calculated at the point of approval).

6.4 LANCASHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY

6.4.1 Objects due to the absence of an acceptable surface water drainage strategy.

6.5 LANCASHIRE COUNTY COUNCIL HIGHWAYS

6.5.1 No objections subject to suitable details being provided in relation to sustainable travel, bin storage and collection and off-site highway improvements.

- 6.6 NHS FYLDE & WYRE INTEGRATED CARE BOARD (ICB)
- 6.6.1 No objections subject to financial contribution of £14,533 towards improvements at Queensway surgery
- 6.7 UNITED UTILITIES
- 6.7.1 No objections subject to conditions.
- 6.8 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)
- 6.8.1 Objects due to the FRA being dated from 2009 with out of date maps, plus the lack of details in relation to proposed surface water management details (SuDS). Concern raised in relation to the emergency plan not meeting requirements.
- 6.9 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - AMENITY CONSIDERATIONS)
- 6.9.1 No objection subject to construction hours restriction.
- 6.10 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (ENVIRONMENTAL PROTECTION - LAND CONTAMINATION)
- 6.10.1 No objections subject to conditions.
- 6.11 NATURAL ENGLAND
- 6.11.1 No response received during the application.

7.0 REPRESENTATIONS

- 7.1 At the time of compiling this report six letters of objection have been received. The primary concerns raised are summarised as follows:
- Properties to the west of the site suffer garden flooding resulting from existing poor drainage and run-off from Normoss Road which is likely to be worsened by development;
 - Following site clearance there is already significant surface water run-off from the site;
 - Normoss Road is a country road (single lanes both ways with footpath on one side) and proximity to Baines School means the road is already overloaded and will be more dangerous;
 - Traffic calming measures have not been considered and the access is opposite a bus stop plus a phone mast where maintenance access is required;
 - Whilst supportive of development, the land owners have demolished the majority of buildings and the land should be improved for visual amenity;
 - Development should not take place until improvements have been made to No.34 Normoss Road to the front of the site in accordance with previous enforcement cases;
 - The Windsor house type proposed for Plot 2 would, if constructed, cause overlooking to neighbouring properties and should be amended.

7.2 One neutral comment was received requesting details of the application status.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 The applicant was advised there were concerns in relation to the principle during the course of the application, and that the application would be a committee item.

9.0 ISSUES

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

- Principle of Development
- Visual impacts, Design
- Impact on Residential Amenity
- Impact on Highway Safety, Access and Highway network
- Flood Risk and Drainage
- Ecological Matters
- Trees and Landscaping
- Housing Mix
- Infrastructure / Developer Contributions

Principle of Development

9.2 In accordance with the provisions of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of this application is the Development Plan which, in this instance, includes the adopted Wyre Local Plan.

9.3 The application site is within an area defined as Green Belt and Policy SP3, Part 1 of the Wyre Local Plan states that planning permission will not be granted for inappropriate development as defined in national policy, except in very special circumstances. Policy SP3, Part 2 sets out that any development should meet the requirements of other Core Development Management Policies and should seek to minimise the impact on the openness of the Green Belt. Policy SP3, Part 3 states that the construction of new buildings is inappropriate development in the Green Belt, except for categories of development defined in national policy. Paragraph 154 of the NPPF lists the exceptions which are not inappropriate in the Green Belt, which includes (e) limited infilling in villages.

9.4 It is noted that the site previously hosted some agricultural buildings, however these have been demolished and the site cleared. Other residential properties projecting beyond the rear elevation of No.36 Normoss Road have also mostly been demolished, although part of a former residential building is retained immediately adjoining No.36. Given the agricultural nature of former buildings, the site would not represent brownfield land, and the development would not comprise the replacement of buildings. It is noted that the applicant's Planning Statement puts forward the case that the proposed development would represent limited infilling of a village in accordance with Para 154 (e) of the NPPF.

9.5 In terms of the site's location, it is noted that the settlement edge of Poulton (rear of Kerslea Avenue) is approximately 125m to the east of the application

site boundary. The settlement edge of Normoss/Blackpool (rear of Avenue Road) is approximately 400m to the west of the site boundary. There is sporadic development along the northern side of Normoss Road, mostly residential in nature. The land on the southern side of Normoss Road comprises open fields, with the exception of a dwelling and livery stables complex. The applicant suggests that there is no definition of a "village" within the NPPF, nor must a village be designated within the Development Plan. It is therefore necessary to establish whether the site is within a village as part of the planning judgement. Whilst it is in the applicant's interest to describe this area as a village, objectively speaking, it is more reasonable to define it as a largely open area between two larger settlements. To expand on this point further, a village would typically display a cluster of development centred around some services, such as a pub, school or shop. The land immediately surrounding the application site does not have any identifiable centre or services and is mostly defined by open land with intermittent ribbon development along the northern side of Normoss Road. There is a small cluster of services along Highcross Road, approximately 250m to the north east of the application site, however this is clearly within the settlement boundary of Poulton and cannot realistically be considered as part of an alternative undefined village given the relative size of Poulton. Similarly, there is a cluster of services approximately 430m south west of the site on Normoss Road, however this is clearly within the defined settlement boundary of Normoss, which is within the larger Blackpool conurbation. These services cannot realistically be considered to fall within an undefined village area given their relationship with larger existing settlements. On this basis, to suggest that the application site lies within a village seems tenuous at best.

- 9.6 In addition to the above, the site and surrounding land has been designated as a Green Belt to, amongst other things, check the unrestricted sprawl of large built up areas. Its development would significantly diminish the openness of this area and the application is considered to result in a harmful impact on the Green Belt.
- 9.7 It is accepted that permissions have previously been granted on the site. Permission 09/00090/FULMAJ allowed for conversion and extensions to former agricultural buildings at the site for a charity headquarters. Permission 15/00297/FULMAJ allowed development of 21 dwellings. That application acknowledged the benefits of redeveloping substantial derelict buildings that were an eyesore and carried associated health & safety / criminal activity risk. It also acknowledged the benefits of boosting Wyre's housing supply as the Council could not demonstrate a 5 year housing supply at that time. The approved scheme of 21 dwellings was designed as a farm mews development to resemble the type and layout of buildings on the site, although this permission has expired and no lawful start was made. Whilst the current application proposes a similar layout/footprint to this previous permission, it is noted that the existing buildings have since been removed and the proposal would therefore represent a much greater impact on the Green Belt compared to the previous situation.
- 9.8 Overall, the development fails to meet criteria (e) of paragraph 154 of the NPPF and Policy SP3 of the Local Plan and would result in substantial harm to the openness of the Green Belt. The proposed development would not represent any of the exceptions listed under Para.154 of the NPPF and would not represent an acceptable form of development in the Green Belt. Very special circumstances have not been demonstrated and the application is

considered to conflict with Para.152 and 154 of the NPPF. Other material considerations are listed below.

Design / Visual Impact

- 9.9 Policy CDMP3 of the Local Plan and Section 12 of the NPPF seek to ensure high quality design including layouts. The 21 proposed dwellings are proposed in Blocks A-D. Blocks B and D would face each other to create a terraced street, with Block D to the north and Block C set further to the west. Block A has been designed with a dual aspect appearance. The south facing elevation would front towards Normoss Road however the west and east facing elevations would also have a door and windows to match the other dwellings in this block. This would be similar to the arrangement of the existing dwelling, No.36 Normoss Road, which also fronts south towards Normoss Road. The fenestration to the east elevation of Block A is uniform and detailing such as brick soldier courses and lintels to windows are shown on the proposed plans. The appearance of Block A is considered to offer a logical design/layout approach to development in this location. Similarly, Block B would project northwards adjoining the rear of No.36 Normoss Road at its southern end. It is noted that some attempt has been made to replicate the appearance of the dwellings previously in this position (now demolished). Whilst this is also a logical approach to development, the windows to the front and rear elevations lack symmetry and are not vertically aligned, and are also at different heights relative to the floor and eaves levels. This is considered to detract from the appearance of these proposed dwellings (Block B).
- 9.10 Block C comprises a row of 5 dormer bungalows projecting north beyond the rear boundaries of No.40 & 42 Normoss Road. It is noted that these properties are also dormer bungalow, and whilst the appearance of the dwellings (Block C) is not dissimilar in this respect, the layout would be at odds with the established development in this area, which generally fronts towards Normoss Road. This element of the proposed scheme would be set on an angle and the backland position would not be well related to the layout of other development, whilst projecting further into the open countryside and Green Belt. This would be visually harmful in this context.
- 9.11 In relation to Block D, this would also have a linear footprint, with 5 x 2 storey properties (with accommodation in the roof), and one single storey dwelling. The single storey element is presumably intended to mimic a stable block in appearance although this is unclear. Block D is set perpendicular to Blocks A and B. The dwelling at the eastern end would have a hipped roof appearance, and whilst this is similar to the roof arrangement displayed on No.36 Normoss Road, it would have a lower eaves height and ridge height. It is noted that the windows in the front (south facing) elevation are not vertically aligned and there are different designs for door canopies. The single storey element would have fewer opening compared to the adjoining two storey properties (17-21) and the proposed design is considered to have a contrived somewhat overall appearance. More attempt could have been made to make the elevations more attractive and the contrasting elements are not considered to contribute positively to the scheme in visual terms.
- 9.12 In respect of separation distances, it is noted that there would be 9.3m between the facing two storey elevations of Blocks A and B - this would be narrower (7.5m) between unit 3 of Block A to unit 7 of Block B. The Councils Design Layout SPG 4 sets out that a distance of 21m should be provided in

new residential developments. Additionally, there would be a distance of 2.7m between the front elevation of the unit 16 of Block D (single storey) to the facing side elevation of unit 10 of Block B. The Councils Design Layout SPG 4 sets out that a distance of 13m should be provided. The result of the proposed layout would be a cramped form of development.

- 9.13 Whilst the proposed development displays some more positive aspects, namely linear footprints, some traditional characteristics and reasonably sized rear gardens, this would not outweigh the harm caused by the poor design and layout features mentioned above, particularly the cramped layout and poorly considered elevations, which are fundamental to the appearance and character of the scheme.
- 9.14 In addition to the above design concerns, the development would project into an area of Green Belt. Whilst it is accepted that some buildings previously occupied the site, these have already been demolished. As the site has been clear for some time, the application would result in an unacceptable encroachment into the Green Belt area, resulting in a prominent development. This would erode the sense of openness of the area of Green Belt and would introduce a more urban character to the area, which has a semi-rural character at present.
- 9.15 Overall, the proposals would result in significant visual harm by diminishing the open character of this area of Green Belt, as well as being unsympathetic to the appearance and layout of surrounding deployment. This would not represent a high standard of design and would therefore be contrary to the provisions of Policy CDMP3 of the Wyre Local Plan and guidance within the NPPF.

Impact on residential amenity

- 9.16 Six objections and one neutral comment has been received from members of the public.
- The most likely affected neighbours would be No.36, 40, 42 and 44 Normoss Road to the west of the site. No.36 Normoss Road would adjoin the proposed dwellings in Block B, however this arrangement would reflect the previous dwellings in this position, and this relationship is not considered to result in any unacceptable overbearing, overshadowing or overlooking impacts. Similarly, the rear elevation of dwellings within Block B would be 12.5m from the boundary to No.40 Normoss Road. There is an integral garage to the side of this neighbouring dwelling, and this would not be unduly affected and the main part of the dwelling is set approximately 5m from the boundary with the application site. Whilst some outlook from the upper floor windows of units in Block B could be achieved, the relationship and intervening distance is not considered to result in any significantly harmful overbearing, overlooking or overshadowing.
- 9.17 In respect of the potential impacts of Block C, it is noted that these proposed dwellings are dormer bungalows, and thus have a slightly lower overall height. Given there would be an intervening distance of 24m between the rear elevation of No.40 Normoss Road, and the nearest side elevation of Block C, it is considered that there would be no unacceptable overbearing or overshadowing impacts. Any overlooking from the rear dormers towards No 40-44 Normoss Road, would be limited given the oblique angle and

intervening distance. Landscaping is also proposed which would help prevent/screen impacts, although would take time to establish.

- 9.18 It is also necessary to consider the impact on future occupiers of the proposed dwellings. As noted in the report above, there would be a shortfall in some separation distances when compared against the Council's Layout SPG4. There would be 9.3m between the facing two storey elevations of Blocks A and B with a narrower distance of 7.5m between unit 3 and unit 7. This would be a significant shortfall in respect of the 21m required in The Council's SPG4 guidance. This distance is required to ensure privacy for occupiers, and avoid overbearing impacts, and allows an improved outlook for new residential developments. The windows in the front elevation of Block B would serve either a lounge or dining room at ground floor, with windows to bedrooms at first floor. Some units would have a landing window rather than two bedroom windows. This would face towards Block A which would generally have kitchen and hall/cloakroom windows at ground floor and bathroom or landing windows at first floor. Whilst the bathroom and landing windows could be obscure glazed, there would still be potential overlooking from first floor bedrooms to kitchen windows directly opposite. Additionally, this close proximity is considered cramped and future occupiers in Block B are likely to experience an overbearing impact given proximity to Block B, which is two storey, and to a lesser extent, Block D, which is also in close proximity to the north of Block B.
- 9.19 In addition to the above concerns, the layout would result in a distance of 2.7m between the front elevation of Block D (Unit 16 - single storey) to the facing side elevation of Block B (Unit 10). The Council's Layout SPG 4 sets out that a distance of 13m should be provided. The result of the proposed layout would be a cramped form of development. It is considered that a greater attempt should have been made to ensure suitable separation distances are provided to ensure an acceptable level of amenity for future occupiers.
- 9.20 Overall, the development would result in any harmful amenity impacts for future occupiers and would conflict with Policy CDMP3 and guidance within the NPPF, as well as the Council's Design Guidance SPG4.

Highway Safety and Impact on the Highway Network

- 9.21 Some public objections were received in respect of the potential impact on highways safety. LCC Highways have advised that no objections would be raised to the development, subject to suitable details being provided in relation to sustainable travel, bin storage and collection and off-site highway improvements. In greater detail, LCC have advised that the internal highway does not appear to be to an adoptable standard and requires a 5.5m wide carriageway with 2m wide footpaths. LCC have also advised that the dwellings in Block A (units 1-4) do not appear to have provision for bin storage within the plot given the proposed layout. Positioning bins within parking spaces or to the front carriageway would likely result in highway safety issues and present a significant risk to pedestrians and vehicles. No bins storage areas have been proposed for other plots/blocks, and whilst bins could be capable of storage within a rear garden, when bins are collected, this is also likely to present an issue to pedestrians and vehicles where bins are positioned within the footway or carriageway. Consideration of this issue should have been factored into the design, and a revision to the layout and

position of dwellings is likely required to achieve an acceptable solution in this respect.

- 9.22 In addition to the above concern, LCC Highways have noted that the internal layout may present difficulty for future users to safely access the play area and the site access given the absence of appropriate footways. Whilst there is a bus stop on Normoss Road, the lack of a safe walking route to the site access may discourage sustainable travel options for future occupiers. In relation to the bus stops opposite the site access on Normoss Road, LCC have advised that these would require upgrade, plus an uncontrolled crossing would also be necessary to assist pedestrians to cross to the bus stop on the southern side of Normoss Road. These matters, as well as the new site access, could be secured via a separate Section 278 agreement with LCC highways should permission be granted.
- 9.23 No concerns were raised in relation to the new access geometry, however, in view of the highways safety issues raised above, namely relating to the internal layout and lack of appropriate bin storage and carriageway/footways, the development is deemed to have a detrimental and unacceptable impact on highway safety. The application would therefore conflict with Policy CDMP6 of the Wyre Local Plan and guidance within Chapter 9 of the NPPF.

Flood Risk and Drainage

- 9.24 Some neighbour objections raised concerns about existing run-off to surrounding areas and potential additional surface water run-off problems. The site falls within Flood Zone 1 which is the lowest risk of flooding. As such, a flood risk sequential test and exceptions test are not required. Wyre's Drainage Engineer and Lancashire LLFA have raised objections to the proposal on the basis that the submitted Flood Risk Assessment (FRA) is inadequate, and the application does not provide appropriate details of surface water management. To elaborate on this, Para 175 of the NPPF requires major development to incorporate sustainable drainage systems (SuDS) unless this is clearly inappropriate. The layout plan show an attenuation basin in the north western corner of the site, other details have not been provided for consideration. It is noted that the FRA states that SuDS techniques, including water butts, rainwater harvesting permeable surfaces, as well as filter drains, ponds and wetlands would reduce overland runoff flow rates. In view of the absence of such details, the development does not demonstrate accordance with the drainage hierarchy set out in Policy CDMP2 of the Local Plan, and would conflict with guidance in the NPPF, namely Para 175.
- 9.25 In addition to the above concern, the submitted FRA is dated 2009 and appears to include out of date information, including maps showing drainage details and flood zones. Para 173 of the NPPF requires a site specific FRA and this should include up to date information to allow proper assessment of impacts. The submitted FRA is therefore considered inadequate and would conflict with Para 173 of the NPPF. Overall the application has not demonstrated an acceptable impact in terms of flooding and drainage and would conflict with Chapter 14 of NPPF, the National Planning Policy Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of Local Plan.

Ecology

- 9.26 The site lies within Natural England's SSSI Impact Risk Zone for Morecambe Bay and Duddon Estuary SPA/Ramsar sites. The Government Guidance states that Local Authorities should consult Natural England if a proposed development is in or likely to affect a SSSI, or is likely to have significant effects on a SAC, SPA or Ramsar wetland (or a potential SPA, a possible SAC or a proposed Ramsar wetland). However the Local Authority is responsible for assessing whether there would be any significant likely impact on the Ramsar Site, SPA or SSSI. Under application 20/01314/FULMAJ, GMEU advised that no direct impacts were likely on the coastal designated sites and "the site can also be screened out as functionally linked, owing to size, habitats presence and desk top information." However, under this previous application, it was considered that a theoretical impact could arise via increased recreational pressure and mitigation would be required, and a Habitat Regulations Assessment (HRA) would therefore be necessary given the need to condition measures in order to avoid likely significant effects. It is considered these circumstances apply to the current situation given the similarities that remain applicable. A HRA has not been submitted with the application. Whilst improvements to grassland in the northern part of the site could potentially be secured as a biodiversity enhancement, as mitigation is required against a theoretical impact, a HRA would be required to properly assess the impact of development within the wider context to ensure an acceptable impact on the protected sites. In the absence of a HRA, the application has not demonstrated that there would be an acceptable impact on the Morecambe Bay and Duddon Estuary SPA/Ramsar sites.
- 9.27 In relation to localised ecological impacts, GMEU have noted that the submitted Ecological Report is approximately 3 years old. According to guidance, an update should be provided if the surveys are more than 18 months old. GMEU have additionally pointed out that the 2020 survey recommended an update bat report for the remaining building that has not been provided.
- 9.28 Overall, given the absence of a HRA, the application has not demonstrated an acceptable impact on the Morecambe Bay and Duddon Estuary SPA/Ramsar sites, and the lack of up to date surveys does not demonstrate there would be an acceptable impact on protected species. The application would conflict with Policy CDMP4 of the Wyre Local Plan and guidance within Chapter 15 of the NPPF, as well as the Habitat and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).

Trees/Landscaping

- 9.29 Policy CDMP4 of the Local Plan states that development should incorporate existing trees and hedgerows into the design and layout where possible unless their loss is essential to allow the development to go ahead and is supported by evidence in a tree or hedgerow survey. There are a small number of existing trees, generally to the site boundaries. Subject to the protective fencing, it is considered that these can be appropriately protected. This would be secured by condition should permission be granted. It is noted that the proposed landscaping plan shows new tree planting within the scheme as well as new grassed areas and soft landscaping. A condition would be added to ensure suitable native planting is proposed, but overall, subject to conditions, the application would have an acceptable impact on trees and landscaping in accordance with Policy CDMP4.

Housing Mix

- 9.30 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). 10 x 2 bedroom houses are proposed and 11 x 3 bedroom houses are proposed. As no 4 bedroom dwellings are proposed, this has resulted in a minor deviation from the target housing mix, however it is considered that the provision of a greater number of smaller units would potentially be positive in terms helping to meet the local housing needs. Policy HP2 of the Local Plan also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. Whilst the application does not make clear how the development would contribute to this requirement, in the circumstances, a condition would be added to any permission granted to ensure the application meets the adaptability target of 20% of all units.
- 9.31 Overall, and subject to conditions, the housing provision element would not conflict with the aims of Policy HP2 of the Local Plan.

Infrastructure / Developer Contributions

- 9.32 In terms of Green Infrastructure (GI) provision, based on the proposed housing mix, an area of 0.17 ha of GI would be required on site, as set out in Policy HP9 of the Wyre Local Plan. The submitted layout shows an area of approximately 0.8 ha of open space provided in the northern half of the site. This area would be mostly grassed with a children's play area also shown towards the eastern boundary. Whilst the amount of GI provided would greatly exceed the required on site amount, some concern is raised in respect of the impact of structure (climbing frames, swings etc) given the Green Belt location of the site. Whilst the introduction of additional structures or features would potentially affect the open character of the area, it is considered future consideration could be given to this at a later date should permission be granted. On this basis, the application is considered to accord with Policy HP9 of the Local Plan.
- 9.33 Lancashire County Council (LCC) Education were consulted on the application and advised that no contribution towards primary or secondary school places is sought by LCC. This would be recalculated at the point any permission is granted, and any contribution required would need to be secured via a Section 106 Legal Agreement.
- 9.34 NHS Integrated Care Board have requested that a financial contribution of £14,533.00 towards reconfiguration and extension of Queensway surgery in order to mitigate against the impact of additional population. Subject to this payment, the application is considered to have an acceptable impact on healthcare provision. This contribution would need to be secured via a Section 106 Legal Agreement.

Affordable housing

- 9.35 Given the location of the site in Poulton, a contribution of 30% affordable units would be sought in accordance with Policy HP3 of the Wyre Local Plan. The application indicates that 7 affordable units are proposed on site, equating to 33% of the total number of dwellings proposed. Therefore the application

would accord with Policy HP3 of the Wyre Local Plan. Details of which units would be offered as affordable can be determined at a future date should permissions be granted.

Other Matters

- 9.36 Details of bin storage and collection points has not been detailed, and some properties will need bin presentation points or communal bin stores to ensure current design standards are met. A condition would be added to any permission granted to cover this.
- 9.37 The Council's Environmental Health Team has requested a desk study in respect of potential on site land contamination. Subject to suitably worded conditions it is considered the proposal would be acceptable in terms of ground conditions and would comply with the provisions of the NPPF.
- 9.38 There are no public rights of way within the site or immediate vicinity that would be affected.
- 9.39 Policy SP2 (Criterion 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. This development would provide some enhancements to landscaping and green infrastructure, and electric vehicle charging and sustainable drainage solutions would be secured by conditions should permission be granted. Furthermore the site is considered to be relatively sustainably located for a residential development in accordance with the general principles of policy SP2.

10.0 CONCLUSION

- 10.1 The proposal does not meet any of the exceptions for development within the Green Belt as set out in local or national planning policy, and is therefore unacceptable in principle. The proposals would result in significant visual harm by diminishing the open character of the Green Belt, as well as being unsympathetic to the appearance and layout of surrounding deployment. In terms of layout, the close proximity of some dwellings would not provide an appropriate standard of amenity for all future occupiers, and the lack of appropriate bin storage and footpaths and carriageways within the site would have a detrimental and unacceptable impact on highway safety. Regarding drainage and flood risk, the application does not demonstrate accordance with the drainage hierarchy set out in Policy CDMP2 of the Local Plan, and an accurate and up to date flood risk assessment has not been submitted. Regarding ecology, insufficient details have been submitted to demonstrate that the application would have an acceptable impact on both protected species and on protected designated wildlife sites. Overall, the application would conflict with Policies SP3, CDMP2, CDMP3, CDMP4 and CDMP6 of the Wyre Local Plan and the Council's Design SPG4. The application would also conflict with guidance within Chapters 9, 12, 13, 14 and 15 of the NPPF as well as the Habitat and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended). It is therefore recommended that the application is refused.

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 Refuse

Recommendation: Refuse

1. The application site is within the Green Belt where the construction of new dwellings represents an inappropriate form of development unless very special circumstances exist, or the development represents an exception allowed under Paragraph 154 of the NPPF. The development would fail to preserve the openness of the Green Belt and fails to meet any of the exceptions listed in Paragraph 154 of the NPPF. It has not been demonstrated that there are any very special circumstances to outweigh the harm to the Green Belt and the application would be contrary to Policy SP3 of the Wyre Local Plan and Paragraphs 152 and 154 of the NPPF.
2. The development would erode the sense of openness of the area of Green Belt and would introduce a more urban character within this area, which currently has a semi-rural character. The development would be unsympathetic to the appearance and layout of surrounding deployment and the layout would result in some of dwellings being within close proximity, including windows being opposite other buildings. This would result in an unacceptable and harmful amenity impact for future occupiers and the development would not represent a high standard of design and would therefore conflict with Policy CDMP3 and guidance within Chapter 12 of the NPPF, as well as the Council's Supplementary Planning Guidance 4.
3. The layout does not include appropriate bin storage arrangements for all proposed dwellings which is likely to result in bins being positioned within footways and carriageways. This is likely to result in danger to both pedestrians and vehicles, particularly when bins are due for collection. Additionally, the internal layout does not allow for all future users to safely access the play area and the site access given the absence of appropriate footways. Whilst there is a bus stop on Normoss Road, the lack of a safe walking route to the site access may discourage sustainable travel options for future occupiers. The development is deemed to have a detrimental and unacceptable impact on highway safety and would conflict with Policy CDMP6 of the Wyre Local Plan and guidance within Chapter 9 of the NPPF.
4. The submitted Flood Risk Assessment (FRA) does not provide appropriate details of surface water management and the submitted drainage details do not demonstrate accordance with the drainage hierarchy set out in Policy CDMP2 of the Local Plan. Furthermore, the submitted FRA is dated 2009 and appears to include out of date information, including maps showing drainage details and flood zones. Overall the application has not demonstrated an acceptable impact in terms of flooding and drainage and would conflict with Chapter 14 of NPPF, the National Planning Policy

Guidance 'Flood Risk and Coastal Change, and Policy CDMP2 of the Wyre Local Plan.

5. An up to date bat survey has not been submitted with the application and therefore insufficient information has been submitted to assess whether the development would have an acceptable impact on protected species. Additionally, a Habitat Regulations Assessment has not been submitted with the application to assess the impact of development on the nearby Morecambe Bay and Duddon Estuary SPA/Ramsar sites. In the absence of a HRA, the application has not demonstrated that there would be an acceptable impact on the Morecambe Bay and Duddon Estuary SPA/Ramsar sites. The application would conflict with Policy CDMP4 of the Wyre Local Plan and guidance within Chapter 15 of the NPPF as well as the Habitat and Species Regulations 2017 (as amended) and The Wildlife and Countryside Act 1981 (as amended).