

Committee Report**Date: 01.05.24**

Item Number	04
Application Number	24/00092/FUL
Proposal	Erection of 1.no detached dwelling (C3) following demolition of agricultural building (part retrospective)
Location	Agricultural Building Lambs Lane Pilling Lancashire
Applicant	Mr Kevin Hughs
Correspondence Address	c/o Mr Lee Fenton Carrfield Ingol Lane Hambleton FY6 9BJ
Recommendation	Refuse

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Miss Lucy Lowcock**

Site Notice Date: 8.3.24

1.0 INTRODUCTION

- 1.1 This application is brought before Planning Committee at the request of Councillor Adam Leigh due to the complex nature and history of the site and the proposal. A site visit is recommended to enable Members to understand the proposal and its setting beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

- 2.1 The application site is in the countryside, as designated through the Adopted Local Plan, and the site of a former agricultural building, which has been demolished. In its place a dwelling is being constructed. It is also in Flood Zone 3 and an SSSI impact zone. The site is within a Biological Heritage Site (BHS) - Pilling Moss Head Dyke and is designated as Green Infrastructure in the Adopted Local Plan. It is also within 3.5km of Morecambe Bay.
- 2.2 The site is surrounded by flat open fields. There is a sealed main river outside the site to the south. The site is open to Lambs Lane with no vegetation screening.

3.0 THE PROPOSAL

- 3.1 This application is for the erection of a dwelling, following the demolition of the former agricultural building. The application is part retrospective as the agricultural building has been demolished and works on the construction of the dwelling have commenced. The dwelling is proposed as a bungalow

(single-storey) with a hipped roof. It would measure 19m x 8.9m, with the eaves at 2.4m and ridge at 4.6m. The materials proposed are render and timber cladding to the walls, and concrete tiles and box profile sheeting to the roof. An access is proposed onto Lambs Lane. There would be a garden provided to the front and rear of the property.

4.0 RELEVANT PLANNING HISTORY

- 4.1 Application no. 22/01101/COUQ -Prior approval for proposed change of use of agricultural building to 1 dwellinghouse (C3) with building operations under Class Q of the GPDO - Approved
- 4.2 Application no. 19/00387/COUQ - Prior approval for proposed change of use of agricultural building to a dwelling house under Class Q of the GPDO - Deemed Permitted Development
- 4.3 Enforcement Reference no. 23/00192/ENF -Without planning permission the erection of a partially complete building on the land ("the structure") - Issued 20/12/23

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
- SP4 Countryside Areas
- CDMP1 Environmental Protection
- CDMP2 Flood Risk and Surface Water Management
- CDMP3 Design
- CDMP4 Environmental Assets
- CDMP6 Accessibility and Transport
- HP1 Housing Land Supply

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2023

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on 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 5. Delivering a sufficient supply of homes
- Chapter 9. Promoting sustainable transport
- Chapter 12. Achieving well-designed and beautiful places
- Chapter 14. Meeting the challenge of climate change, flooding and coastal change
- Chapter 15. Conserving and enhancing the natural environment
- Annex 3: Flood risk vulnerability classification

OTHER MATERIAL CONSIDERATIONS

5.3 National Planning Practice Guidance

- Flood risk and coastal change
- Natural Environment

5.4 Wyre Council Guidance for Applicants Flood Risk Sequential Test v1.2 (2021)

5.5 ADEPT and The Environment Agency (2019)

- Flood risk emergency plans for new development. A guide for planners.

5.6 The Wildlife and Countryside Act (1981)

5.7 The Conservation of Habitats and Species Regulations (2017)

5.8 The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations (2019)

6.0 CONSULTATION RESPONSES

6.1 Greater Manchester Ecological Unit (GMEU)

6.1.1 No ecological issues associated with the proposals. The proposal will not cause any harm to the special interest of designated sites.

6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.2.1 No objections

6.3 NATURAL ENGLAND

6.3.1 Further information required to determine impacts on designated sites.

6.4 PILLING PARISH COUNCIL

6.4.1 No objections

6.5 THE ENVIRONMENT AGENCY

6.5.1 Object to the inadequate Flood Risk Assessment

6.6 UNITED UTILITIES

6.6.1 Comments on their assets and on the use of sustainable drainage systems.

6.7 WBC ASSISTANT DIRECTOR OF ENGINEERING (SENIOR DRAINAGE ENGINEER)

6.7.1 No objection

6.8 WBC ASSISTANT DIRECTOR OF PUBLIC PROTECTION (ENVIRONMENTAL PROTECTION OFFICER - CONTAMINATION)

6.8.1 Request that the conditions from 22/01101/COUQ be transferred over.

7.0 REPRESENTATIONS

7.1 None received

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 9/2/24 Emailed agent to inform of need for flood risk sequential test and sustainable drainage strategy. Also asked for existing and proposed site plans and ground levels.

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Countryside location
- Visual Impact/Design/Impact on the street scene
- Impact on the residential amenity
- Impact on Highway/Parking
- Flood Risk and drainage
- Ecology

Countryside location

9.2 The application site is in the countryside. Policy SP1 of the Adopted Local Plan directs new built development to within settlement boundaries, unless development elsewhere in designated countryside areas is specifically supported by another policy in the Local Plan. Policy SP4 allows limited development types in the countryside. An open market dwelling is not an exception for development in the countryside to be supported by Policy SP4. The dwelling is not for an agricultural, forestry or other rural enterprise workers' dwelling and is not for holiday accommodation, which are the only types of residential use supported by Policy SP4. Also, the development is not for the conversion of an existing building, as the original agricultural building has already been demolished. Application no. 22/01101/COUQ granted prior approval for the proposed change of use of the agricultural building to 1 dwellinghouse (C3) with building operations under Class Q of the GPDO. However, as the agricultural building has been demolished, that Permitted Development right cannot be exercised, and there is no fall-back position. The

proposal is therefore for an unacceptable type of development in the countryside, that is not justified in this location. The development is contrary to Policies SP1 and SP4 of the Adopted Local Plan.

- 9.2.1 The site also falls within an area designated as Green Infrastructure, and therefore Policy CDMP4 (point 7) of the Local Plan applies. Development involving the partial or complete loss of land identified as Green Infrastructure will not be permitted unless a number of criteria are met.
- a) A connected network of green spaces is maintained; and b) the development can be accommodated without the loss of the function of the Green Infrastructure site.

The majority of the site was already developed with the presence of an agricultural building. The application site also includes currently open land, which is to be used as a garden. The site falls within a Biological Heritage site (BHS) - Pilling Moss Head Dyke, which is the reason for the Green Infrastructure designation. The general network of this space will be maintained with only a small area around the building to be used as garden. GMEU have been consulted on the application, and there are no issues raised with impacts on the function of the BHS. Overall, therefore the proposal is assessed to comply with a) and b) of point 7 of Policy CDMP4, so that there will not be unacceptable harm or loss of Green Infrastructure.

- 9.2.2 Policy SP2 of the Adopted Local Plan requires all development to be sustainable and contribute to the continuation or creation of sustainable communities in term of its location and accessibility. Policy CDMP6 requires measures are included to encourage access on foot, by bicycle and public transport and reduce car reliance. In this case, the site is located on a country road, that has no footpaths and is unlit. The closest settlement is Pilling, a main rural settlement, which has various facilities/services, including a school, public house and shops. The edge of this settlement and a bus-stop with bus routes to wider settlements would be approximately 0.6km from the application site, although the school would be around 2km away and the shops 3.7km away. Although the distance to the edge of the settlement is not excessive, the route would not be safe or appealing for walking, particularly in inclement weather or when dark. There is another bus-stop outside 'Crossing Cottage' approximately 0.13km south of the application site with buses approximately every 2 hours. This too would be accessed on a narrow country road. Given the nature of the road, although there is a settlement and public transport options not too far away from the application site, on balance it is not considered that safe sustainable access to these would be encouraged, nor would the proposal contribute to the continuation or creation of sustainable communities. In the location proposed it is considered that the occupiers would be car reliant, and the accessibility would be poor. The development would therefore be contrary to Policies SP2 and CDMP6 of the Adopted Local Plan.

- 9.2.3 Policy SP2 also requires a response to climate change to be demonstrated. A climate change statement has been provided setting out energy efficiency measures. As the agricultural building has been demolished, the energy efficiency benefits of making use of an existing building that would have been possible through the Class Q approval have been lost. There are therefore no climate change benefits from the reuse of an existing building. An electric vehicle charge point scheme would be required to be in accordance with Policy CDMP6. Details of this have not been provided with the application.

Visual Impact/Design/Impact on the street scene

- 9.3 The application site is in the countryside. Policy SP4 does not support development which adversely impacts on the open and rural character of the countryside. Policy CDMP3 contains general design requirements to respect or enhance the character of the area. Formerly, an agricultural building was sited on the land, but this has since been demolished. Before its demolition prior approval was granted for the change of use of the building to a dwelling, with building operations (App. No. 22/01101/COUQ), but as previously mentioned this cannot be implemented. The plans for the current proposal show the size, appearance and layout of the dwelling as the previous building to be converted. As the agricultural building has been demolished the site would be open and in character with the surrounding land. The erection of a dwelling on the land with an associated residential garden, including an access and carparking would reduce the openness of the countryside and be harmful to the open and rural character of the countryside. It is assessed that this impact would be adverse due to the flat open character of the site, limited available screening, no landscaping proposed, and visibility from the road. This is contrary to the visual requirements of Policies SP4 and CDMP3 of the Adopted Local Plan.
- 9.3.1 In themselves, the scale and design of the dwelling would be acceptable, with all features in proportion. The materials proposed for the dwelling are k-render and timber cladding to the walls and concrete tiles and box profile sheeting to the roof, and UPVC windows. If planning permission were to be granted full details of the materials would have to be provided before the exterior materials are installed.
- 9.3.2 No boundary treatments are proposed. A condition could be used to remove Permitted Development rights for extensions, outbuildings and means of enclosure, so as to prevent further visual encroachment into the open countryside at this open and prominent site.
- 9.3.3 Policy CDPM3 of the Local Plan requires adequate provision for the effective and efficient removal of domestic waste. Based on the land proposed for the residential use, bins would need to be stored to the front of the house. This would add to the visual harm from the proposal contrary to policies SP4 and CDMP3 of the Local Plan.
- 9.3.4 The submitted Flood Risk Assessment sets out that the existing ground level immediately adjacent to the proposed dwelling is 5.4m AOD. A condition could be used if planning permission were to be granted that the existing land levels are not altered, so as to protect the visual amenity of the countryside.

Impact on the residential amenity

- 9.4 There are no nearby properties to be harmed in terms of impacts on residential amenity (light, overlooking). There are no other uses close to the application site which would cause harm to the residential amenity of the proposed dwelling. Each main room would have a window to provide a source of light and outlook. The rear garden is shown to be 4.6m in length and 19m in width. This will provide adequate outdoor amenity space for the size of dwelling proposed (2 bedroom).

Impact on Highway/Parking

- 9.5 Lancashire County Council Highways have been consulted on the application and have no objections. There are therefore no concerns in relation to highway safety, traffic generation or parking.

Flood Risk and Drainage.

- 9.6 The application site is within Flood Zone 3 (high risk 1 in 100). The NPPF requires that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Policy CDMP2 of the Local Plan also requires the application of the sequential test for development in areas at risk of flooding. In this case, a sequential test on flooding has not been provided with the application, although the agent was provided with an opportunity to provide this. As a market dwelling could be provided anywhere within Wyre, the area of search for the sequential test should be the whole borough of Wyre. This is in accordance with the NPPG and Wyre Council Guidance for applicants Flood Risk sequential test. No consideration of alternative reasonably available sites for the development in a sequential test have been provided with the application. The NPPG in 'Flood Risk and Coastal Change' section (Paragraph: 029 Reference ID: 7-029-20220825) says 'the applicant will need to identify whether there are any other 'reasonably available' sites within the area of search, that have not already been identified by the planning authority in site allocations or relevant housing and/or economic land availability assessments, such as sites currently available on the open market. The applicant may also need to check on the current status of relevant sites to determine if they can be considered 'reasonably available'. As this information has not been provided in the application, there is inadequate information for the council to consider whether the test is passed, and therefore the proposal fails the sequential test on flooding, contrary to the NPPF and Policy CDMP2 of the Local Plan.
- 9.6.1 A dwelling is identified as 'more vulnerable' development in Annex 3 of the NPPF. For this type of development in Flood Zone 3, the exception test is required to be passed as set out in Table 2 of the NPPG. The exceptions test part 1 requires the proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk. The proposal is for a market dwelling and there are no evidenced benefits to the community from this development. NPPG says 'where wider sustainability benefits are absent or where they are outweighed by flood risk, the Exception Test has not been satisfied and planning permission should be refused'. This part of the exception test is therefore not passed, contrary to the requirements of the NPPF and Policy CDMP2 of the Adopted Local Plan.
- 9.6.2 The exceptions test part 2 requires development to be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. In relation to the safety of the development and impacts on flood risk elsewhere, the Environment Agency have been consulted on the application and object. They require FFLs to be set throughout the entire dwelling no lower than the highest FFL proposed of 6m above AOD. The submitted FRA says the internal FFLs will be 5.55m AOD (0.15m above ground level) and the

bedrooms raised 0.6m above surrounding ground level. The plans reflect this. This information is not in accordance with the FFLs requested by The Environment Agency, to be set throughout the entire dwelling no lower than 6m above AOD. The Environment Agency advise that the FRA does not adequately assess the flood risks posed by the development. It cannot therefore be ensured that the development will be safe for its lifetime, which is contrary to the NPPF and Policy CDMP2 of the Adopted Local Plan. This also fails part 2 of the exception test. Also, no consideration has been made to where possible reducing flood risk overall, which is also required by part 2 of the exception test. NPPG says 'in order to demonstrate that the Exception Test has been satisfied without securing measures that would reduce flood risk overall, it will need to be demonstrated that such measures cannot be identified or are unfeasible'. No information on this has been provided with the application, therefore, the requirements of the exception test are not met.

- 9.6.3 The Environment Agency although not commenting on the flood emergency response, direct that the PPG states 'that in determining whether a development is safe, the ability of residents and users to safely access and exit the building during a design flood and to evacuate before an extreme flood needs to be considered'. The NPPF in paragraph 173 includes that development should only be allowed in areas at risk of flooding where it can be demonstrated that 'e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan'. The NPPF does not set out when an emergency plan is required, but the NPPG guides that 'an emergency plan will be needed wherever emergency flood response is an important component of making a development safe'. A dwelling is classed as 'more vulnerable' in Annex 3: Flood risk vulnerability classification of the NPPF. It is therefore considered that an emergency plan is required with the development. The Flood Risk Assessment proposes registration with the EA flood warning service. It also says 'residents will have sufficient time to evacuate via Lambs Lane to higher ground'. However, this has not considered the adequacy of both evacuation routes and identified places that people from evacuated places are taken to, particularly as the site and wider roads are all in Flood Zone 3. The NPPG sets out more detail on emergency plans, including that 'access routes should allow occupants to safely access and exit their dwellings in design flood conditions'. Also, 'where a failure of flood risk management infrastructure would result in flooding with a speed-of-onset that would not allow sufficient time for safe access and escape, an internally accessible place of safety, capable of accommodating the likely number of occupants or users of the proposed development should also be provided' (Paragraph: 047 Reference ID: 7-047-20220825). It is not considered appropriate to reserve the provision of this information to a condition, as it is part of the required assessment of compliance with paragraph 173 of the NPPF on whether development should be allowed in an area at risk of flooding. ADEPT/Environment Agency guidance says 'it will very rarely be appropriate to use a planning condition to defer the provision of an EP to a later date, because it may show that the development cannot be made safe and therefore call into question whether the development is acceptable in principle'. The council's drainage engineer has not objected to the application, however, as a comprehensive emergency plan has not been provided with the application, particularly to show safe access and escape routes, there is inadequate information to fully assess the flooding impacts on the occupants of the proposal, contrary to paragraph 173 of the NPPF and Policy CDMP2 of the Adopted Local Plan that the development is demonstrated to not be at an unacceptable risk of flooding.

- 9.6.4 The application form states that surface water is proposed into a watercourse. Foul is proposed into a package treatment plant. The NPPF requires that development should only be allowed in areas at risk of flooding where it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate. Policy CDMP2 of the Local Plan requires where possible all development to follow a hierarchy for the management of surface water. The council's drainage engineer has been consulted on the application and has no objections, therefore the drainage proposed is considered acceptable. An informative can be added about environmental permitting in relation to foul drainage and about United Utilities assets.

Ecology

- 9.7 The agricultural building has been demolished and GMEU have no concerns about impacts of the development on protected species.
- 9.7.1 The application site falls within an SSSI impact zone. Natural England have been consulted on the application and require a Habitats Regulations Assessment (HRA). GMEU have assessed that the proposal could have likely significant effect on the special interest of a designated site by affecting functionally linked land, but with a condition for mitigation measures that the proposal will not cause any harm to the special interest of the designated sites. The mitigation proposed by GMEU is temporary screening of the construction site during works, such as HERAs fencing with a tarpaulin cover. This would need to be conditioned to be provided throughout the construction works, or more reasonably a condition may be preferable that avoids construction during the winter months when the adjacent fields are used by wintering birds. The conclusions of the HRA screening are adopted by the Local Planning Authority to fulfil their duty as competent authority, including that there will not likely be significant impacts on the relevant protected habitats.
- 9.7.2 The site is within 3.5km of Morecambe Bay. In such locations, Policy CDMP4 of the Local Plan requires residential developments to provide a home owners pack for future home owners highlighting the sensitivity of Morecambe Bay to recreational disturbance. This could be required through a planning condition to be provided prior to the occupation of the dwelling.

Other Issues

- 9.9 The council's environmental protection officer (contamination) has asked that the conditions from 22/01101/COUQ be transferred over. This required prior to commencement that a methodology for site investigation be submitted and approved by the Local Planning Authority, that the site investigation is carried out in accordance with the methodology and remediation where necessary. As this is a prior to commencement condition and the works on the dwelling have commenced, it is not possible to use this condition. This information on contamination has not been provided with the planning application. As the development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site, the proposal is unacceptably harmful in relation to providing a safe environment for occupants and users, contrary to Policy CDMP1 of the Adopted Local Plan.

- 9.10 There is a sealed main river outside the site to the south. The Environment Agency have provided comments on environmental permitting and these could be added as an informative.

10.0 CONCLUSION

- 10.1 The application site is in the countryside, outside a settlement boundary. The proposal for an open market dwelling (C3) does not meet any of the exceptions for development in the countryside as set out in Policy SP4 of the Local Plan. The proposal will therefore be contrary to this policy and will form unjustified and an unacceptable type of development in the countryside. This is also contrary to Policy SP1, which directs development to within settlement boundaries. There is no fall-back position for other development on the land or material considerations to outweigh this conflict with the development plan. Also, the erection of a building and associated residential use of the land will result in unacceptable visual harm in this open and flat landscape, by reducing the openness of the countryside, contrary to Policies SP4 and CDMP3 of the Local Plan. The location of the site on a country lane without footpaths, would lead to development that is car-reliant and not likely to be accessed by sustainable modes. This is contrary to Policies SP2 and CDMP3 of the Local Plan. The site is in Flood Zone 3, and there is inadequate information with the application to ensure that the development will be safe for its lifetime, demonstration that the sequential and exception tests are passed, and an adequate emergency plan to show safe access and escape routes. This is contrary to the requirements of the NPPF and Policy CDMP2 of the Local Plan. The proposal is for a sensitive end use, and inadequate information has been provided on contamination to show that the development would provide a safe environment for occupants and users, contrary to Policy CDMP1 of the Adopted Local Plan.

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 Planning Permission

Recommendation: Refuse

1. The application site is in the countryside outside a defined settlement boundary, which is protected for its open and rural character, and the proposal for a market dwelling has not been evidenced to meet any of the exceptions for development in the countryside set out in Policy SP4 of the Adopted Wyre Local Plan. The proposal would therefore not be needed or justified in this countryside location and would introduce an inappropriate form of development in the countryside. The development would not constitute an acceptable form of development with particular regard to its countryside location. Relevant material considerations have been considered, but do not outweigh this inappropriate development in the countryside and conflict with

the development plan. This would be contrary to the NPPF, and Policies SP1 and SP4 of the Adopted Wyre Local Plan.

2. The application site is located within the countryside outside a settlement boundary, and the development would involve the provision of development in a poorly accessible location. The site would be accessed via unlit rural roads that are subject to national speed limits and without pedestrian footpaths. Future occupants of the proposal would be heavily reliant on the use of a private motor vehicle to access services and for their daily needs, with limited opportunity to safely access the site via alternative sustainable travel modes. The proposed development is considered to be sited in an unsustainable and inaccessible location and would increase the need to travel by car. The proposed development on balance would not form sustainable development. The proposal is therefore contrary to locational guidance contained within the NPPF, in particular Paragraphs 8 and 108, and contrary to Policies SP1, SP2 and CDMP6 of the Adopted Wyre Local Plan.
3. The application site is located within the open countryside, in an area that is flat and open in character. The proposed dwelling and associated residential garden and required bin storage, by reason of their siting in this area of open countryside with limited screening and being visible from the adjacent road, would adversely impact on the open and rural character of the countryside area resulting in significant visual harm to the openness of the countryside. As such the proposal does not comply with Policies SP4 and CDMP3 of the Adopted Wyre Local Plan, along with Section 15 of the NPPF, which requires development to recognise the intrinsic character and beauty of the countryside.
4. The proposed development would constitute inappropriate development in an area at risk of flooding, as the development would be sited within Flood Zone 3 and inadequate evidence has been submitted in a Flood Risk Assessment to show that the development will be safe for its lifetime. Also, it has not been demonstrated that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This would not steer development to areas with the lowest probability of flooding, thereby increasing the number of people at risk from flooding and fail the Sequential Test. The proposal is for 'more vulnerable' development and it fails the exception test as it has not been demonstrated that 'a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall', as required by the NPPF. Also, the proposal does not provide details of safe access and escape routes as part of an adequate emergency plan for the development in relation to flooding. This would present the potential for an unacceptable risk of flooding to the harm of people. This is contrary to Section 14 of the NPPF and the National Planning Policy Guidance 'Flood Risk and Coastal Change', and Policy CDMP2 of the Adopted Wyre Local Plan.
5. Inadequate information has been provided with the application on the contamination risks of the application site, with a methodology for site investigation, site investigation results and the potential requirement for remediation. This will not ensure that the development provides a safe

environment for occupants and users in relation to contamination contrary to Policy CDMP1 of the Adopted Wyre Local Plan.