

**Committee Report****Date: 01.05.24**

<b>Item Number</b>	<b>02</b>
<b>Application Number</b>	<b>20/00340/RELMAJ</b>
<b>Proposal</b>	<b>Reserved matters application for appearance, layout, scale and landscaping for a residential development comprising 251 dwellings, the development of land for employment (B2 and E.g(i) uses), a convenience store and a coffee shop (following outline application 22/00423/OULMAJ)</b>
<b>Location</b>	<b>Land To The West Of The A6 (Preston/Lancaster New Road) Bounded By Nateby Crossing Lane &amp; Croston Barn Lane Cabus Lancashire</b>
<b>Applicant</b>	<b>J Chippendale Ltd, Story Homes And Jones Homes</b>
<b>Correspondence Address</b>	<b>c/o Lydia Harper 2 Lockside Office Park Lockside Road Preston PR2 2YS</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mr Rob McKillop****1.0 INTRODUCTION**

1.1 This application is before Members of the Planning Committee at the request of Councillor Lady Dulcie Atkins. A site visit is recommended to enable Members to understand the proposal beyond the submitted plans.

**1.2 PROCEDURAL MATTERS**

1.3 This application seeks the approval of Reserved Matters relating to outline application 22/00423/OULMAJ which seeks consent for the variation of conditions 2, 13 and 14 on planning permission 14/00458/OULMAJ to allow for a signalised crossing on A6 instead of the original approved underpass. At the time of compiling this report the S106 legal agreement relating to the outline application is close to completion which would allow for the decision notice to be issued. However, in the event that the S106 agreement is not completed and the decision has not been issued by the 1 May 2024, the Assistant Director of Planning and Building Control will recommend the deferral of this application for consideration at a future planning committee.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application site measures an area of 16.64ha and is allocated for residential and employment development in the Wyre Local Plan (SA3/5 - Land West of the A6, Garstang) It comprises a roughly triangular shaped area

of land to the west of the A6 in Garstang. The site is contained by Nateby Crossing Lane to the west, Croston Barn Lane to the north and the Lancaster Canal to the south.

- 2.2 The site comprises agricultural land with hedgerows and some fencing. There are several trees within the western part of the site which are the subject of a Tree Preservation Orders and the site surrounds an existing dwelling to the western boundary known as Nateby Crossing Cottage. The site lies within Flood Zone 1 (lowest risk).

### **3.0 THE PROPOSAL**

- 3.1 This application seeks reserved matters approval for the appearance, landscaping, layout and scale for the development of 251 dwellings, the development of 4.68ha of land for employment (B1 and B2) uses, a convenience store (267 sq.m) and a coffee shop (232sq.m) (following outline application 22/00423/OULMAJ). Three new vehicle accesses are proposed on to Nateby Crossing Lane to the west, and two new vehicle accesses are proposed on to the A6 to the east. These access points and associated off site highway works have approval under the outline permission.

### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 14/00458/OULMAJ- Outline planning permission for the erection of up to 270 dwellings, 4.68 ha of Employment (B1 & B8) uses, convenience store (up to 375m2 sales area) and coffee shop (up to 235m2 sales area) Refused - Allowed at appeal.
- 4.2 22/00423/OULMAJ -Outline planning permission for the erection of up to 270 dwellings, 4.68 ha of Employment (B1 & B8) uses, convenience store (up to 375m2 sales area) and coffee shop (up to 235m2 sales area) (Variation of conditions 2, 13 and 14 on planning permission 14/00458/OULMAJ to allow for signalised crossing on A6 instead of underpass) - Pending consideration
- 4.3 14/00458/DIS: Approval of details reserved by conditions 30 (contamination) and 31 (gas measures) on planning permission 14/00458/OULMAJ - Pending consideration
- 4.4 14/00458/DIS1: Approval of details reserved by conditions 3 (phasing), 7 (drainage), 8 (Great Crested Newt method statement), 10 (tree protection),12 (landscape and habitat creation), 13 (off-site highway) and 26 (external lighting) on planning permission 14/00458/OULMAJ - Pending consideration
- 4.5 14/00458/DIS2: Approval of details reserved by conditions 5 (affordable housing), 11 (public open space), 20 (pedestrian and cycling signing), 21 (noise assessment), 27 (CEMP), and 29 (construction dust action plan) on planning permission 14/00458/OULMAJ - Pending consideration

### **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
- SP8 - Health and Well-Being.
- CDMP1 - Environmental Protection.
- CDMP2 - Flood Risk and Surface Water Management.
- CDMP3 - Design.
- CDMP4 - Environmental Assets.
- CDMP5 - Historic Environment.
- CDMP6 - Accessibility and Transport
- HP2 - Housing Mix
- HP3 - Affordable Housing
- HP9 - Green Infrastructure
- SA1 - Site Allocations
- SA3/5 - Land West of the A6, Garstang

## 5.2 NATIONAL PLANNING POLICY FRAMEWORK 2023

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government in 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:

- Section 2 - Achieving sustainable development
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well designed places
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

## OTHER MATERIAL CONSIDERATIONS

### 5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

#### 5.3.1 SUPPLEMENTARY PLANNING GUIDANCE 4 - SPACING GUIDELINES FOR NEW HOUSING LAYOUTS

- 5.3.2 SUPPLEMENTARY PLANNING GUIDANCE 2 - DEVELOPMENT AND TREES
- 5.3.3 GUIDANCE FOR APPLICANTS - GREEN INFRASTRUCTURE IN NEW RESIDENTIAL DEVELOPMENTS (POLICY HP9), 2023 UPDATE (WRITTEN STATEMENT AND CALCULATOR (JULY 2023))
- 5.3.4 THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS (AMENDMENT) (EU Exit) 2019
- 5.3.5 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)
- 5.3.6 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)
- 5.3.7 NATIONAL DESIGN GUIDE - SEPTEMBER 2019
- 5.3.8 NATIONAL DESIGN GUIDE AND THE NATIONAL MODEL DESIGN CODE

## **6.0 CONSULTATION RESPONSES**

### **6.1 GARSTANG TOWN COUNCIL**

- 6.1.1 Objection due to concerns regarding highway safety and traffic, play facilities, affordable housing, drainage and contaminated land.

### **6.2 NATEBY PARISH COUNCIL**

- 6.2.1 No objections.

### **6.3 CABUS PARISH COUNCIL**

- 6.3.1 Objection due to encroachment to the west of the A6, increased number of people, urbanisation of green fields and increased car ownership.

### **6.4 CANALS AND RIVERS TRUST -**

- 6.4.1 No objections subject to surface water and construction management conditions. Noted that layout improved from previous scheme.

### **6.5 ENVIRONMENT AGENCY**

- 6.5.1 No objections.

### **6.6 GREATER MANCHESTER ECOLOGY UNIT (GMEU)**

- 6.6.1 No response received.

### **6.7 HIGHWAYS ENGLAND**

- 6.7.1 No comments to make.

### **6.8 INLAND WATERWAYS AGENCY**

- 6.8.1 No comments received.

6.9 LANCASHIRE CANAL TRUST

6.9.1 No objections - concurs with Canals & River Trust comments regarding southern buffer.

6.10 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.10.1 Objects raised due to inadequate parking provision.

6.11 LANCASHIRE COUNTY COUNCIL (FLOODING)

6.11.1 No objection - conditions added to the outline permission remain applicable.

6.12 LANCASHIRE CONSTABULARY

6.12.1 General design/layout comments, no objections.

6.13 UNITED UTILITIES

6.13.1 No objections subject to conditions and protection of UU assets.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY  
(AMENITY - NOISE)

6.14.1 No objections subject to mitigation.

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY  
(LAND CONTAMINATION)

6.15.1 No objections - see comments/conditions for permission 14/00548/OULMAJ.

6.16 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.16.1 Objects due to inadequate information.

6.17 WBC HEAD OF OPERATIONS (PARKS AND OPEN SPACES)

6.17.1 No comments received.

6.18 WBC HEAD OF OPERATIONS (TREES)

6.18.1 Objects - the trees subject of a Tree Preservation Order should be appropriately considered given their high retention value.

6.19 WBC CONSERVATION OFFICER

6.19.1 No objections subject to planting adjacent to the canal and listed canal bridge.

6.20 WBC AFFORDABLE HOUSING OFFICER

6.20.1 No objections - affordable housing is policy compliant.

**7.0 REPRESENTATIONS**

7.1 Approximately 100 public representations have been received in objection to the proposals. The primary reasons for objection are summarised as follows:

#### Highways

- Development would add to existing traffic congestion on A6, Oak Road, Croston Rd, Cockerham Rd, risk to pedestrians
- Longmoor Lane safety concerns
- Car accident risks on A6 and surrounding area, A6 T-junction not suitable
- Limited access at Burlinton Cross Road and Nateby Crossroads.
- A6 existing speed limit may be dangerous.
- Increased congestion causing delays to Fire Services
- Exiting road from development not wide enough
- Insufficient Parking

#### Drainage/ Flooding

- Drainage damage and insufficient capacity for surface water
- Concerns over A6 and surrounding area being more prone to flooding, previously causing Longmoor Lane road closure
- High water levels in Ainspool causing flooding

#### Environmental / amenity

- Adds to noise and light pollution
- Diesel fumes causing pollution
- Affects habitat of birds and animals
- Removal of green land and farm land
- Upper apartment floors can see gardens of properties that back on to the A6, privacy invasion and block of sunlight.

#### Other Issues

- Loss of income to Marina's due to green belt area disappearing
- Impact on tourist trade
- Increasing vandalism and ASB, lack of policing
- Insufficient youth facilities to keep up with increasing number of young residents
- The design is not appropriate
- Stretch on local amenities: schools, nurseries, dentists and medical centre capacity won't be able to keep up

7.2 Approximately 3 neutral public comments have been received summarised as follows:

- A roundabout would be the safest highway option given the access is at a point on the A6 where traffic usually exceeds the speed limit;
- A children's play area would be useful given the relatively isolated location;
- A reduction to 30mph on this part of the A6 should be considered.

7.3 Approximately 9 supportive public comments were received, summarised as follows:

- Development will help the local economy with local employment, and local construction work;
- Population will help existing businesses in Garstang;
- Access points are good and location allows for commuting;
- Growth of the town is necessary for it to thrive;

- Housing targets need to be met and houses are required for the national housing crisis and affordable housing for young families;
- The application was previously passed and it would be a waste of resources to turn it down.

7.4 Churchtown Flood Action Group comments (summarised):

- Villagers are often on high alert during high rainfall which is concerning;
- At times of high rainfall, the Ainspool River is locked off from discharging into the Wyre and it backs up and floods Ainspool Lane and Churchtown.

7.5 St Michael's Flood Action Group comments (summarised):

- Combined with other development, this will increase peak flow volumes downstream;
- Even with flow restrictions, this flow will increase above greenfield rates;
- The risk of flooding to areas downstream will be increased.

## 8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Various issues have been raised with the applicant including highways matters, parking, public open space, design, layout and landscaping. The scheme has been amended several times following meetings and discussions. An extension of time has been agreed.

## 9.0 ISSUES

The key issues for this reserved matters application relate to:

- Principle of development and policy compliance
- Visual impact (Appearance, Layout and Scale)
- Impact on residential amenity
- Impact on highway safety/parking
- Green Infrastructure provision
- Landscaping

### 9.1 Principle of Development and Policy Compliance

9.1.1 The principle of development is established by outline permission 14/00458/OULMAJ, which was allowed via appeal, including details of access. Application 22/00423/OULMAJ has subsequently been submitted to vary some of the approved details. The site is also allocated for mixed use development under Policy SA3/5 of the Local Plan. Several matters including drainage, highway capacity, contamination, noise and ecology were considered under the outline permission and conditions were imposed in the Planning Inspector's decision relating to such matters. These details would be agreed via a discharge of conditions application separately to this application.

9.1.2 Policy SA3/5 of the Local Plan contains a number of key development considerations (KDCs) which are policy requirements for the site allocation. The first KDC requires a comprehensive masterplan to be approved before granting planning permission for any part of the allocation. An Indicative Masterplan was considered under the Outline application and Appeal. This reserved matters application generally follows the parameters agreed under

the Allowed Appeal. In respect of other KDCs stated within Policy SA3/5, these are considered in the report below.

## 9.2 Visual impact (Appearance, Layout and Scale)

9.2.1 Policy CDMP3 of the WLP31 states that all development will be required to be of a high standard of design. The NPPF also states that good design is a key aspect of sustainable development and planning should deliver well-designed and beautiful places.

9.2.2 It is noted that the positions of accesses were agreed under the outline permission which has influenced the layout. The adopted masterplan has also been considered in assessment of the proposed layout. The masterplan highlights existing natural features for retention and areas proposed for public open space. The masterplan layout directs the commercial development to the north eastern part of the site and residential development spanning the western part of the site

9.2.3 In considering this reserved matters application, the layout is generally aligned with the principles of the masterplan. The hedgerows running north to south along the western boundary and within the site would be largely retained and public open space would be created along the easement which crosses the site. Whilst some features would not be retained, it is considered that the proposed layout does not represent a significant deviation from the masterplan layout.

9.2.4 In more detail, given the size of the site and its constraints, there are different parcels for residential development, split by the easement which intersects the site. Development in the northern part of the site surrounds Nateby Crossing Cottage to the western boundary. The north eastern part of the site would be occupied by the commercial part of the site. Two balancing ponds are proposed within the site and a children's play area is proposed centrally, with an open space corridor following the route of the easement which crosses the site. The houses in the southernmost part of the site would largely front towards the canal. The proposed layout is a coherent approach to development of the site in view of the site constraints which include watercourse, sewer and gas pipeline easements. Dwellings generally have rear gardens and parking to the front which is generally reflective of existing development in the area, albeit the site proposes a higher density for dwellings.

9.2.5 It is noted that the proposed residential layout has been amended numerous times during the course of the application to improve various design elements. As such, many negative features, such as continuous rows of parking spaces and visually prominent rear boundaries, now feature more sparingly. It is noted that the constraints and site boundaries somewhat restrict the developable area, however there are still some areas where frontage parking is prominent (such as Plots J19-22, J34-40, Plots S122-S133 and S76-83 amongst others). Whilst this would not result in an attractive street scene, it is noted that the applicant has attempted to reduce the runs of frontage parking following requests by officers and trees are shown within street scenes to soften the appearance of development.

9.2.6 Improvements in the scheme, following case officer input, have resulted in more uniform building lines between plots, although there are still a number of



plots where buildings lines are inconsistent which is not visually positive. The proposed layout has been considered against the Supplementary Planning Guidance 4 (SPG4) and the majority of plots accord with the spacing and layout guidance. A small number of plots would have a minor shortfall against the guidance, such as garden depths slightly below 10.5m, but this would not lead to any significant harm in terms of layout or amenity. A contribution of affordable housing at the site was agreed under the outline permission and these would be spread across the site rather than in one cluster which is positive in terms of social cohesion. Details of this would need to be included in an affordable housing scheme to be formally submitted in order to satisfy condition 5 of the outline permission.

- 9.2.7 In respect of scale and appearance, it is noted that dwellings in the vicinity vary in design.

The site would largely be read in a separate context from nearby dwellings given the buffer provided by the A6 and Lancaster Canal to the western and southern boundaries. There are some existing dwellings on Croston Barn Lane and Nateby Crossing Lane, however these also vary in scale and appearance. It is noted the application proposes a mix of dwellings that would vary in scale and appearance. The proposed dwellings are either 2-storey or 2.5 storeys but the eaves/ridge heights can vary by up to 1.4 metres. Whilst this may not seem much, this results in incoherent street scenes where these plots are positioned next to each other. It is noted, for example, that Plot S112 (Kempton) would be next to Plot S113 (Wilson) with a difference of approximately 1.3m between comparative eaves/ridge heights. This seems to represent the greatest height contrast between adjacent plots across the scheme, however there are similar undesirable "stepping" effects across the scheme. Furthermore, a mix of wider and narrower fronted plots is proposed. Similarly, where these are next to each other, it introduces a more random and unplanned appearance to street scenes, and there are some examples of this in the proposed scheme. In terms of particular concerns, Plot S16 raises some concerns from a design perspective, and would result in a blank elevation facing the street scene and its form and appearance would be at odds with the adjacent plot. This issue also present to a lesser extent on other plots within the scheme. Whilst these undesirable design features would detract from the character and appearance of the scheme, the harm would be somewhat reduced through new landscaping. It is noted that this haphazard varying approach to design seems to be characteristic of modern development and it seems unlikely that a reason for refusal could be sustained on these grounds.

- 9.2.8 The layout would allow a pedestrian access through the site between the A6 to Nateby Crossing Lane with other pedestrian links proposed. The site is adjacent to open countryside to the west retention of hedges and open spaces and the balancing pond in the south western part of the site would help to provide a softer edge with a more "organic" appearance as set in KDC3 in Policy SA3/5 of the WLP31.

- 9.2.9 A materials schedule has been submitted which includes 8 different brick types. Additional brick types are also included on the submitted Elevation Treatments Plan. This is considered to represent a high degree of variation in terms of materials. Whilst many of the bricks have a red tone, other much lighter bricks, as well as multi bricks are also proposed which would represent a stark visual contrast with the other bricks proposed. It is considered that a

more restricted palate of high quality materials should be proposed to ensure the development reflects the positive characteristics and materials displayed in the surrounding area. A condition would be added to any permission granted for alternative materials details to be submitted for further consideration.

9.2.10 In respect of the commercial element, this is considered to be fairly standard in its appearance. Amended plans have been submitted during the application to improve the appearance to be more sympathetic within this rural edge location. The offices would be two storey and would have dual pitched roofs with side gables, and green cladding, with and render panels, in addition to large windows to the front and rear. Timber cladding is proposed for the walls of the other proposed commercial units which would be for mixed industrial uses. The convenience and coffee shop would share the same appearance, with timber cladding and green cladding. The appearance of these commercial units is considered acceptable and would have a similar or improved appearance to similar existing commercial units in the vicinity. Amendments have also been proposed to car parking, which is necessary to support the proposed commercial uses. The buildings would front towards the car parking areas and the proposed layout represents a logical approach to development of the site, and is generally aligned with the adopted masterplan.

9.2.11 Overall, whilst the scale, layout and appearance of the proposed development could be of a higher quality, it would not conflict significantly with Policy CDMP3 of the WLP31.

### 9.3 Impact on residential amenity

9.3.1 In respect of the layout from a residential amenity perspective, each property has a sufficiently sized garden and amenity space. The apartments would either have shared communal garden areas or would be in close proximity to the areas of public open space. Whilst some private gardens would not strictly accord with SPG4, which requires gardens to be 10.5m in length, most gardens either meet or are close to this guidance and it is noted that soft landscaping is proposed around many properties which would also add a sense of openness for future residents. It is noted that the majority of plots would accord with the spacing guidance between plots set out in SPG4 and any spacing shortfall identified on a handful of plots would not be significant or result in any unacceptable amenity impacts. Dwellings would be set away from the neighbours to the north and west with existing roads in between. The site would wrap around Nateby Crossing Cottage on its western boundary. Whilst Plot J41 would be in close proximity to this dwelling, and would project beyond its rear elevation, this is not likely to result in any significant harmful overbearing, overlooking or overshadowing impact. Similarly, Plot J17 to the north of Nateby Crossing Cottage would be in close proximity to the shared boundary, however the relationship is not likely to cause any unacceptable overlooking, overshadowing or overbearing impacts. There would be a sufficient intervening distance from dwellings to the south of the canal to avoid any harmful impacts.

9.3.2 In respect of noise, some dwellings would be in close proximity to the A6. There is considered to be a sufficient buffer, including landscaping, to prevent any significant noise impact to future occupiers, and noise mitigation measures, including an acoustic fence, were conditioned under the outline

permission. Conditions were also added at outline stage in relation to commercial noise and kitchens, as well as delivery times. This would suitably mitigate noise from the commercial element. In addition to the A6 road, there are other existing background noise sources, including from the agricultural uses in this area. The layout and mitigation is not likely to result in any significant noise impacts to existing or future residents.

9.3.3 Overall, the amenity of existing neighbours and future occupiers would be suitably preserved. The proposed development would comply with the provisions set out in Policies CDMP1 and CDMP3 of the WLP31.

#### 9.4 Impact on highway safety / parking

9.4.1 The impact of the development on the highway network, including access details, was considered at the outline stage and cannot be revisited as part of this application. In their consultation response, Lancashire County Council Highways have stated that issues relating to car parking, swept path analysis and the internal layout need to be addressed. Following this response, further discussions between LCC and the applicant have taken place and updated plans received. The concerns relating to swept path and the internal layout are now agreed and LCC Highways no longer have concerns on these matters.

9.4.2 In respect of parking concerns, no further improvements have been provided. During the course of the application, the Council has consistently advised that if internal garages are proposed for parking, these should meet the required internal dimensions (set out in appendix B of the WLP) of 6.0m x 3.0m internally. Garages that do not meet the required dimensions should not be considered as parking spaces. A breakdown and summary of parking is set out below for each of the two developers:

##### Story Homes House Types

- Hewson (13No.) - garage dimensions 5.3m length x 2.6m width. Substandard dimensions, not appropriate for parking.
- Lawson (12No.) - garage dimensions 5.3m length x 2.6m width. Substandard dimensions, not appropriate for parking.
- Middleton (8No.) - garage dimensions 5.1m length x 4.4m width. Substandard length, not appropriate for parking.
- Sanderson (14No.) - garage dimensions 5.3m length x 2.6m width. Substandard dimensions, not appropriate for parking.

##### Jones Homes House Types

- Connaught II (3No.) - the submitted floor plan not provided to a correct scale but the garage is likely to accommodate 1 small/average vehicle.
- Latchford (8No.) - garage dimensions 5.5m length x 5.53m width. Substandard length although garage is likely to accommodate 1 small/average vehicle.
- Stratton II (1No.) - garage dimension 6.1m length x 5.2m width. Substandard width for 2 vehicles, but capable of accommodating 1 vehicle.
- Bentley (17No.) - garage dimensions 5.3m length x 2.6m width. Substandard dimensions, not appropriate for parking.
- Banbury (9No.) - garage dimensions 5.3m length x 2.6m width. Substandard dimensions, not appropriate for parking.

- 9.4.3 In relation to the Story Homes House Types, based on the above, it appears that 47 plots would have a shortfall of one parking space each when assessed against the required garage dimensions (6m x 3m internally). The applicant has suggested that these internal garages may still allow a possibility of a small/average vehicle to park within.
- 9.4.4 In relation to the Jones Homes House Types, based on the above, it appears that 28 plots would have a shortfall of one parking space each when assessed against the required garage dimensions (6m x 3m internally). Given the dimensions, some of these garages may allow possibility for a small/average vehicle to park within, and it could be argued that this would only result in a significant shortfall of 16 parking spaces.
- 9.4.5 In view of the above, the residential part of the scheme would result in 75 dwellings with a shortfall in parking provision when assessed against the adopted parking standards. It is noted that these garages differ in dimensions and some may still allow a smaller vehicle to park within. However, even taking a pragmatic view on this, a high number of plots would still have a shortfall. The applicant has suggested that the dimensions of 6.0m x 3.0m is large to allow household items or bicycles to be stored in garages alongside vehicles. The applicant has indicated that additional cycle storage could be provided in outbuildings or other structures which would ensure garages could remain available for parking. This point is noted by officers, however as trends for larger vehicles continue, it is considered reasonable for the Council to apply the standards more strictly to current and future applications. In terms of the impact on highway safety, this scheme is likely to result in some additional on street parking, however the layout is likely to be capable of accommodating some additional on street parking. That said, a number of the plots with a parking shortfall are located along the main spine road, including the section identified as a bus route between the A6 and Nateby Crossing Lane. This may result in some additional congestion and increase in conflict between various road users. The NPPF sets out that development should only be refused on highway safety grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. In this case, despite the objection from LCC Highways to parking, it is difficult to conclude that there would be an unacceptable impact on highway safety or a severe impact on the existing and proposed networks.
- 9.4.6 In respect of the commercial element, the layout and parking has been amended to ensure sufficient parking is provided for each unit. The applicant has provided a layout where parking spaces are distributed evenly in respect of more intensive uses, and appropriate manoeuvring and turning areas would be provided for vehicles, including larger goods vehicles. As previously highlighted, the site accesses were agreed under the outline permission and cannot be reconsidered at this stage. Pedestrian routes are proposed crossing the site between the A6 and Nateby Crossing Lane. No objections are sustained by LCC Highways in relation to the road layout.
- 9.4.7 Overall, whilst the residential element of the scheme would result in a shortfall of parking spaces, in view of the considerations and the details already agreed under the outline permission, the application would not result in any unacceptable highways safety impacts.
- 9.5 Green Infrastructure (GI) Provision

- 9.5.1 Condition 13 of the outline permission states that open space (GI) shall be provided in accordance with Policy H13 or any subsequent policies. Policy HP9 of the WLP31 has since replaced Policy H13 of the superseded 1999 Local Plan and is therefore applicable. It is noted that Policy HP9 requires a larger amount of open space than would have been required by the superseded Local Plan Policy H13.
- 9.5.2 KDC2 of Policy SA3/5 of the WLP31 also states that the development should be supported by a landscape and green infrastructure framework incorporating structured tree planting, on-site open space incorporating formal and informal play and pedestrian and cycle connectivity where possible outside the site.
- 9.5.2 Based on the proposed housing mix the required amount of GI for this scheme would be 2.54 hectares. There would be in excess of 4 hectares of GI proposed on site which is largely in a linear arrangement along the easement which crosses the site, with additional areas set centrally and towards the south western boundary. A locally equipped area of play (LEAP) is proposed for children's play within the site and trim trials are shown indicatively on the proposed layout at each end of the linear open space. Footpaths are proposed providing access to the areas of GI and the quality and function of the GI is considered to be convenient and meaningful for future residents. Whilst there are some parts of open space which would be in close proximity to dwellings or are smaller in size, given the overprovision of GI (compared to the requirements), it is considered that this would not diminish the functionality of GI across the site. The LEAP, together with the areas of green amenity space proposed, would meet the council's requirements in respect of typologies of GI provision. The siting of the LEAP is considered to be appropriate, with good accessibility and natural surveillance. The arrangement, including landscaping to the boundaries would help provide a softer rural edge and the application would accord with Policy HP9 and KDCs 2 & 3 of Policy SA3/5 of the WLP31 as well as the Council's recently approved/published guidance on GI in new developments.
- 9.6 Landscaping / Trees
- 9.6.1 A condition was added to the outline permission requiring a method statement for tree and hedgerow protection measures during construction to be agreed prior to commencement, as well as details of retained trees. As such, this matter would be dealt with under a separate discharge of conditions application. However, it is noted that there are 16 established trees within the site protected by Tree Preservation Orders. These are mostly located to the northern and western boundaries, although others are spread elsewhere across the site. The proposed development would result in the loss of 11 of these trees although it appears that there would be scope to retain 5 TPO trees.
- 9.6.2 A drawing showing new access points to the site including footpaths was approved at appeal by the Planning Inspector, and as a consequence this approved arrangement would result in removal of established and mature protected trees along Nateby Crossing Lane and Croston Barn Lane. Whilst the loss of established trees is clearly a significant negative impact, resulting in harm to visual amenity and ecology, it appears that the loss of trees is due to an unforeseen oversight by the Planning Inspector in approving the

highways access drawings without considering the full implications. In these circumstances, the Council is unable to reasonably request an alternative arrangement for access points and unfortunately, the scheme would result in the loss of important established trees.

- 9.6.3 It is noted that no attempt has been made to prepare a layout allowing retention of certain other trees within the site, however 5 trees would be identified for retention. It is accepted that, given the site constraints, retention of some trees within the site would have further restricted the development. Additionally, there would have been increased potential for these trees to be harmed during construction, or if these trees were retained within plot boundaries.
- 9.6.4 Whilst the loss of trees is a clear harmful impact, the applicant proposes a significant number of new trees and soft landscaping across the full site. This includes a very high number of heavy standard trees that would be more advanced when planted and would establish more quickly than new saplings. This would eventually result in a greater number of trees across the site which would have a positive impact on the character and appearance of the scheme, and would carry environmental and ecological benefits.
- 9.6.5 Whilst the Tree Officer's strong objection is noted and accepted, in view of the appeal decision allowing the new access arrangements, the loss of the majority of TPO trees is unavoidable at this stage. In these circumstances, it is considered unlikely the Council could reasonably sustain a refusal of this application on these grounds. The new planting would, once established, provide new amenity benefits and help establish a more natural appearance within the new development. The submitted landscaping proposals also show that the hedges to the north and western boundaries, with the exception of new access points, would be retained and gaps infilled. The hedgerow within the site running north from Nateby Crossing Cottage would also be retained providing an ecological corridor. The trees and shrub planting to the front of properties and landscaping strips along internal roads would soften the appearance of physical development. It is noted that parking spaces, where practicable have been broken up by soft landscaping. It is considered that the proposed landscaping to the front and side of dwellings would enhance views within the street scene and would be commensurate with the edge of settlement position of the site. In addition to tree protection measures, a Landscape and Habitat Management Plan is required by conditions attached to the outline permission. Details would need to be submitted under a separate discharge of condition application.
- 9.6.2 Overall, it is considered the proposed landscaping principles shown are acceptable and would be in accordance with KDCs 2 & 3 as set out in Policy SA3/5 of the WLP31.
- 9.7 Flood risk and drainage
- 9.7.1 Condition 7 of the outline permission required full details for drainage to be submitted prior to commencement of the development. Drainage plans have been submitted with this application for reference to ensure that any reserved matters scheme does not prejudice an appropriate drainage scheme being agreed in future. The Council's Drainage Engineer has requested clarification of the latest updated drainage details following revisions to the scheme, as well as clarification of exceedance flood routes in relation to the surface water

pumping station. On the basis that the general drainage principles are likely to be acceptable, it is considered that the submitted details would not prevent an acceptable drainage arrangement being agreed under a separate discharge of conditions application. As drainage is not a reserved matter, and full details would not be agreed under this application.

9.7.2 The Environment Agency no comments and Lancashire Lead Local Flood Authority have noted that the outline conditions would still remain applicable. United Utilities have noted that any works to their infrastructure would need to be discussed in advance. On the basis that no objections were raised by consultees, and as drainage would be agreed under the outline application, it is considered that the flooding and drainage details do not prevent approval of this application.

## 9.8 Housing Mix

9.8.1 Policy HP2 of the Local Plan requires new housing developments to provide a mix of house types and sizes in line with the latest evidence of need as set out in the Strategic Housing Market Assessment (SHMA). Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility.

9.8.2 Of the 251 units proposed, 20% would be 1 and 2 beds, 32% 3-bed and 48% 4-bed. The proposed mix comprises a higher proportion of larger units, however the applicant has submitted a market demand report and supporting details which indicate a demand for larger properties in this area. It is accepted that there is a demand for larger units, and current trends towards home-working have likely contributed towards this. In relation to this development, an increased number of smaller properties would increase the density of development further which may appear less appropriate given the edge of settlement location. It is acknowledged that in addition to the bedroom mix, the development would offer a wide choice of house types (detached, semi-detached and terraced) with different floorspace to appeal to different households. As such, the application is considered to contribute towards meeting the need for smaller properties in the area despite the increased number of large units. On balance, the proposed housing mix is not considered to conflict significantly with the SHMA evidence and, in view of the submitted Market Demand Report, the proposed mix is considered to be justified.

9.8.3 Policy HP2 also requires 20% of the dwellings to be suitable or adaptable for people with restricted mobility. 14 house types would meet Part 4 of the Building Regulations to ensure they allow for occupancy by people with reduced mobility. A condition would be added to any permission granted to ensure the application meets the adaptability target of 20% of all units.

## 9.9 Other matters

9.9.1 The impacts on ecology, land contamination, trees and noise were assessed under the outline application and the development was considered acceptable, subject to relevant conditions in respect of these matters. Developer contributions were also considered under the outline application. Whilst some objections have been received in respect of the suitability of the site, the principle of development cannot be revisited under this reserved matter application.

- 9.9.2 A condition requiring electric vehicle charging points was also attached to the outline permission.
- 9.9.3 It is considered that the layout proposed would allow for bins to be stored in the rear curtilage of properties to remove the need for any formal bin storage details. For the majority of plots, bins could be presented at the kerbside for collection given the internal road layout would allow for refuse collection vehicles and manoeuvring in accordance with the recommended collection/presentation distances. Bin storage areas are proposed for apartments which would be appropriately sited and screened.
- 9.9.4 The Council's Conservation Officer advised that no impact is likely to the Cathouse Bride (Grade II Listed) subject to tree planting on the southern boundary. As substantial new tree planting is proposed, and dwellings would be set sufficiently away from the bridge, it is considered there would be no harmful impact on this heritage asset.
- 9.9.5 The amount of commercial floor space and retail/cafe buildings would be in line with the parameters set out in the outline appeal decision.

## **10.0 CONCLUSION**

- 10.1 The principle of development and details of the access have already been established at appeal under planning permission ref. 14/00458/OULMAJ and via application 22/00423/OULMAJ. Despite some concerns, the proposed details relating to layout, landscaping, scale and appearance are not considered to be significantly harmful for the reasons set out above. As such, subject to the imposition of relevant planning conditions the application is recommended for approval.

## **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 reserved matters approval subject to conditions.

### **Recommendation: Permit**

#### **Conditions: -**

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 16.04.2020 including the following plans/documents:
  - Vehicle Swept Path Drg No.40066-019 REV B;
  - Commercial Plot HGV Vehicle Swept Path Drg No.40066-023-01 REV A;
  - Landscape Structure Plan Drg No.6894.01 REV K (1 OF 2)



- Landscape Structure Plan Drg No.6894.01 REV K (2 OF 2)
- Proposed Offices 'B' - Elevations, Floor Plans & Roof Plan Rev A
- Proposed Unit 1 - Elevations, Floor & Roof Plan Rev A
- Proposed Units - 2A & 2B Elevations, Floor & Roof Plan Rev A
- Proposed Units - 3A to 3C Elevations, Floor & Roof Plan Rev A
- Proposed Units - 3D to 3F Elevations, Floor & Roof Plan Rev A
- Proposed Units - 4A to 4C Elevations, Floor & Roof Plan Rev A
- Proposed Units - 4D to 4F Elevations, Floor Plans & Roof Plan Rev A
- Foul Water Pumping Station Kiosk Details Drg No.23-034-4
- Surface Water Pumping Station Kiosk Details Drg No.23-034-2
  
- Commercial Detailed Layout Drg No.21-27-CDL01 Rev E
- Detailed Layout Drg No.21-27-DL01 Rev Z
- Visitor Parking Drg No.21-27-VP01 Rev D
- Refuse Layout Drg No.21-27-RL01 Rev F
- External Storage Layout Drg No.21-27-ES01 Rev D
- Hard Surfaces Layout 21-27-HS01 Rev G

House Types:

(Jones Homes)

- Connaught II - Drg No.CONN/ST/01
- Connaught II - Drg No.CONN/ST/02
- Knightsbridge II - Drg No.KNIG/ST/01
- Latchford - Drg No.LATCH/ST/01
- Stratton II - Drg No.STRA/ST/01
- Bentley - Drg No.BENT/ST/01
- Barbridge - Drg No.BAR/ST/01
- Bayswater - Drg No.BAYS/ST/01
- Banbury - Drg No.BAN/ST/01
- Keswick - Drg No.KESW/HT01
- Mottram - Drg No.MOT/ST/01
- Birch - Drg No.BIR/ST/01
- Handforth - Drg No.HAND/ST/01
- Apartment - Drg No.APT/ST/01
- Apartment - Drg No.APT/ST/02
- Single Garage (Jones) Drg No.DET\_DG\_PLNG04 6X6
- Double Garage (Jones) Drg No.DET\_SG\_PLNG04 6X3
- Buckley - Drg No.BUC-P-(2020)-01

(Story Homes)

- Belford - Drg No.BEL-PLP1 Rev A
- Belford - Drg No.BEL-PLE1/1 Rev A
- Belford - Drg No.BEL-PLE1/2 Rev A
- Bailey - Drg No.BAY-PLP1
- Bailey - Drg No.BAY-PLE1/1 Rev A
- Bailey - Drg No.BAY-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP1
- Cooper - Drg No.CPR-PLE1/1 Rev A
- Cooper - Drg No.CPR-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP2
- Cooper - Drg No.CPR-PLE2/1 Rev A
- Cooper - Drg No.CPR-PLE2/2 Rev A
- Cooper - Drg No.CPR-PLP3
- Cooper - Drg No.CPR-PLE3/1 Rev A
- Cooper - Drg No.CPR-PLE3/4 Rev A

- Dawson - Drg No.DWN-PLP1 Rev A
- Dawson - Drg No.DWN-PLP2 Rev A
- Dawson - Drg No.DWN-PLE1/1 Rev A
- Dawson - Drg No.DWN-PLE1/2 Rev A
- Dawson - Drg No.DWN-PLE2/1 Rev A
- Dawson - Drg No.DWN-PLE2/2 Rev A
- Fraser - Drg No.FRR-PLP1
- Fraser - Drg No.FRR-PLE1/1 Rev A
- Fraser - Drg No.FRR-PLE1/2 Rev A
- Harper - Drg No.HPR-PLP1
- Harper - Drg No.HPR-PLE1/1 Rev A
- Harper - Drg No.HPR-PLE1/2 Rev A
- Hewson - Drg No. HWN-PLP1
- Hewson - Drg No. HWN-PLE1/1 Rev A
- Hewson - Drg No. HWN-PLE1/2 Rev A
- Hewson - Drg No. HWN-PLE1/3 Rev A
- Kempton - Drg No.KPN-PLP1
- Kempton - Drg No.KPN-PLE1/41
- Lawson - Drg No.LWN-PLP1
- Lawson - Drg No.LWN-PLE1/41
- Lawson - Drg No.LWN-PLE1/42
- Middleton - Drg No.MDN-PLP1
- Middleton - Drg No.MDN-PLE1/1 Rev A
- Middleton - Drg No.MDN-PLE1/2 Rev A
- Middleton - Drg No.MDN-PLE1/3 Rev A
- Sanderson - Drg No.SAN-PLP1
- Sanderson - Drg No.SAN-PLE1/1 Rev A
- Sanderson - Drg No.SAN-PLE1/2 Rev A
- Sanderson - Drg No.SAN-PLE1/3 Rev A
- Sandyford Drg No.SDD-PLP1
- Sandyford Drg No.SDD-PLE1/1 Rev A
- Sandyford Drg No.SDD-PLE1/2 Rev A
- Spencer Drg No.SPR-PLP1
- Spencer Drg No.SPR-PLP2
- Spencer Drg No.SPR-PLE1/1 Rev B
- Spencer Drg No.SPR-PLE1/2 Rev B
- Spencer Drg No.SPR-PLE2/1 Rev A
- Spencer Drg No.SPR-PLE2/2 Rev A
- Wilson Drg No.WLN-PLP1
- Wilson Drg No.WLN-PLE1/1 Rev A
- Wilson Drg No.WLN-PLE1/2 Rev A
- Wilson Drg No.WLN-PLE1/3 Rev A
- Wilson Drg No.WLN-PLP2
- Wilson Drg No.WLN-PLE2/1 Rev A
- Wilson Drg No.WLN-PLE2/3 Rev A
- Wilson Drg No.WLN-PLE2/4 Rev A
- Garage Booklet Drg No.GB-PLP1/1 Rev B
- Garage Booklet Drg No.GB-PLP1/2 Rev B
- Garage Booklet Drg No.GB-PLP2/1 Rev B
- Garage Booklet Drg No.GB-PLP2/2 Rev B
- Garage Booklet Drg No.GB-PLP3/1 Rev A
- Garage Booklet Drg No.GB-PLP3/2 Rev A

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.

2. 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).

3. No dwelling hereby approved shall be first occupied until the parking / turning areas shown on the approved plan Detailed Layout Drg No.21-27-DL01 Rev Z as relating to that dwelling have been laid out, surfaced and drained. None of the commercial buildings hereby approved shall be brought into use until the parking / turning areas shown on the approved plan Commercial Detailed Layout Drg No.21-27-CDL01 Rev E as relating to that unit have 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).

4.
  - (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 from the highway 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 that the new estate road is not 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).

5.
  - 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).

- 6. The hard landscaping and works shall be carried out in accordance with Hard Surfaces Layout 21-27-HS01 Rev G 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.

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 NPPF.

- 7. The soft landscaping and works shall be carried out in accordance with the following plans 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:
  - Landscape Structure Plan Drg No.6894.01 REV K (1 OF 2) received 15th March 2024
  - Landscape Structure Plan Drg No.6894.01 REV K (2 OF 2) received 15th March 2024

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

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with 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 NPPF.

8. Prior to the commencement of the development hereby approved, 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 in accordance with Policies CDMP2 and 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.

9.
  - a) Prior to first occupation of the dwellings 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 relating to that dwelling shall be completed before first occupation of that dwelling. The approved details shall thereafter be maintained and retained.
  - b) Prior to first use any of the commercial units 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 relating to that building shall be completed before first use of that building. 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).

10. Prior to first occupation of any dwelling, details of the Local Area for Play (LAP) shown on approved plan Detailed Layout Drg No.21-27-DL01 Rev Z shall be submitted to and approved in writing by the Local Planning Authority. Details shall include how this is to be laid out, the design / appearance of play equipment including materials, surfacing and enclosure(s) of the LAP area and any other associated equipment including benches and waste bins. The LAP shall be installed in accordance with the approved details prior to first occupation of any dwelling or otherwise in accordance with a programme agreed in writing by the Local Planning Authority prior to first occupation of any dwelling.

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 NPPF.

11. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 (as amended) and the provisions of Parts 1 and 2 of Schedule 2 of the Town and Country Planning (General

Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification);

- (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 of that dwellinghouse; and
- (b) no areas of soft landscaping to the front of properties shall be removed to make provision for additional car-parking, without planning permission from the local planning authority first approved.

Reason: To ensure that the development presents a satisfactory appearance in the street picture in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.

Reasons: To ensure the provision and retention of appropriate parking levels in the interests of residential amenity and highway safety.

13. No dwelling hereby permitted shall be occupied unless or until the pedestrian footpaths extending up to the existing public highways (as shown on approved plan Detailed Layout Drg No.21-27-DL01 Rev Z) has been completed in full. The pedestrian footpaths shall thereafter be maintained and remain open and unobstructed at all times.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider footpath network in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

14. 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.

15. The approved garden storage buildings as indicated on approved plan External Storage Layout Drg No.21-27-ES01 Rev D shall be completed before the dwelling to which it relates 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 in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

16. Prior to the first occupation of any of the dwellinghouse types specified below, the windows specified below shall be:
- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
  - ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

(Jones)

- Connaught II - first floor bathroom window in side elevation
- Knightsbridge - first floor bathroom window in side elevation
- Latchford - first floor ensuite windows in each side elevation
- Stratton II - first floor ensuite and bathroom windows in each side elevation

(Story)

- Hewson - first floor bathroom window in side elevation
- Lawson - first floor bedroom window in side elevation
- Middleton - first floor bathroom window in side elevation
- Sanderson - first floor landing window in side elevation
- Sandyford - first floor and second floor bathroom windows in each side elevation
- Spencer - first floor ensuite window in side elevation

The windows (including any subsequent repaired or replacement window) shall be maintained and retained thereafter in accordance with this detail.

Reason: To safeguard the privacy of adjoining residents and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

17. 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 dwellings listed below shall not be altered or extended, nor shall any building, structure or enclosure be erected within the curtilage of the dwellings without planning permission:

House Types:

(Jones Homes)

- Bentley - Drg No.BENT/ST/01
- Birch - Drg No.BIR/ST/01
- Handforth - Drg No.HAND/ST/01
- Apartment - Drg No.APT/ST/01
- Apartment - Drg No.APT/ST/02
- Buckley - Drg No.BUC-P-(2020)-01

(Story Homes)

- Belford - Drg No.BEL-PLP1 Rev A
- Belford - Drg No.BEL-PLP1/1 Rev A
- Belford - Drg No.BEL-PLP1/2 Rev A
- Bailey - Drg No.BAY-PLP1

- Bailey - Drg No.BAY-PLE1/1 Rev A
- Bailey - Drg No.BAY-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP1
- Cooper - Drg No.CPR-PLE1/1 Rev A
- Cooper - Drg No.CPR-PLE1/2 Rev A
- Cooper - Drg No.CPR-PLP2
- Cooper - Drg No.CPR-PLE2/1 Rev A
- Cooper - Drg No.CPR-PLE2/2 Rev A
- Cooper - Drg No.CPR-PLP3
- Cooper - Drg No.CPR-PLE3/1 Rev A
- Cooper - Drg No.CPR-PLE3/4 Rev A
- Dawson - Drg No.DWN-PLP1 Rev A
- Dawson - Drg No.DWN-PLP2 Rev A
- Dawson - Drg No.DWN-PLE1/1 Rev A
- Dawson - Drg No.DWN-PLE1/2 Rev A
- Dawson - Drg No.DWN-PLE2/1 Rev A
- Dawson - Drg No.DWN-PLE2/2 Rev A
- Fraser - Drg No.FRR-PLP1
- Fraser - Drg No.FRR-PLE1/1 Rev A
- Fraser - Drg No.FRR-PLE1/2 Rev A
- Harper - Drg No.HPR-PLP1
- Harper - Drg No.HPR-PLE1/1 Rev A
- Harper - Drg No.HPR-PLE1/2 Rev A
- Sandyford Drg No.SDD-PLP1
- Sandyford Drg No.SDD-PLE1/1 Rev A
- Sandyford Drg No.SDD-PLE1/2 Rev A
- Wilson Drg No.WLN-PLP1
- Wilson Drg No.WLN-PLE1/1 Rev A
- Wilson Drg No.WLN-PLE1/2 Rev A
- Wilson Drg No.WLN-PLE1/3 Rev A
- Wilson Drg No.WLN-PLP2
- Wilson Drg No.WLN-PLE2/1 Rev A
- Wilson Drg No.WLN-PLE2/3 Rev A
- Wilson Drg No.WLN-PLE2/4 Rev A

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 / neighbours in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

**Reasons: -**

**Notes: -**

1. The applicant is advised to contact the Canal & Rivers Trust Infrastructure Services Team on 01782 779909 or email [Enquiries.TPWNorth@canalrivertrust.org.uk](mailto:Enquiries.TPWNorth@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust" to ensure the waterways are protected and safeguarded.