

Planning Committee

1 March 2017

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	S	16/00217/OULMAJ	Land At Arthurs Lane Hambleton Lancashire FY6 9AT	Outline application with all matters other than access reserved for a residential development of up to 165 dwellings with access taken from Arthurs Lane.	PER	
2	S	16/00500/FUL	Faulkners Fold Cottage Faulkners Lane Forton Preston Lancashire PR3 0AL	Erection of a replacement dwelling (following the demolition of existing dwelling)	PER	

arm/rg/pla/cr/17/0103nc1

Committee Report**Date: 01.03.2017**

Item Number	01
Application Number	16/00217/OULMAJ
Proposal	Outline application with all matters other than access reserved for a residential development of up to 165 dwellings with access taken from Arthurs Lane.
Location	Land At Arthurs Lane Hambleton Lancashire FY6 9AT
Applicant	Gladman Developments Ltd
Correspondence Address	Gladman House Alexandria Way Congleton Cheshire CW12 1LB
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION**

1.1 This application is before the Committee at the request of Councillors Bowen and Robinson. Members will have the benefit of a site visit in advance of the public meeting because the nature of the area cannot be adequately conveyed through photographs.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application relates to 10.77ha of land in Hambleton to the north-east of Arthurs Lane. The site is located to the east of the main body of Hambleton village and currently comprises open countryside. It is made up of two large fields, one small field at the back of the Hambleton Academy and the plot currently occupied by the existing Crooklands farmstead. There are three ponds on the site and two on the boundary along with drains/ditches to the north and south. The site falls outside of flood zones 2 and 3 and outside of any Minerals Safeguarding Areas. There are no biological heritage sites or Listed Buildings on or in the immediate vicinity of the site. A number of trees on the site situated around the farmstead and pond to the south are protected by Tree Preservation Orders. A Public Right of Way runs along the north-western boundary. The site is bounded by residential properties to the west and by Hambleton Academy and the Parish Church of the Blessed Virgin Mary to the south. There is open countryside to the south-east, east, north and north-west.

3.0 THE PROPOSAL

3.1 The application seeks outline planning permission for the erection of up to 165 dwellings with access taken from Arthurs Lane, with access being the only detailed matter to be considered at this stage. Two points of access would be

provided onto Arthurs Lane. The scheme originally included the provision of a small car park and drop-off/collection area and an improvement to the adjoining school grounds but these have since been removed from the proposal. The matters of layout, scale, appearance and landscaping are reserved for later consideration.

3.2 The application is supported by a:

- Planning and affordable housing statement
- Summary paper
- An assessment of current and future sustainability
- Socio-economic sustainability statement
- Statement of community involvement
- Heritage assessment
- Design and access statement
- Landscape and visual appraisal
- Ecological appraisal
- Great crested newt survey report
- Bat survey report
- Habitat regulations assessment
- Arboricultural assessment
- Flood risk assessment
- Foul drainage analysis
- Utilities statement
- Transport assessment
- Trunk road network assessment
- Framework travel plan
- Air quality screening report
- Noise screening report
- Phase 1 geo-environmental report

4.0 RELEVANT PLANNING HISTORY

4.1 16/00001/PREAPP - pre-application advice sought in relation to the scheme now proposed. No objection in principle was raised.

4.2 16/00113/SCRE - screening opinion sought as to whether or not an Environmental Statement would be required to be submitted as part of this application. It was judged that an Environmental Statement was not needed.

4.3 15/00652/LMAJ - Installation of ground mounted photovoltaic solar arrays with transformer stations, internal access tracks, bio diversity enhancement, landscaping, stock fencing, security measures, access gate and ancillary infrastructure - Permitted on adjacent site

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 The NPPF was published by the Department of Communities and Local Government on the 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The NPPF sets out a presumption in favour of sustainable development (paragraphs 11-16).

Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible.

5.1.2 Twelve core planning principles are identified. These include supporting sustainable economic development to meet local need; securing high quality design and a good standard of amenity; recognising the different roles and characters of different areas; accounting for flood risk; conserving and enhancing the natural environment; actively managing patterns of growth to maximise use of sustainable transport modes; and delivering sufficient community and cultural facilities and services to meet local needs.

5.1.3 Section 4 promotes sustainable transport and the location of development to maximise use of sustainable travel modes.

5.1.4 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. In rural areas, new housing should be located where it would enhance or maintain the vitality of existing communities. Isolated new homes should be avoided unless special circumstances can be demonstrated.

5.1.5 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in delivery.

5.1.6 Section 10 considers the challenge of climate change, flooding and coastal change. Inappropriate development in areas of flood risk should be avoided and the sequential test should be applied to direct development away from the areas of highest risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere.

5.1.7 Section 11 aims to conserve and enhance the natural environment. This sections states that impacts on biodiversity should be minimised and net gains provided where possible.

5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 The NPPG provides additional guidance on Government policy. The sections below are of particular relevance to this application.

5.2.2 Air quality - this section provides guidance on how planning can take account of the impact of new development on air quality with particular reference to the development management process.

5.2.3 Flood Risk and coastal change - this section expands upon the NPPF and explains the need to direct new development towards areas of lowest flood risk, concentrating on flood zone 1, and ensure that development would be safe and not lead to increased flood risk elsewhere.

5.2.4 Health and well-being - this section sets out the links between health and planning and the need to encourage opportunities for community engagement and healthy lifestyles.

5.2.5 Natural Environment - this section explains key issues in implementing policy to protect biodiversity, including local requirements. Particular reference is given to landscape, biodiversity, ecosystems, green infrastructure, brownfield land, soils and agricultural land.

5.2.6 Open space, sports and recreation facilities, public rights of way and local green space - this section explains how such areas and facilities should be taken into account in planning decision-making.

5.2.7 Rural housing - this section makes it clear that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the viability of facilities and services and the broader sustainability of villages and smaller settlements.

5.2.8 Travel plans, transport assessments and statements in decision-taking - this section discusses what these documents are, how they relate to one another, why they are important and what should be taken into account in their preparation.

5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF. The following saved policies are of most relevance:

- SP5 - Main rural settlements
- SP13 - Development in the countryside
- SP14 - Standards of design and amenity
- ENV7 - Trees on development sites
- ENV13 - Development and flood risk
- ENV15 - Surface water run-off
- H13 - Open space in new housing developments
- TREC12 - Public rights of way
- CIS6 - Securing adequate servicing and infrastructure
- CIS7 - Wastewater management

5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between 17th June and 7th August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

- 5.4.2 The following emerging policies are of most relevance:
- CS1 - Spatial strategy for Wyre: distribution of development
 - CS2 - Spatial strategy for Wyre: settlement and centre hierarchy
 - CS7 - Strategy for rural west
 - CS13 - Sustainable development
 - CS14 - Quality of design
 - CS16 - Transport, accessibility and movement
 - CS15 - Economy, regeneration and learning
 - CS17 - Infrastructure and community facilities
 - CS18 - Green infrastructure
 - CS19 - Biodiversity and geodiversity
 - CS20 - Housing mix
 - CS21 - Affordable housing
 - CS24 - The countryside
 - CS25 - Flood risk and water resources

5.4.3 The Wyre Local Plan Issues and Options Paper (2015) identifies the site as potentially being suitable for mixed-use development of small scale retail, employment and/or housing. The site forms part of a larger area identified as IO_48. Given that the new emerging Local Plan is at an early stage of development, this listing can be afforded only very limited weight.

5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 SPG2 - Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

5.6 EVIDENCE BASE DOCUMENTS

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

5.6.2 The Fylde Coast Strategic Housing Market Assessment (SHMA) 2013 - this document was produced for the Fylde Coast Authorities (Wyre, Fylde and Blackpool) to provide evidence as to how many dwellings of different tenures may be needed over the next 15 years and beyond. The report presents an understanding of the sub-regional housing market and identifies a need for new housing across the Fylde Coast. The 2013 Fylde Coast SHMA and Addendums I&II represents the most up-to-date assessment of OAN for Wyre. Addendum II completed in February 2016 takes account of the 2012 Household projections and updated economic growth projections in the 2015 Employment Land Study Update and Addendum. The SHMA Addendum II indicates that Wyre's OAN lies between 400 - 479 dwellings per annum from 2011 - 2031 with a recommendation that the OAN figure should be at the upper end of the range. The Council has accepted 479 dwellings per annum as the OAN figure for the Local Plan. There is an estimated need for 300 affordable homes per year (over the next 5 years).

5.6.3 Wyre Settlement Study (2016) - this study ranks the settlements within the borough according to their economic and social role using four indicators. These are population; the level of services and facilities provided; the accessibility of public transport and the connectivity to other settlements; and the employment opportunities available. These indicators are considered to be central to the notion of sustainability

as they reflect the extent to which settlements can be economically and socially self-supporting. The overall settlement rank of the borough is provided in Appendix 5 of that study. Hambleton is ranked eighth on the list.

6.0 CONSULTATION RESPONSES

6.1 HAMBLETON PARISH COUNCIL - the submitted information is inaccurate. The Travel Plan makes reference to a post office, police station, bank and beauty parlour/jewellery store that are no longer in situ. The sustainability assessment makes reference to a church and restaurant that no longer exist. The scheme is contrary to SP5 as the scale of the development is excessive in relation to the needs of the village and the services available. The scheme would affect the setting of Hambleton village and therefore be contrary to SP12 which relates to defined open space. The development would be private-car dependent. The local road network could not support the development leading to conflict with SP14. Congestion and highway safety are concerns. There is inadequate infrastructure within Hambleton in terms of roads, education and health provision to support the development. Emergency services access would be compromised. The drainage and sewerage systems could not support the development and the risk of flooding would increase. The existing watercourse on Church Lane cannot cope with current surface water discharge and the watercourse to the north-east discharges to an area that frequently floods. The affordable housing proposed would be in an inappropriate location away from jobs and services. The housing target set out in the North West Regional Spatial Strategy suggests that there is no need for the development. The proposal would be contrary to Policy SP13 that seeks to protect designated countryside. The development would not be sustainable and would have an adverse impact upon the character of the village.

6.2 NATURAL ENGLAND

6.2.1 Initial response - 01/04/16 - the site is close to a European designated site and has the potential to affect it. The site is approximately 1km from the Morecambe Bay Special Protection Area (SPA) and Special Area of Conservation (SAC). Morecambe Bay is also a RAMSAR site and the Wyre Estuary Site of Special Scientific Interest (SSSI). As such, it is protected by the Habitats Regulations. The application site is not necessary for the management of the European protected site but the LPA must consider the potential impact of the development on the value and conservation objectives of the site. A Habitat Regulations Assessment has not been produced by the LPA and should be undertaken. Insufficient information is available at present to determine if there would be a likelihood of significant effects. Use of the application site by dog walkers is a concern. It is agreed that the approach to mitigate dog activity has been appropriately considered. Any greenspace should include dog-walking zones with appropriate bins provided. The birds important to the designated site may use other land known as functional habitat. Loss of such land could impact upon the designated population. This potential must be assessed. The proposal has the potential to disturb or displace qualifying species as the application site has the potential to support them. Further information is required to determine if the application site is used by qualifying birds either through field surveys or records from the Fylde Bird Club and anecdotal evidence. These concerns also apply to the SSSI. The development has not been considered with regard to protected species, Natural England standing advice should be applied.

6.2.2 Second response - 22/07/16 - the submitted information has been reviewed and it is noted that field surveys have now been undertaken. The assessment currently does not provide enough information or certainty to justify its

conclusion. An Appropriate Assessment should be undertaken where there is a likelihood of significant effects or uncertainties. Pink-footed geese have been recorded in significant numbers on the site with some 1000-5000 geese recorded 430m away. It is unclear why fields to the east have not been included in the surveys as birds from the protected sites could use them meaning the proposal could result in disturbance. The report has focussed on impacts within the application site, consideration needs to be given to the surrounding area, both from recreation and construction. The conclusion of insignificant effects on the geese has been based on there being adequate alternative habitat available, but there is no assessment of this in the context of the available habitat for the SPA species. These concerns also apply to the SSSI. Further information is required and planning permission should not be granted.

6.2.3 Third response - 24/08/16 - standing advice should be used in respect of potential impact on protected species.

6.2.4 Fourth response - 28/11/16 - the additional information has been reviewed. There is currently insufficient information to determine if the significant effects would be likely. As previously explained, the site is close to European and nationally designated nature conservation sites. The habitats regulation assessment has been produced by the applicant. The Council can adopt this if it is considered satisfactory. At present there has been no assessment of in-combination impacts with other developments nearby. Consideration needs to be given as to how the inclusion of amenity green space for dog walkers as mitigation would be monitored to ensure that it is working and how any issues would be resolved. Plans and proposals should be included within a S106. The use of homeowner packs is supported by Natural England should approve the content prior to distribution. The addition of alternative habitat for pink footed geese is welcomed but more information about this is required including monitoring proposals, a commitment to remedy any issues and details of how the land would be secured in perpetuity, managed and funded. Biodiversity enhancements such as bat and bird boxes should be incorporated in the development and a scheme should be secured through condition. The LPA should consider possible impacts on local sites, local landscape character and local or national priority habitats and species. The LPA must ensure it has sufficient information to determine impact.

6.2.5 Fifth response - 10/01/17 - it appears that there has been some confusion regarding the in-combination assessment required. This must be done where there is any impact remaining once the proposed mitigation has been carried out. In this case the mitigation proposed in relation to recreational disturbance would reduce but not eliminate impact and so the residual impact needs to be considered in-combination with other developments in the area. It is recommended that the following schemes be considered:

- 11/00276/FULMAJ;
- 11/00778/LMAJ;
- 12/00087/OUT;
- 12/00824/FULMAJ;
- 13/00095/FUL;
- 13/00454/FUL;
- 13/00600/FULMAJ;
- 13/00779/FUL;
- 14/00786/FULMAJ
- 15/00500/FULMAJ

6.2.6 Sixth response - 08/02/17 - the additional information has been considered. It is still not considered that a Habitats Regulations Assessment (HRA) could be completed. The hydrological link data and the proposals for two detention basins are considered acceptable. The assessment of recreational disturbance on Morecambe Bay is agreed and the proposed mitigation is considered adequate but additional details must be agreed. Subject to this there would be no likely significant effects on the designated sites. The applicant has undertaken an in-combination assessment. This is welcomed and should be included within the HRA if the conclusions are agreed. It remains unclear if the fields to the east of the site were included in the bird surveys conducted in September and October 2016. These fields appear to have been excluded from the October 2015 and April 2016 surveys and this should be explained. No reference to recreational disturbance on the adjoining, functionally linked land has been provided. This should be included within the HRA.

6.2.7 Seventh response - 09/02/17 - additional information provided has resolved the previously outstanding issues. No objection is now raised. All of the identified impacts can be appropriately mitigated with measures secured through planning conditions or obligations as previously advised. The LPA must complete a Habitats Regulations Assessment (HRA). To assist in this, Natural England offers the following advice:

- The proposal is not necessary for the management of the European site;
- The proposal is unlikely to have a significant effect on any European site and can therefore be screened out of any requirement for further assessment;
- In recording the HRA, it is recommended that the following reports and information be used to justify the conclusions regarding the likelihood of significant effects:
 - Information for Habitats Regulations Assessment produced in February 2016 by FPCR;
 - Information for Habitats Regulations Assessment produced in June 2016 by FPCR;
 - Addendum to information for Habitats Regulations Assessment produced in October 2016 by Ecology Solutions Ltd;
 - Further information entitled 'potential for recreational effects on Morecambe Bay' produced in January 2017 by Ecology Solutions Ltd;
 - The information contained within the email sent on 8th February 2017 by Ecology Solutions Ltd.

6.3 HIGHWAYS ENGLAND

6.3.1 Initial comments (11/05/16) - during pre-application discussions it was advised that the impact of the proposal on the junction of the A585 and Shard Road; the Breck Road/Amounderness Way/Skippool Road/Mains Lane roundabout (known locally as the River Wyre roundabout); and the junction of Mains Lane, Garstang Road and Lodge Lane (known locally as Singleton crossroads) needed to be considered. These junctions are currently either operating over or very close to capacity, hence the major improvement works proposed. The development would have an impact on these junctions. Census data suggests an inherent dependence upon private car use and a low level of public transport use amongst 'over-Wyre' residents. As such, trip generation would be expected to be higher than in a more accessible location, particularly as Hambleton has limited services and employment opportunities. The trip rates used in the Transport Assessment (TA) are not representative of the accessibility of the application site and so a 10% allowance

should be made. It is predicted that 80% of trips would affect the Mains Lane/Shard Road junction. A technical note has been produced to assess this impact. A number of committed developments have been considered including Garstang Road East (15/00298/LMAJ), however, the trip generation rate used in respect of this site does not match that finally agreed. As such, the traffic flows calculated cannot be accepted. This also applies to a number of schemes Over Wyre. It is acknowledged that some 'double counting' may have occurred but this would serve to make the conclusions more robust. Amendments need to be made to the modelling parameters and the input data for the submitted junction assessments to be relied upon. A full operational impact assessment of the Singleton crossroads junction is required. Clarification of the identified impact on the River Wyre roundabout is needed as it is not clear if the proposed improvement works have or have not been taken into account. Further comparative work is also required both at this junction and on the Shard Bridge junction. Given the dependence on private car use, a more aggressive travel plan is required.

6.3.2 Follow-up comments (10/08/16) - further to previous comments, a second technical note has been submitted. An assessment of the opening year of the development must be provided in order for potential mitigation to be determined. The developments on Garstang Road East (Lidl and the residential scheme) have been taken into account. Whilst the agent disputed the need for the 10% allowance, it has been included in the assessment and this is welcomed. The calculated trip generation distribution is agreed. Percentage increase in traffic has been used but where background levels are high this method is not as robust as an assessment of the impact on the capacity of the junction itself. Operational assessments have been carried out for the three key junctions. The Shard Bridge junction already operates above capacity and by 2026 associated queueing is anticipated to have an unacceptable impact on the strategic road network (SRN). In order to reach a balanced view, an opening year assessment is required. This also applies to the River Wyre roundabout. The applicant should consider taking account of the appealed scheme at Lambs Road, Thornton (14/0055/OULMAJ) and also the use of alternative modelling options. However, the model is considered to be robust and the predicted impact acceptable. In summary, all three junctions would operate above capacity but the impact at Singleton crossroads is nevertheless considered to be acceptable. Further information is required in relation to the other two junctions.

6.3.3 Final comments (07/09/16) - a third technical note has been produced in response to previous comments. It is stated that 2019 is likely to be the opening year and capacity assessments have been undertaken on this basis. Shard Bridge junction would operate over capacity in 2019 and the proposed development would exacerbate this and would reduce the practical reserve capacity (PRC). However, the predicted queue length would fall well within the available queueing distance. Additional justification for the assessment has been provided and is accepted. The impact is not considered to be severe and so the impact of this development in isolation is judged to be acceptable. With regard to the River Wyre roundabout, the model used has been adequately justified. In 2019, all but one arm would operate within capacity. The Mains Lane arm would operate above capacity with or without the development traffic. This would also be the case if the junction improvements secured as part of the Garstang Road East development were delivered. Sensitivity testing has been carried out. The impact is not considered to be severe and would therefore be acceptable. A condition should be attached to any permission granted to require the agreement of a Travel Plan.

6.4 ENVIRONMENT AGENCY - no comment

6.5 UNITED UTILITIES

6.5.1 No objection subject to the imposition of three conditions. These would require foul and surface water to be separately drained; require the development to proceed in accordance with the submitted FRA; and require the agreement of a surface water management and maintenance plan. UU water mains would need to be extended to serve the site and a small pumping station may be required to achieve adequate water pressure. Each unit would require a separate metered supply. All of these works would be at the applicant's expense and all fittings must be to current standards. UU should be contacted in the first instance. If a sewer is discovered during construction, a Building Control body should be consulted. Surface water drainage should be in accordance with the established sustainable drainage hierarchy.

6.6 LANCASHIRE COUNTY COUNCIL (LOCAL HIGHWAY AUTHORITY)

6.6.1 The transport assessment (TA) submitted in support of the application is based on the provision of 165 dwellings. The site is 11.38ha in area and so this equates to a relatively low density of 14.5 dwellings per hectare. Access would be taken from Arthurs Lane. The A588 runs some 400m to the west. There is a primary school immediately to the south with a pedestrian access onto Arthurs Lane. The local roads are subject to a 20mph speed limit with the exception of the A588 and Marsh Lane/Church Lane. Arthurs Lane is of relatively good standard with footways on both sides and street-lighting. The majority of properties have driveways and little on-street parking takes place for much of the day. However, at the start and end of the school day, parking impedes the free-flow of traffic.

6.6.2 Two technical notes (TN1 and TN2) have been submitted in addition to the TA in response to issues raised by Highways England (HE). The TA describes the local network fairly accurately but notes Arthurs Lane to be 30mph not 20mph. The traffic survey conducted on Arthurs Lane shows the 85th percentile speed to be 26.4mph northbound and 25.2mph southbound with 100 vehicles in the AM peak and 300 overall in the day. These results appear reasonable. Traffic counts have also been taken elsewhere in the local area and there is no reason to dispute their accuracy. The TA identifies 8 collisions in the immediate area 2010-2015. It is considered that a wider area should have been reviewed. The latest data shows that two of the oldest accidents would fall off the list and a new one would be added. This resulted in serious injury.

6.6.3 The TA discusses accessibility. Whilst a number of facilities are within an acceptable walking distance these are limited as expected in a village. Furthermore, the quality of route is acknowledged as a major influence in modal choice. Public transport provision has fallen since the TA through reduced subsidies, particularly to the 2c and 86 services. A commercial 2c service continues to run on a restricted schedule.

6.6.4 Two points of access onto Arthurs Lane are proposed, the sightlines are considered acceptable and adequate junction spacing is proposed. It is indicated that two parking spaces would be provided for family housing and a single space for single-bed accommodation. This is a reserved matters consideration but the developer should be mindful that garages must have internal dimensions of 3m x 6m. A school drop-off facility is proposed but no justification for it has been provided. A

signalised pedestrian crossing is proposed outside the primary school but this cannot be supported in this location.

6.6.5 The TA data is considered to be reasonable and representative of traffic levels. A 2021 assessment is provided. Seven committed developments have been identified. Two have been discounted because they have been completed and form part of existing traffic levels. One has been discounted because of distance but has since been included in TN1 and TN2. The TRICS database has been used to ascertain development traffic flow with census data to establish distribution. This is considered acceptable.

6.6.6 The capacity at the site access; the Church Lane/Arthurs Lane junction; and the A588/Marsh Lane junctions have been assessed. All junctions would operate well below capacity. This assessment does not include one of the committed developments but, given the level of spare capacity, no reassessment is required. Additional trunk road junction assessments as required by HE have been provided in TN1 and TN2. An acceptable framework travel plan has been produced but the public transport information is outdated. The final full travel plan must update this.

6.6.7 Some areas of concern are identified. With regard to accident data, a wider area should have been considered. It is for HE to comment on the trunk road network. A total of 34 accidents are recorded along the A588 to Mains Lane. The road has a reputation as being high risk. Given the poor accident record, further comment within the TA and mitigation would have been expected. No increase in accident rate is anticipated on the A588 at Broadpool Lane/Green Meadow Lane. Details of the other accidents are provided.

6.6.8 In terms of accessibility, pedestrian movement to the school would increase. The existing footway is narrow but the carriageway outside the school is wider than other sections encouraging higher speeds and discouraging walking. This would be exacerbated by the development. The entrance to the site would be 450m from the nearest bus stop and the centre of the site would be 580m away. These distances exceed the preferred maximum walk distance. The route includes sections without pavements and there is no traffic calming in place. It is unlikely that bus services could be brought closer to the site. There is a lack of public transport, it is basic and does not offer real travel choice. The developer should make positive effort to encourage modal shift by improving public transport services and providing a strong travel plan. The development would be predominantly car dependent unless improvements to public transport are made. The proposed drop-off facility has not been justified and it is unclear how it fits in with the school travel plan. It would encourage non-sustainable travel and is not necessary to make the development acceptable. There is insufficient justification for a controlled pedestrian crossing taking into account the peaks in conflict, the road safety record and the level of traffic. There should be a financial commitment towards travel planning.

6.6.9 These concerns have been discussed with the developer and a scheme of mitigation has been agreed. This includes:

- (a) Improvements to the A588/Bull Park Lane roundabout including:
 - (i) Provide central over-run/annulus to roundabout
 - (ii) Amend markings to narrow entry
 - (iii) Provide/renew anti-skid on all approaches

(b) Speed limit review and implementation on the A588 from the approach to the roundabout to the Shard Lane garage, including account of road markings and traffic.

(c) Traffic calming/pedestrian improvements to Arthurs Lane including:

- (i) Widen footway outside school and narrow carriageway
- (ii) Introduce junction tables at site access points
- (iii) Narrow the junction with Church Lane

(d) Pedestrian footway improvements on Church Lane (route to playground):

- (i) Increase width of footway and narrow carriageway around Grange Road junction
- (ii) Provide pedestrian crossing point

(e) Travel plan contribution of £12,000 to be paid prior to first occupation. The developer acknowledges that funds will need to be set aside for a travel plan coordinator when developing the travel plan

(f) Public transport contribution of £250,000 to (as far as possible):

- (i) Increase extended peak hour frequency of 2c to 20 minutes
- (ii) Extend the 2c service in the evening to 11pm
- (iii) Provide hourly Sunday 2c service
- (iv) Reinstate the 86 service between Fleetwood and Knott End
- (v) Increase the weekday frequency of the 89 service between Knott End and Lancaster.

The first £50,000 should be paid prior to first occupation and then annually.

6.6.10 Subject to these agreed mitigation measures, no adverse impact on the local highway network in terms of highway capacity and safety is anticipated. A S106 agreement must be entered into to secure the contributions detailed above. It is recommended that six conditions be attached to any permission granted. These would require the agreement of a scheme for the accesses and off-site highway improvement works; the agreement of a phasing/construction plan; specify the standard of the estate road and accesses; require pre- and post-development highway condition surveys; require a Construction Traffic Management Plan; and the agreement of a full travel plan. An appropriate advice note is also suggested.

6.6.11 A further response has been provided by LCC in response to local resident assertions that insufficient local junctions had been considered in the assessment of highway impact. The Local Highway Authority maintains that the information submitted is adequate and that a suitably robust assessment has been undertaken.

6.7 LANCASHIRE COUNTY COUNCIL (LOCAL EDUCATION AUTHORITY)

6.7.1 The proposal is anticipated to generate a requirement for 63 primary school places and 25 secondary school places at a cost of £769,192.20 and £459,932.00 respectively. This claim would need to be reassessed once accurate bedroom information becomes available. An infrastructure project would be identified at the point of determination. Education provision must be made within a reasonable distance of the development and this is considered to be 3 miles. The necessary contributions would be secured through a S106 agreement.

6.8 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.8.1 Surface water should be drained in accordance with the established hierarchy with order of preference given to discharge via infiltration, to a surface water body, to a drain, and finally to the combined sewer. Schemes should be designed in accordance with the non-technical statutory standards and NPPG. Discharge should be restricted to greenfield rates, be managed as close to the surface as possible and should follow natural topography and flows. Flow balancing should be considered. A ground investigation should be carried out to assess the potential for infiltration. All water bodies should be of good ecological status in accordance with the Water Framework Directive. Development should not result in the deterioration of water body quality and the drainage scheme should incorporate appropriate safeguarding measures. Equally, developments must not compromise bathing water quality as controlled by the Bathing Water Directive. Land Drainage Consent is required if a developer wishes to carry out works within the banks of an ordinary watercourse that may affect the flow of water. It is noted that the applicant intends to discharge surface water into the ordinary watercourses to the north-east and south-east. Consent will usually be refused for culverts. The LLFA should be contacted in the first instance for further guidance. No objection is raised subject to the imposition of three conditions and one advice note on any permission granted. These would require the agreement of a surface water drainage scheme, agree a plan for lifetime management and maintenance, and secure implementation prior to first occupation. The advice note would relate to Land Drainage Consent.

6.9 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY OFFICER)

6.9.1 No objection as long as the public footpath along the site boundary is kept open and available for safe use by the public at all times.

6.10 GREATER MANCHESTER ECOLOGY UNIT (GMEU)

6.10.1 Initial response - 01/04/17 - the site has been visited and formal comments will be submitted in due course. A great crested newt survey is required and has been commissioned. No determination should be made until the results of this survey have been submitted.

6.10.2 Second response - 22/04/16 - Consideration has been given to the ecological appraisal, the habitats regulations assessment and the design and access statement submitted as part of the application and to the Natural England consultee response. Reference has also been made to information submitted in support of an adjacent solar farm proposal ref. 15/00652/LMAJ. The site has been visited to provide context for the verification of the submitted reports. The ecological appraisal states that great crested newt surveys have been commissioned and no determination should be made until the results have been submitted. GCNs are protected and, if found, more detailed assessment and mitigation would be required and the derogation tests would have to be considered. The ecological appraisal is otherwise reasonable. The submitted Habitats Regulations Assessment does not provide field survey based data in relation to bird records associated with the SPA. It is noted that the distribution of submitted records is likely to be skewed and that this approach does not add to the understanding of the use of site by birds important to the SPA. It is recognised that the site supports suitable habitat for such species.

6.10.3 The land use and history of the site and surrounding area is relevant to the habitat regulations assessment. The application site was included within the blue

edge for the adjacent solar farm and identified as a habitat management area. This was welcomed by Natural England but was subsequently withdrawn from that scheme. It is unclear what implications this has. The habitats regulations assessment must consider cumulative impacts when assessing likely significant effects and it is noted that a number of developments have recently been approved around Hambleton. It does not appear that consideration has been given to bird use of the general area or the application site. It is highly recommended that more detailed bird field surveys are undertaken using a Natural England approved methodology between September and May with two surveys taken per month. No decision should be made until this information has been provided. Once these issues are resolved, GMEU will provide further comment in relation to the proposal.

6.10.4 Third response - 30/08/16 - The additional surveys and reports including the bat activity survey, great crested newt survey and information for the HRA have been considered. With regard to newts, reasonable survey effort has been used to provide an adequate assessment. No further work is required. With regard to bats, reasonable effort has been used to assess use, foraging and commuting. Whilst low numbers of bats were recorded, foraging resource is high with intensive feeding in some areas to the east and south-east along ponds and hedgerows. The development should retain these features. Clarification is needed as to the suggested breach of hedgerow 15 as this contradicts other submitted literature. Recommendations are made in sections 5.9-5.10 regarding compensation for the loss of 'dark space' but the quantities of roosting features is not defined and should be agreed. 'Bat appropriate' street-lighting should be proposed and secured.

6.10.5 A shadow HRA has been provided. This HRA includes the results of field surveys but this appears to have used a cut-down version of a recognised methodology and the interpretation seems to be at odds with the acknowledged scientific understanding of the dynamics of pink-footed geese in the region. The conclusion of the HRA, that no likely significant effect would result and that no birds of importance would be replaced either by this scheme or in-combination, is questioned. Natural England should be consulted. Further work is required with recognition of the 'precautionary principle' and the establishment of appropriate mitigation/compensation if the development is found to be of over-riding public importance and with no alternative solutions available. Contradictions between the HRA and scientific base include the timing of the survey in late October 2015 with earlier surveys deemed unsuitable for passage waders. It is known that geese arrive in this area in mid-September. The data provided shows the number of birds recorded on site or not. However, no differentiation is made for birds off site between those flying over and those actually grazing. Consequently there is no analysis of the fields and food resource adjacent to the site and so feeding birds could be displaced from a greater area than just the application site.

6.10.6 The conclusion that the site is not importance to geese as less than 1000 were present after October is contradicted by evidence that barley stubble is an important early autumn feed. Geese will move around fields to feed and the application site provided this feed in 2015/2016. In other years the site could have provided spring food or longer-term forage. Scientific understanding is that the geese require a wide variety of food resources across a relatively wide region. The in-combination HRA discussion fails to recognise the loss of other geese food sources in the area. It is noted that the application site was proposed as a compensation area for the land to be lost to an adjacent solar farm. The in-combination analysis should incorporate all known developments, not just residential ones, such as those for tourism, energy or other activities that would change the pattern of cropping. As

geese feed over a wide area, this in-combination assessment should cover a wider area to be agreed. Incremental losses have long-term consequences.

6.10.7 Increased recreational use of land can displace geese. A development of this size is likely to result in changes to the remainder of the farm, e.g. cropping changes to the south of Church Lane. The HRA suggests that field sizes are sub-optimal but they appear to be similar or larger to others in the area. The field boundary between the main fields has a high proportion of gaps making the vista appear more open. Further work and mitigation/compensation measures are needed. Natural England should be further consulted and planning permission should not be granted at present.

6.10.8 Fourth response - 18/11/16 - The 'addendum to Information for Habitats Regulations Assessment (A-iHRA) has been considered. The provision of the bird survey data in full and the greater detail relating to mitigation and avoidance is welcomed. However, this is not reflected in the Design and Access Statement and it is unclear how the measures could be secured through the planning system. Comments should be sought from Natural England. The submitted bird survey data has been taken from 22 vantage points across winter 2015/2016 and early winter 2016/2017. Natural England must confirm if the survey gap is acceptable. The site is identified as being of value to pink-footed geese and other species such as mallard, teal, lapwing and oystercatcher.

6.10.9 Consideration has been given to the 'Natura 2000' sites, namely the Morecambe Bay Special Protection Area (SPA), Ramsar site and pSA along with the special area of conservation (SAC) habitats. Further information has been provided in relation to site integrity, functional linkages, the exclusion of certain impact pathways, and the discounting of hydrological impacts. The key areas of impact and relevant pathways are considered to be loss of functionally linked habitat, and increase disturbance to habitat both within and without of the SPA. A detailed package of mitigation/avoidance has been presented and, subject to this, the report concludes that the scheme would have no Likely Significant Effect on the integrity of the Natura 2000 site.

6.10.10 In-combination effects have been dismissed on the basis that no strategic analysis and mitigation tool exists. However, such strategic HRAs are required for policy plans, each subsequent development scheme should then produce their own HRA including an in-combination analysis. Furthermore, this site is not allocated for housing and so any Council analysis of in-combination effects or strategic mitigation package would not have taken account of this site coming forward. Comments from NE on this point are required. The proposed mitigation and avoidance package essentially comprises three elements: provision of on-site public open space; provision of an information pack to new home owners; identification of land to be provided and managed long-term for bird habitat.

6.10.11 The report indicates that a walking circuit of 1km could be provided. However, most dogs need 30 minutes of rigorous exercise (approx. 3km walk) and larger dogs may require 1-2hrs exercise. This means that local footpaths will be used more displacing disturbance to surrounding land. This would be ameliorated by distribution of an information pack. A S106 obligation / condition would be required to secure and manage the public open space appropriately in perpetuity. The distribution of leaflets and provision of information boards can be useful and is encouraged. However, it is unclear how effective this would be beyond the initial home-owners. Information boards are therefore recommended to provide advice on a more long-term basis to a wider audience.

6.10.12 It is suggested that two fields to the south would be provided as foraging opportunities for the key Natura 2000 species. This is welcomed but clarification is needed as to how it would be secured. The area identified would appear to be acceptable. The text states two fields but the plan shows three fields. Clarification is required. It is suggested that this provision could be secured by condition but this is not considered appropriate. This advice is given on the understanding that conditions do not apply to successors in title and because the responsibilities for maintenance would fall to a third party. Furthermore, the land falls outside of the 'red edge' development boundary. It is therefore recommended that a S106 obligation be used. The mitigation is considered necessary in order to make the application acceptable and so would not represent 'planning gain'. GMEU and Natural England should be re-consulted if this proposed mitigation is withdrawn.

6.10.13 Fifth response - 13/12/16 - The additional information provided has been considered. The correction regarding the site access is noted, hedgerow H14 would be breached. This is consistent with the rest of the application and no further action is necessary. The proposed number of bat boxes is appropriate. The specifications and locations of the 24 bat roosting features within buildings and the 12 to be erected on trees are to be agreed. A bat-sensitive lighting scheme should also be secured. Subject to these measures, no further action is required in relation to impact on bats. It is noted that there remain substantive issues in relation to the HRA and over-wintering birds.

6.10.14 Sixth response - 12/01/17 - The draft S106 heads of terms, the additional information submitted in response to GMEU and NE comments and the NE response of 10th January have been considered. Three key matters remain; the provision of sufficient and proportionate information to assist the Habitats Regulations Assessment (HRA); provision of an in-combination analysis of development in the area; and the means of securing and resourcing the proposed mitigation.

6.10.15 In respect of the HRA, there remains some inconsistency in the methodology but this is not a substantive obstacle. In relation to the in-combination assessment, the applicant has sought to justify the lack of such an appraisal. NE does not accept this given that the recreational impacts cannot be fully eliminated. NE has noted relevant applications. The analysis should also take account of existing policy, SHLAA assessments and other analysis regarding allocations or shortfalls of housing land. Plans and projects should be considered. A view may be needed from NE as to the relevance of emerging plans. Although they do not carry weight they may need inclusion for the sake of completeness. Such strategic documents would be subject to their own HRA assessments which can be drawn on to inform opinion on in-combination effects. This aspect of the HRA could be completed by the developer to provide a shadow HRA or by the Council. Without an in-combination assessment, the HRA may not be fully compliant with the regulations.

6.10.16 In relation to the proposed mitigation, the applicant has provided a S106 heads of terms and this is welcomed. This mechanism is considered appropriate to secure and enforce implementation. All monetary values should be inflation linked. The text relating to the Natura 2000 species should be amended as there are 3 fields rather than 2 in question. The fields should be managed to an agreed programme under advice from a recognised nature conservation organisation such as NE, RSPB, GMEU or another consultant and the principles should be agreed by the LPA. It should be reviewed every year until the completion of the build and every five years thereafter. The land should be managed for the purposes of nature conservation and Natura 2000 species in perpetuity. The public open space provision is noted. GMEU

should be consulted on the specifications of management prior to transfer to a management company. The funding for additional interpretive materials is noted. The home-owners pack should be secured through condition. Subject to these measures and the imposition of appropriate conditions, no objection is now raised.

6.10.17 Seventh response - 31/01/17 - The latest information seeking to overcome the issues relating to the in-combination assessment has been considered. The applicant has questioned the scientific basis for NEs comments but has not presented any reasoned argument to the contrary. A recent report relating to Morecambe Bay ecology considers this matter in detail. It analyses the demographic of visitors along with the impacts of their activities on summer and wintering birds within specific locations. The conclusions are generally applicable.

6.10.18 The applicant's ecologist has considered the list of applications provided by NE and analysed three in detail. This selection is not justified. In-combination tests are a snap-shot and so assessments can only be examined on a chronological basis in light of what is known, increased understanding and what can realistically be analysed at the time. Consequently, detailed comparisons between the current proposal and previous schemes are not relevant and do not indicate the proportionality of the requirements. There are relevant tests in relation to the precautionary principle. The applicant appears to suggest that the tests applied to this scheme are discriminatory and more onerous than those applied elsewhere. In relation to recreational pressure the applicant suggests that the home-owners packs and Natura 200 mitigation have been considered or applied for other applications and are generally accepted and deemed appropriate. Additionally, the role of cumulative increases in recreational pressure has previously been acknowledged as an in-combination factor.

6.10.19 Without reviewing the other applications in detail, it is not possible to assess if the approach in this case is inconsistent. However, the measures secured in this instance are considered to be proportionate to the scientifically assessed interest of the site and immediate vicinity and the impacts and risks associated with the development proposed. These measures are:

- Public open space provision on site creating opportunities for recreation and reducing pressure on the adjacent footpath network and other adjacent fields;
- Sympathetic and appropriate off-site wildlife management secured in perpetuity to offset the loss of the current greenfield habitat along with opportunities on the application footprint for over-wintering wildfowl;
- Home-owner packs to raise awareness of the importance of the Natura 2000 site and other areas of local land to maintaining the internationally important bird populations and promote responsible recreational behaviour, particularly with regard to dog walking;
- Contribution to Morecambe Bay signage/interpretation information to promote responsible recreational behaviour

6.10.20 GMEU welcomes the measures proposed and agree that appropriate mechanisms are now in place to secure them. The additional information provided in relation to in-combination effects indicates that the impacts arising from recreational disturbance are difficult to assess, but the LPA has used appropriate and recognised mitigation methods to achieve a proportionate approach on a case-by-case basis. The mitigation proposed for this application is proportionate to the scientific impacts of the proposal and it would appear from the limited analysis presented that the management of in-combination impacts has been considered appropriately. It is acknowledged that there is no over-arching strategic approach within the Wyre

borough or across the adjacent districts to the Morecambe Bay SPA/SAC. Natural England should be consulted as to the legitimacy of this approach.

6.10.21 Eighth response - This final response takes the form of a formal Habitat Regulations Assessment (HRA) undertaken by GMEU on behalf of the Council as the competent and responsible authority.

6.10.22 The information used to inform the HRA is listed. The assessment relates to the Morecambe Bay SPA, SAC and Ramsar Site. This is considered appropriate. The conservation objectives, key interests and functionally linked habitats have been correctly described and identified. Desk based analysis and field data surveys of the application site and a surrounding 500m buffer have been presented. These surveys cover overwintering wildfowl and waders between Oct 2015 - Apr 2016 and Sept - Oct 2016. This is considered to be adequate, proportionate and undertaken using reasonable effort to an appropriate methodology.

6.10.23 The impact pathways of potential likely significant effects on sensitive receptors have been discussed and screening opinions have been presented in the information to support the HRA. These are deemed to be accurate and appropriate. A range of mitigation measures along with methods to secure these works have been agreed. The summary of what is agreed is as follows:

- Loss of Morecambe Bay SPA/SAC/Ramsar site - no loss would result and so no likely significant effects are anticipated. No mitigation is required.
- Loss of functionally linked habitat - this would occur and proportionate mitigation in the form of managed land provision would be secured through S106.
- Hydrology - this would have an impact through watercourse connectivity to the SAC. Mitigation in the form of a drainage scheme to appropriate standards mimicking greenfield run-off would be secured through condition.
- Noise/light/air pollution - the SPA is too distant for an impact pathway, ecological changes would be localised and no likely significant effects are anticipated. Bat-appropriate lighting along field boundaries would be secured through condition.
- Recreational impacts on Morecambe Bay - would increase with potential for likely significant effects. Appropriate mitigation in the form of interpretive signage provision and home-owner information packs would be secured through condition.
- Recreational impacts on functionally linked habitat - would increase with potential for likely significant effects. Appropriate mitigation in the form of public open space provision, information boards and home-owner packs would be secured through condition.
- Cumulative impact - there would be a loss of functionally linked habitat and increased recreational disturbance. An agreed package as set out above has been agreed as appropriate mitigation.

6.10.24 An in-combination assessment has been provided in accordance with the precautionary principle guidance produced by the EU. The impacts are acknowledged to be difficult to assess but appropriate and recognised mitigation methods have been used to achieve a proportionate approach on a case-by-case basis. The mitigation proposed for this application is proportionate and in-combination impacts would be managed appropriately. There is no over-arching strategic approach in place in the wider area.

6.10.25 The relevant statutory nature conservation organisation is Natural England. They have been consulted and have been involved in the agreement of the mitigation measures. It is noted that NE raise no objection and that the proposal is

not necessary for the management of the European site and would be unlikely to have a significant effect on any European site and can therefore be screened out for further assessment. On behalf of the Council it is confirmed that the assessment presented in the full information submitted in respect of HRA and the conclusion of NE are agreed. Natural England and GMEU would need to be reconsulted on any changes as there is a high probability that a new HRA would be required.

6.11 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.11.1 The site falls within flood zone 1 and so is at low risk of flooding. Initially an objection was raised against the proposal. This was ultimately withdrawn in the officer's final response of 01/09/16. It is noted that surface water would be discharged to the existing watercourses to the north-east and south-east. The watercourse to the south-east cannot cope with current loading and so additional loading should be avoided. The public surface water drain on Arthurs Lane is already at capacity and so proposed use of this drain should be avoided so as not to exacerbate existing flooding issues on Carr Lane. Following a visit to the site and an inspection of the watercourses, it is considered that surface water should drain to the north as the watercourse to the north-east is in good working order. On this basis, no objection is raised in principle but full drainage details should be submitted and agreed prior to commencement.

6.12 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE/DUST/LIGHT/ODOUR)

6.12.1 The operation of heavy plant and machinery during construction would have the potential to generate dust, as would the movement of construction vehicles, especially on windy and dry days. A site specific Dust Management Plan should be secured through condition. This should include best practice means to reduce the generation of dust and any effect on sensitive receptors.

6.13 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY)

6.13.1 Three conditions should be imposed if planning permission is granted. The first would require the provision of an electrical vehicle charging point at each property. The second would specify the minimum standard of any gas-fired heating boilers. The third condition would require the agreement of a Construction Environmental Management Plan. This plan must identify control measures to reduce adverse impact from dust, noise, smoke and artificial light. These conditions are considered necessary because the cumulative effect of road vehicle emissions from developments could have an unacceptable impact on health outcomes, and to meet best practice standards.

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

6.14.1 The submitted geo-environmental report has been considered. The standard conditions for a contaminated land study and watching brief should be attached to any permission granted along with the associated advice notes. The desk study has been based on a GroundSure Report and a site walkover with accompanying photographs. These should be annotated and further details of the walkover provided. The only viable source of contamination would be the former Crooklands Farm. Little information on this is provided and further investigation is necessary. The Conceptual Site Model (CSM) does not identify any significant

sources of contamination on site but identifies a source relating to environmental receptors and building services to be removed. Further clarification of this is necessary and Crooklands Farm should be included in the CSM. A discovery strategy is not considered appropriate for this site; instead a site investigation of the Crooklands Farm part of the site should be carried out prior to construction.

6.15 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (PARKS DEVELOPMENT)

6.15.1 No comments, the provision of green infrastructure are noted. Comments on any detailed landscape proposals will be provided in due course.

6.16 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (TREES)

6.16.1 The information provided in the Arboricultural Assessment is accepted. The proposed extent of hedgerow removal is kept to a minimum and the trees to be removed would be low value and so this is considered acceptable. It was initially noted that one C- value tree (T29) would be removed and there would be partial encroachment into a group of B-value trees (G6) in order to create the proposed car park, and that, through the application of proper safeguarding measures, these losses could be avoided. However this comment has since been retracted. A tree protection plan should be provided and agreed as should a landscape plan.

6.17 RAMBLERS ASSOCIATION - no comments received in time for inclusion in this report. Any comments that are provided will be communicated through the update note.

7.0 REPRESENTATIONS

7.1 Initial consultation

7.1.1 A letter has been received from the Campaign to Protect Rural England (CPRE). This states that development should be brought forward in a sustainable manner in accordance with planning policy. It is noted that Wyre does not have an up-to-date Local Plan. The NPPF requirement for local authorities to demonstrate a five-year housing land supply should not override the need for sustainable development. This application does not constitute sustainable development. Based on an annual requirement of 216 dwellings, Wyre would have a 7.7yr housing land supply. Permission exists in Wyre for 1,433 dwellings on 31 sites and the borough has 131 hectares of previously developed land suitable for housing. Development of this land should be prioritised. The development is excessive in scale for Hambleton and would threaten its character. Access is an issue and the local highway network is inadequate. High quality farmland would be lost. Ecology would be affected. Hedgerows must be protected. The tranquillity of the area would be affected. It is noted that there is significant local objection to the scheme.

7.1.2 A letter has been received from Ben Wallace MP who objects on the basis of local highway impact and the loss of agricultural land. It is noted that the development would extend the existing settlement and be detrimental to the character of Hambleton as a rural village.

7.1.3 Some 439 representations, including 65 copies of a duplicated letter were submitted in relation to the initial publicity. Some of these are accompanied by photographs and video footage of the surrounding area. The representations raise the following issues:

PRINCIPLE

- Unsustainable
- Development should be on brownfield land
- No strategic Local Plan in place
- Premature in advance of Local Plan
- Contrary to planning policy
- The development would set a precedent
- No need for new housing, particularly of the type proposed
- No need for affordable housing
- Already had some development in Hambleton
- The lack of a 5yr housing land supply is being exploited
- New development should take place elsewhere, such as Blackpool
- Overdevelopment
- Scale of development excessive for size of village
- Impact on countryside
- Loss of greenspace/greenbelt
- Loss of agricultural land
- Impact on food supplies
- Impact on the character of the village and loss of identity
- No jobs in Hambleton for new residents
- Hambleton would become a dormitory village
- Development would be contrary to planning policy
- Cumulative impact with other development
- Hambleton and Out Rawcliffe would coalesce
- No need for additional open space

LOCAL ISSUES

- Impact on the local community
- Increased strain on Council services
- Schools are at capacity
- LCC would have to subsidise more school buses (waste of resources)
- Children closest to the school on the new development would get places at the school over older residents living further out within the village which would be unfair.
- Impact on education if class sizes increase
- Medical care and services are already overstretched
- Impact on utilities
- Existing electricity supply is erratic and would get worse
- Impact on mobile services and broadband
- No facilities for local residents
- No leisure facilities available leading to anti-social behaviour
- Would prevent future expansion of school
- Would prevent future expansion of church cemetery
- Local residents would not be able to be buried locally
- Local groups e.g. Rainbows, Brownies are at capacity
- The development would be remote from the main road and centre of the village

VISUAL

- Site is on high ground and so would be very visible
- Loss of view

- Visual impact
- Impact on public right of way
- New houses would not be in-keeping with village aesthetic
- Loss of rural outlook from school
- The development would dominate the skyline

AMENITY

- Impact on quality of life
- Noise during construction
- Increased noise pollution
- Increased light pollution
- Loss of privacy
- The proposed pedestrian crossing would lead to noise, litter and loss of privacy
- Disruption during construction
- Development likely to be poor quality

HIGHWAYS

- Impact on local roads
- Road network cannot cope, inadequate capacity (local and strategic)
- Impact on highway safety, particularly child safety, from traffic
- The proposed drop-off facility would impact on highway safety
- The existing highway situation is dangerous
- Traffic speeds are already high
- Local roads are already winding and dangerous and in poor condition
- Increased traffic
- Increased congestion
- The proposed crossing would create further congestion
- The provision of large houses would attract families leading to more traffic
- Inadequate parking
- Staff and parents of the school park on-street impacting upon highway safety and causing congestion and this would worsen
- Existing public transport provision is inadequate and is being cut
- Development would be reliant upon private car use
- The proposed access would be unacceptable
- Access is inadequate and access/egress from existing properties is difficult
- Visibility for motorists is inadequate
- Existing pavements are inadequate or absent
- Proposed school car parking would not solve problems
- Transport surveys submitted are unreliable
- The submitted Transport Assessment is misleading and unacceptable
- The submitted Travel Plan is misleading
- Impact on refuse and emergency vehicle access
- Yellow lining roads prevents existing residents from receiving visitors

DRAINAGE

- Existing drainage problems
- Proposed drainage would be inadequate
- Increased flood risk
- Sewerage system unable to cope

- The playing field being offered to the school suffers from poor drainage that would compromise use
- The information submitted is inadequate

BIODIVERSITY

- Impact on wildlife
- Impact on trees, including protected trees
- Loss of important plants
- Invasive species present on site
- Hedgerows should be protected
- Impact on ponds
- Loss of the wall adjacent to the farmyard

ENVIRONMENTAL

- Increase in pollution
- Impact on meeting national CO2 emissions targets
- Air pollution would increase
- An Environmental Statement should have been submitted because of the anticipated impacts on the environment and local community
- Increase in litter
- Pollution of watercourses
- Impact of silt from surface water run-off

OTHER

- Application submitted with inadequate information
- Safety concerns during construction
- The proposed pond would be dangerous
- The development would require maintenance which would not be sustainable
- Would attract more immigrants and generate a need for interpreters
- School does not support the scheme or the creation of the car park therefore the scheme cannot be implemented
- Impact on property value
- The only motivation for the proposal is profit
- The development would lead to the provision of a new and unwanted supermarket
- Associated detrimental impact on local businesses
- There are discrepancies within the application
- Gladmans are taking advantage of the planning system
- Documents are not online
- Online comment facility is unreliable and unacceptable
- Inadequate publicity and notification of the application
- The offers to the school are an attempt to 'purchase' a planning permission
- The Council should meet with local residents
- The police should have been consulted
- Educational attainment would be affected by pollution
- Other sites would be preferable

7.1.4 Members are respectfully reminded that loss of view, potential impact on property value, motivation for application, potential for future development and preference for alternative sites are not valid planning considerations. Whilst the number of representations received has been stated, Members are advised that

officers are aware that this number includes a notable level of duplication. Examples would be representations sent in by email with an identical paper copy then received via post, identical letters being submitted by multiple members of the same household, and individual respondents sending in multiple representations.

7.2 Consultation following amendments to the scheme:

7.2.1 Thirteen representations have been received in response to the publicity advertising the amendment to the scheme. These raise the following issues:

- Contrary to planning policy and plan for the area
- No need for the housing
- No need for affordable housing
- Cumulative impact with other development
- Proposal not sustainable
- Inadequate school and dentist places to support development
- Impact on the character of the area
- Impact on the countryside
- Visual impact
- Loss of agricultural land
- Increase in flooding
- Inadequate drainage
- Increase in pollution
- Impact on ecology, particularly hares, hedgehogs and lapwings
- Inadequate proposals to manage invasive species
- Loss of hedgerow
- Impact on public right of way
- Information submitted is inaccurate and unreliable
- Increase in traffic
- The submitted travel plan is flawed
- The proposed highway works would be inadequate to ensure safety
- Impact on highway safety, particularly for pedestrians and school children
- Inadequate visibility
- The loss of the car park would mean increased inconsiderate car parking on-street and increased highway danger
- Inadequate road width
- Insufficient consideration has been given to the impact on other roads and junctions/the impact on local roads and junctions has not been specifically assessed
- The consultation response provided by LCC is unacceptable.

8.0 CONTACT WITH APPLICANT/AGENT

8.1 Dialogue has been maintained with the agent throughout to keep them apprised of progress and consultee comments, and to seek clarification and additional information where necessary.

9.0 ASSESSMENT

9.1 The main issues are considered to be:

- Principle of development
- Impact on the countryside
- Loss of agricultural land

- The contribution of the development towards meeting the boroughs affordable housing, education and public open space requirements
- Amenity impact
- Landscape and visual impact
- Heritage impact
- Access, parking and highway safety
- Ecological and arboricultural impact
- Flood risk and drainage
- Environmental impact
- Sustainability and planning balance

PRINCIPLE

9.2 The application site falls within designated countryside. Policy SP13 of the adopted Local Plan seeks to prevent development within the countryside in order to protect its intrinsic open and rural character. Certain exceptions are listed but none would apply to the development proposed. Whilst Policy SP13 is a saved policy of the Local Plan, it must be considered in light of the National Planning Policy Framework which is a more recent expression of planning policy published in March 2012. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, the NPPF makes it clear at paragraph 49 that policies relating to the supply of land for housing must be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The recently published Wyre Settlement Study places Hambleton eighth in the rank of borough settlements. As this ranking is based on considerations of size, accessibility, services, facilities and employment opportunities, it is considered to be a valid indication of sustainability. Hambleton is deemed to be the second most sustainable settlement behind Knott End/Preesall in the Over Wyre region of the borough.

9.3 The housing requirement for the borough was originally identified in the adopted Local Plan and set out in policy H1. This was then superseded by Policy L4 of the North West Regional Spatial Strategy (NWRSS). The NWRSS was revoked in May 2013. As the emerging Local Plan is not yet adopted, there is no up-to-date housing requirement for the borough set out in the Development Plan. The Fylde Coast Housing Market Assessment (SHMA) 2013 and subsequent updates represent the most up-to-date assessment of objectively assessed housing need. Based on this evidence the Council has accepted a housing need of 479 new dwellings per annum between 2011 and 2030. The latest Wyre Housing Land Monitoring Report notes that, as at 30th September 2016, sufficient land had been identified to provide a 4 year supply of housing land based on this objectively assessed requirement. On this basis, the restrictive approach toward new development in the Countryside as set out in Policy SP13 of the Local Plan must be considered to be out-of-date and therefore little weight can be afforded to it.

9.4 Paragraph 47 of the Framework makes it clear that one of the government's key objectives is to significantly boost the supply of housing with paragraph 17 noting that every effort should be made to objectively identify and then meet the housing needs of an area. The current application seeks outline planning permission for the development of up to 165 new homes on the site. This would represent a substantial quantitative contribution towards meeting the boroughs housing requirement that weighs heavily in favour of the application. The principle of development in this location is therefore acceptable.

IMPACT ON THE COUNTRYSIDE

9.5 Notwithstanding the position with regard to housing need, the supporting text to Policy SP13 makes it clear that the overall intention of the policy is to protect the inherent character and qualities of the Countryside. This intention accords with the Framework to the extent that paragraph 17 expects new developments to take account of the different roles and characters of different areas, including the intrinsic character and beauty of the countryside.

9.6 The Council's emerging Local Plan is still at a relatively early stage of development. Nevertheless, there is an acknowledgement that development will have to take place on land that is currently designated as countryside around existing settlements in order for the boroughs housing needs to be met and sustainable economic growth to be delivered in line with the requirements of the National Planning Policy Framework. It is therefore inevitable that the character of the wider countryside will experience some erosion around existing settlements. It is noted that the application site has been identified as part of the forward planning process as having potential for future development, although very little weight can be afforded to this.

9.7 The application site lies immediately to the east of the main body of Hambleton and to the north of ribbon development along Church Lane. The extent of the site follows existing field boundaries. It is noted that the majority of land to the north and south of Hambleton village falls within flood zones 2 and 3 and would therefore be undesirable for residential development. As such, the opportunities for the growth of the settlement are limited to those areas to the east, north-east and south-east of the village. The development proposed would represent a clear encroachment into open countryside but, given the flood zone constraints in place, would nevertheless represent a logical extension. The scheme would not result in the coalescence of settlements and Hambleton would continue to be surrounded by large tracts of open countryside to the north, east and south with the River Wyre running to the west. On this basis, no unacceptable impact on the character and function of the wider countryside area is anticipated. It is, however, accepted that there would be a localised impact on the character of the countryside immediately around the site. This would weigh against the proposal and will be considered as part of the visual impact assessment below.

LOSS OF AGRICULTURAL LAND

9.8 The application site falls within Agricultural Classification Grade 3. It is not known whether this is Grade 3a or 3b. Grades 1, 2, and 3a are considered to be the best and most versatile land. Paragraphs 17 and 111 of the Framework encourage the effective use of land through the re-use of 'brownfield' land that has been previously developed. Paragraph 112 expects local authorities to take account of the economic benefits of the best and most versatile agricultural land and, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of higher quality. The Framework itself does not provide a definition of 'significant development' but, as DEFRA must be consulted on schemes that result in the loss of 20 hectares or more of agricultural land, this can reasonably be considered to be a recognised threshold. The application site is 11.38ha in area and therefore falls well below this threshold. Within the Wyre borough there are substantial tracts of grade 2 land along with large areas of grade 3 land. Consequently, the development of the site, even if it was Grade 3a, would not be significantly detrimental to the borough's supply of quality

agricultural land and, as such, its loss as agricultural land is not considered to weigh significantly against the proposal.

AFFORDABLE HOUSING, EDUCATION AND OPEN SPACE PROVISION

9.9 Where a Local Authority has identified a need for affordable housing provision, the NPPF expects policies to be set requiring development proposals to contribute towards this need on site. The 2013 SHMA identifies the boroughs needs with regard to affordable housing and supports the requirement, as set out in draft Policy CS21 of the emerging Local Plan, for residential developments of 15 or more dwellings to include 30% affordable provision on site. The application proposes up to 165 dwellings which would equate to a requirement for 50 affordable units. These should be provided on-site and should consist of an equal mixture of affordable rent and intermediate tenure properties. A mix of house types and sizes would be required. The affordable rent properties should include a number of one-bed apartments, two-bed bungalows, two-bed houses and a small number of three-bed houses. The intermediate tenure properties should be predominantly two-bed houses with a small number of three-bed houses. This could be secured through condition and the applicant has indicated agreement in principle.

9.10 On the basis of the information provided, Lancashire Education Authority would require a financial contribution of £769,192.20 to fund the provision of 63 additional primary school places in the local area and £459,932.00 to fund the provision of an additional 25 secondary school places. However, this would need to be reassessed at the point of determination and when accurate bedroom information became available. At this point a specific school development project would also be identified. This reassessment and the identification of a particular school project will be reported on the Committee update sheet. These monies would be secured through a S106 legal agreement and the applicant has indicated agreement in principle.

9.11 Policy H13 of the adopted Local Plan requires public open space to be provided within new residential developments and stipulates a rate of provision of 0.004ha per dwelling. A scheme of 165 units would equate to a requirement of 0.66ha. The indicative layout plan submitted with the application shows the provision of some 3.3ha of public open space within the site to the western and eastern edges. As such, it is considered that this requirement could be adequately met with details agreed at reserved matters stage should the authority be minded to grant an outline permission. A condition would be attached to any permission granted to secure the necessary provision. It is understood that this open space would be managed through a company set up by the developer but a condition is recommended to require the agreement of a long-term maintenance solution. The applicant is also proposing a financial contribution provided by means of a unilateral undertaking towards the provision/improvement of new play facilities on Bob Williamson Park in Hambleton which is close to the site. This is not required by planning policy and has not been requested by the Council but is an additional benefit to the local community that is being offered by the developer. This contribution should not be taken into account in the consideration of the application.

AMENITY IMPACT

9.12 The application seeks to agree the principle of development with layout reserved for later consideration. There is existing housing to the west of the site on the opposite side of Arthurs Lane with community uses and approved residential development to the south. Residential development on the site would therefore be a

compatible land use. Planning permission is in place for the development of a solar farm on the land to the north. Given the nature of such a use and the location of the site on the edge of a settlement, no unacceptable amenity impacts from noise or disturbance are anticipated. The solar farm is designed and conditioned to minimise glint and glare so far as is practicable. Arthurs Lane is already busy with school traffic and Hambleton Academy is an existing source of noise and activity in the area. As such, it is not anticipated that the development would generate sufficient additional noise or disturbance from activity so as to unacceptably compromise residential amenity. Given the separation distances that would be involved, no detrimental impacts on existing residents arising from over-shadowing or over-looking are anticipated. The standards required to ensure adequate residential amenity for future occupants of the site could be secured at reserved matters stage should the Council be minded to support the scheme. On this basis, no unacceptable amenity impacts are anticipated.

9.13 A public footpath runs adjacent the west and northern boundaries of the site for a distance of about 260 metres. At present this footpath has open countryside on both sides for approximately two thirds of this length. Policy TREC12 of the adopted Wyre Borough Local Plan seeks to protect such public rights of way from development that will adversely affect the right of way or the public's enjoyment of it. The development of the land to the south and east of this footpath will, by reason of the loss of the countryside and the site, diminish the enjoyment of this footpath to a certain extent. The impact can, however, be reduced by a sensitive layout and the illustrative masterplan shows how this may be achieved to retain the open aspect along the footpath. It is not therefore considered that significant weight can be given to this policy in weighing against the development.

LANDSCAPE AND VISUAL IMPACT

9.14 The applicant has submitted a Landscape Assessment. The site falls within National Character Area 32: Lancashire and Amounderness Plain. This is characterised by a rich patchwork of fields and watercourses in a flat or gently undulating landscape punctuated by blocks of woodland and built form. The site also lies within Lancashire Landscape Character Assessment area 15d: Coastal Plain: The Fylde. The area can be defined as a gently undulating, farmed landscape dominated by improved pasture and scattered with historic halls, farms and woodland. Long views are available both towards the coast and towards the Bowland Fells. Urban development and man-made elements have eroded the rural character of the landscape to an extent. The landscape strategy for the area includes the retention of existing field boundaries and ponds. The application site is not nationally, regionally or locally designated but it is recognised that the existing vegetation and mature trees around the edges of the site make a strong, positive contribution to the setting and visual amenity of the area. It is also recognised that the site is in an elevated position between 10m and 20m above ordnance datum and is therefore visible from the wider surrounding area.

9.15 The submitted assessment considers the landscape value of the site to be medium with medium susceptibility to change. Although attractive, the landscape is not rare and is currently in managed agricultural use on the edge of the settlement. It is noted that the village comprises a large number of modern later 20th and 21st century developments. Views of the site from 25 different viewpoints have been considered. These include the surrounding roads and the public right of way, longer distance views from sites around Hambleton and one from Beacon Fell Country Park within the Forest of Bowland AONB. The assessment suggests that the construction period would have a moderate to major adverse landscape effect on the site and

immediate surroundings. It is proposed that the development would be designed and landscaped so as to minimise visual impact. Post construction it is judged that the development would have a moderate to major adverse impact in the first year but that this would fall to moderate as the proposed green infrastructure/landscaping became established. As the site is on the edge of the existing settlement, the magnitude of change on the wider landscape is considered to be negligible to low and the landscape impact expected to be negligible to minor adverse. Again, the proposed green infrastructure/landscaping would lessen this impact over time.

9.16 The impacts on specific receptors have also been considered. It is judged that local properties and adjacent sites would experience a moderate adverse impact reducing to minor with the passage of time. The visual impact on properties and viewpoints at a distance to the site is anticipated to be negligible once the proposed landscaping is fully established. Users of the public right of way to the north would experience varied impacts ranging from negligible to moderate depending upon position and the intervening landscaping. The impact on road users would be minor to moderate adverse falling to minor adverse after 10 years. No visual impact on users of the AONB is anticipated.

9.17 The submitted landscape assessment is accepted as being generally reasonable. It is acknowledged that the development proposed would have a significant localised visual impact and also a notable visual impact on the wider area. This is recognised to be inevitable for a development of this scale on greenfield land and it is accepted that visual impact could be minimised through the agreement of appropriate layout, scale, design and landscaping at reserved matters stage. Nevertheless, the detrimental visual impact that would be caused by the proposal is a material consideration that weighs notably against the application.

HERITAGE IMPACT

9.18 There are no designated heritage assets on site. The nearest designated asset, Hambleton Hall, is over 450m away to the south and the Conservation Officer advises no detrimental impacts on the heritage value or significance of this building are anticipated because of the intervening topography, trees and buildings. There is, however, a non-designated heritage asset on the site in the form of an ancient 'monks' track. This is thought to lie across the southern end of the site but the exact location is unknown. It is considered that further archaeological investigation is required in order to properly define and record this asset. As such, it is recommended that a condition be attached to any permission granted to secure such works. Subject to the imposition of such a condition, no unacceptable heritage impacts are anticipated.

ACCESS, PARKING AND HIGHWAY SAFETY

9.19 The application and submitted information has been considered by Highways England and Lancashire County Council as Local Highway Authority. These organisations are the statutory consultees for matters of highway impact and the Local Planning Authority relies upon their expert advice. The information submitted has been considered and, on balance, has been judged to be acceptable. It is acknowledged that some local residents have challenged the conclusions reached and the methodology used but the LCC's principal highways engineer has confirmed that an appropriate assessment has been undertaken. Members are respectfully advised that the NPPF makes it clear at paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

9.20 Highways England has considered the impact of the proposal on the strategic network. In particular, the impacts on the Singleton Crossroads, Mains Lane/Shard Road and River Wyre roundabout junctions have been considered. The impact has been considered in the context of the major scheme of improvement works that are programmed for this stretch of highway. It is acknowledged that the development would have an impact on these junctions, but Highways England has concluded that the impact in conjunction with committed developments in the area would not be severe in nature and so would not justify refusal of the application on the basis of highway impact on the strategic network. A condition requiring the agreement of a travel plan has been requested.

9.21 LCC has considered the impact of the scheme on the local road network. It is acknowledged that some local roads and junctions have been excluded from specific consideration. The relevant officer at LCC has confirmed that these elements of the road network have not been over-looked, but that any impact could not possibly be considered severe and so detailed analysis is not warranted. Consideration has been given to the existing pressures on the roads occasioned by the proximity of the school and to the existing profiles of traffic speeds, levels and flows and accident data. In formulating a response, LCC has had due regard to the accessibility and sustainability of the site.

9.22 The sightlines and junction spacing proposed is considered to be acceptable. Some concern is raised over the provision of the car park drop-off and formal pedestrian crossing facilities originally proposed but these have been removed from the scheme. The traffic flows, trip rates and distribution information presented is considered to be adequate. The impact on three local junctions has been assessed. These are the site access points and the junctions of Church Lane/Arthurs Lane and the A588/Marsh Lane. It is accepted that all junctions would operate within capacity. It is noted that additional consideration of accident records should have been provided. This has been undertaken by LCC and on balance no objection is raised. In terms of accessibility, it is recognised that existing footpaths require improvement and that vehicle speeds must be slowed. Some sections of road lack pavements and it would not be realistic to bring public transport services closer to the site than existing. Of significant concern is the reduction in recent years of public transport provision, particularly given the limited range of local facilities and employment opportunities.

9.23 In order to mitigate the impact of the development on the local highway network, a number of measures are proposed. These include an improvement scheme to the A588/Bull Park Lane roundabout; a speed limit review; traffic calming and pedestrian improvements on Arthurs Lane to include the widening of the footpath and narrowing of the carriageway; footpath improvements on Church Lane; the preparation of a travel plan; and contributions towards public transport provision and the implementation of a travel plan. These contributions would, as far as is possible, increase the peak hour frequency of the 2C service, extend it into the evening and provide it on a Sunday, reinstate the 86 service and increase the frequency of the 89 service. A number of conditions are recommended for attachment to any permission granted. These would secure the highway improvement works required, agree a phasing programme, agree the specifications of the access points, require a highway condition survey, agree a construction traffic management plan, and secure a travel plan. Subject to these conditions and the securing of the necessary mitigation measures through an appropriate legal agreement, no severe impacts on the local highway network are anticipated and so no objection is raised on highway grounds.

9.24 Issues of parking provision and the internal layout of the site would be addressed at reserved matters stage should outline permission be granted.

ECOLOGICAL AND ARBORICULTURAL IMPACT

9.25 The proposal has been considered in considerable detail by both Greater Manchester Ecology Unit (GMEU) and Natural England (NE). Due to the proximity of the site to the Morecambe Bay and Wyre Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) and RAMSAR site and the potential for the development to affect these designations, the Council as the competent and responsible authority is obligated to produce an assessment in accordance with the Conservation of Habitats and Species Regulations 2010. The applicant has produced a significant amount of information to inform this process and has essentially provided what is known as a 'shadow' Habitats Regulations Assessment. This has been considered by GMEU and NE and these organisations have advised the Council as to whether or not the conclusions and assessment presented are reasonable. This is a common approach and reflects the fact that the majority of Local Planning Authorities do not have the expertise in-house to undertake the technical Habitats Regulations Assessment. GMEU have also considered the potential for the development to have an impact on local designations and protected species.

9.26 Based on the information provided, the scheme has the potential to have some impact on nesting birds and bats but is not anticipated to detrimentally affect any other protected species, including great crested newts. The information submitted proposes mitigation measures such as ecological enhancement, bat and bird roost features both on buildings and trees, and bat-appropriate lighting along site boundaries. These are considered to be satisfactory and, subject to the imposition of suitable conditions, no unacceptable impacts are anticipated.

9.27 As stated, the potential impacts on European designated sites have been carefully considered by GMEU and NE. The potential impact of this development in combination with other relevant schemes in the area has also been assessed. A range of mitigation measures has now been agreed and it is considered that, subject to these measures, no unacceptable impacts would result. These mitigation measures include the provision of home-owner information packs and the installation of informative/interpretive signage. This signage would explain the significance of the ecological designations and species and the need for responsible recreation. Appropriate advice would be provided. The main element of mitigation, in respect of pink-footed geese, would be the provision of an area of land to be set aside for ecological management. This would compensate for the loss of the site as functionally linked habitat and would be secured through a legal agreement. In respect of the necessary Habitats Regulations Assessment, Natural England has provided advice and confirmed that they have no objection to the proposal. Greater Manchester Ecological Unit, as the Council's retained ecological advisors, have considered the information submitted and undertaken the HRA on the Council's behalf. The assessment and conclusion presented has been accepted and, subject to the agreed mitigation, no unacceptable ecological impacts are anticipated.

9.28 The application has been considered by the Council's Tree Officer. It is understood that the trees to be removed would be low value and that hedgerow removal would be kept to a minimum. There is a Tree Preservation Order on the site, which Members resolved to confirm at the February 2017 Planning Committee meeting. A number of conditions are recommended to safeguard the existing vegetation to be retained on site and to secure an appropriate landscape plan to

compensate for any losses. Subject to these conditions, no unacceptable arboricultural impacts are anticipated.

FLOOD RISK AND DRAINAGE

9.29 The site falls within flood zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The application and the submitted flood risk assessment (FRA) and drainage information have been considered by the Environment Agency, United Utilities, the Lead Local Flood Authority (LCC) and the Council's Drainage Officer. Neither the LLFA nor UU have raised any objection to the scheme, but the Council's Drainage Officer, who has visited the site and who has local knowledge of the area, initially objected. This was on the basis that the existing watercourse to the south-east cannot cope with current loading and so could not accommodate additional discharge; and because the existing watercourse to the north-east discharges through a culvert which also frequently floods due to lack of capacity. There is a surface water drain on Arthurs Lane but it is understood that this also already operates at capacity. Additional discharge into the existing watercourses should not exacerbate flooding downstream.

9.30 Based on the officer site visit and the information provided, it is considered that surface water run-off could be adequately drained from the site without increasing flood risk elsewhere. To ensure that satisfactory drainage is provided, conditions should be attached to any permission granted to require the details of a drainage scheme to be agreed and to agree a lifetime management and maintenance plan for that scheme. The Flood Risk Assessment is also considered to be acceptable and, subject to the imposition of a condition on any permission granted to require compliance with that document, it is considered that the scheme would be safe from flood risk and would not exacerbate flood risk off-site. As such and subject to these conditions, no unacceptable drainage or flood risk issues are identified.

ENVIRONMENTAL IMPACT

9.31 It is considered that the quality of controlled waters and ground and surface water bodies could be adequately safeguarded through the agreement of a surface-water drainage scheme.

9.32 The Council's Environmental Health team has requested that conditions be attached to any permission granted to require the provision of electric vehicle charging points at each property and the agreement of domestic boiler specifications. The latter is a matter for Building Regulations control. With regard to the electric vehicle charging points, the Council does not have any adopted planning policy setting out such a requirement. Paragraph 124 of the NPPF relates to air quality. It states that planning policies should contribute towards meeting national objectives in respect of pollutants. In terms of development management, it indicates that specific control is only necessary in established Air Quality Management Areas in accordance with an adopted local air quality action plan. The nearest Air Quality Management Area to the application site is Poulton-le-Fylde town centre at a distance of some 4km. As such, it is not considered that the proposal would materially impact upon this area of special control. Consequently a condition requiring electric vehicle charging points is not considered necessary to make the development acceptable. A Construction Environment Management Plan has also been requested through condition to enable dust control during the construction phase. Given the scale of development, this is considered to be reasonable. As such, and subject to the imposition of this last condition, no unacceptable air quality implications are anticipated.

9.33 The application and the information submitted in respect of potential land contamination have been considered by the Council's Environmental Health team. Additional information is needed and it has been requested that a standard condition be attached to any permission granted to require the submission of a full desk study and the agreement of a scheme of investigation and any subsequent mitigation. Any necessary works could be secured through condition. On this basis, no unacceptable impacts on human health or the environment arising from land contamination are anticipated.

ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.34 The main thrust of the NPPF is the need to secure sustainable development. Sustainability comprises three dimensions; economic, social and environmental.

9.35 The land is not safeguarded for employment uses and the loss of agricultural land that would result is not considered to weigh significantly against the proposal. The site falls outside of any Mineral Safeguarding Areas. Some employment would be created through the construction process and future residents would support local businesses and public services. As such the proposal is considered to be economically sustainable.

9.36 The site itself is not designated for its landscape or environmental value but it is understood that development of it has the potential to impact upon sites protected for their nature conservation value and on protected species. Through the imposition of appropriate conditions and entry into an appropriate legal agreement, it is considered that biodiversity on and around the site could be suitably safeguarded and enhanced. Trees and hedgerows would be protected as appropriate through the agreement of a suitable landscaping scheme. Whilst the development does represent a significant extension to the settlement, this in itself, cannot be used to justify a refusal of the application unless it can be demonstrated that this gives rise to significant harm to the character of the area. The proposal would have some detrimental impact on the character of the immediate area and this would weigh against the proposal. However, it is considered that the extent of impact would be limited and that the character and function of the wider countryside would be preserved. Appropriate design could be secured at reserved matters stage. It is acknowledged that natural resources would be used as part of the development process. No unacceptable impacts on water, land or air quality are anticipated as a result of the development. On this basis, the proposal is considered to be environmentally sustainable.

9.37 The proposed development would represent an extension to Hambleton village. The provision of up to 165 new homes would make a substantial quantitative contribution towards meeting the borough's housing requirement and this weighs heavily in favour of the proposal. Affordable housing equivalent to 30% of the total residential development would be provided along with an appropriate level of public open space in accordance with the Council's requirements. A financial contribution towards local education provision would be sought and secured by s106 agreement to meet the additional need for school places generated by the development. Local residents have expressed concern over the impact on the local primary school and the potential for existing families in Hambleton to struggle to secure a school place. However, the distribution of education places is a matter for LCC as local education authority to manage and that organisation has not raised any objection to the scheme that would warrant refusal of the application on educational grounds. It has been

judged that the scheme would not have a severe impact on local or strategic highway safety or operation.

9.38 Although Hambleton ranks eighth in Wyre's settlement hierarchy, it is recognised that it is essentially a rural village. It is acknowledged that service and facility provision is limited, but, the village does offer a primary school, a well-established sports and social club, a restaurant, a park and play and play area, a church, a public house and several small shops serving local needs. There is also a reasonably sized convenience store set within a cluster of commercial uses including a petrol filling station on the periphery of the village. However, residents would need to travel to Preesall or Poulton-le-Fylde to access medical provision, secondary schools and employment. The existing pressure on community services is acknowledged but there are no established mechanisms that would enable contributions to be sought towards increased or improved medical provision. Furthermore, the NHS Clinical Commissioning Group has not specifically requested such provision from this development. Public transport services are recognised to be limited but LCC Highways have agreed a range of contributions with the developer that would fund an improvement in services to better link Hambleton to these key nearby settlements. Whilst the potential for the development to be predominantly car dependent is recognised, it is felt that this could be reasonably limited through the agreement and implementation of an appropriate travel plan and mitigation to improve public transport provision. As such, and on balance, the development proposed is considered to be socially sustainable.

9.39 In terms of planning balance, as set out above, the scheme is considered to represent sustainable development. Paragraph 14 of the NPPF clearly sets out a presumption in favour of sustainable development. Planning permission for development proposals should only be refused where the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits. As detailed above, it is considered that the anticipated impacts on ecology and the highway network could be satisfactorily mitigated. Subject to the imposition of appropriate conditions, no unacceptable impacts on drainage, trees or the visual environment are anticipated. The scheme would make a significant quantitative contribution towards meeting the boroughs housing needs and, in accordance with the objectives of the NPPF, this weighs heavily in favour of the application. On balance therefore, the proposal is considered to be acceptable.

10.0 CONCLUSION

10.1 In light of the assessment set out above, the scheme proposed is considered to represent sustainable development and to be acceptable. No other material planning considerations have been identified that would outweigh this view. As such, subject to the conditions listed below and the applicant entering into an appropriate legal agreement, planning permission should be granted.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Resolve to grant planning permission subject to the conditions listed below and the completion of a S106 legal agreement to secure the necessary highway and education contributions and the ecological mitigation measures. That the Head of Planning Services be authorised to issue the planning permission once the requisite S106 has been successfully completed.

Recommendation: Permit

Conditions: -

1. (i) In the case of any reserved matter, namely layout, scale, appearance and landscaping, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and that the development to which the permission relates must be begun not later than:

(ii) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

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

2. Prior to the occupation of the first dwelling, in accordance with the framework travel plan produced by WYG (ref. A095803) or a timescale otherwise agreed by the Local Planning Authority, a full Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed Travel Plan and an associated Travel Plan Coordinator as specified in the agreed Travel Plan shall be in place and be implemented and operational in accordance with the agreed Travel Plan from the point of the occupation of the first dwelling for a period of not less than five years from the date of full occupation of the residential development.

Reason: a Travel Plan is considered necessary to encourage travel by sustainable modes and reduce dependence on private car travel in the interests of sustainability and highway safety in accordance with the provisions of paragraph 17 of the NPPF. It is considered that this information is required to be agreed prior to the occupation of the first dwelling and implemented from that point in order to ensure that the measures set out in the agreed Travel Plan are effective in encouraging sustainable travel throughout the lifetime of the development.

3. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved drainage details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. Prior to the commencement of any development, full details of a surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the drainage scheme shall include;

- a) information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- b) demonstration that the surface water run-off would not exceed the 1 in 2.2 year rainfall event (QBAR), calculated to be 13.2 (North East Pond) and 19.9 (South East Pond).
- c) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) flood water exceedance routes, both on and off site;
- e) a timetable for implementation, including phasing where applicable;
- f) site investigation and test results to confirm infiltrations rates;
- g) details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained in accordance with the approved details and the details to be agreed by condition 6 and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: the condition is required to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users, and to ensure that water quality and bathing water quality is not detrimentally impacted by the development proposal. The information is required to be agreed and the approved system implemented prior to commencement to ensure that adequate drainage is in place throughout the lifetime of the development in order to minimise flood risk.

6. (i) Prior to the commencement of development, a management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, this plan shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components and designed biodiversity features) and will include

elements such as on-going inspections relating to performance and asset condition assessments, operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

- c) Means of access for maintenance and easements where applicable;
- d) The maintenance and management of any designed biodiversity features.

(ii) The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: In order to ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system. It is necessary for this information to be agreed prior to commencement so that the management plan for the drainage system is in place for the lifetime of the development and associated drainage scheme.

7. No development hereby permitted shall be first occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In order to ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

8. No development shall commence, until a site specific Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of dust on sensitive receptors. The plan shall include control measures for dust and other air borne pollutants generated both on site and off site. The development shall be carried out in accordance with the approved Management Plan.

Reason: In the interests of safeguarding the residential amenities of nearby neighbours in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan 1999. This information needs to be agreed prior to commencement in order to ensure that the development does not generate unacceptable levels of dust and other air borne pollutants during the construction process.

9. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation

measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999). This information must be provided prior to commencement to ensure that the development can proceed without undue risk to the environment or human health.

10. The applicant shall undertake a watching brief during the course of the development works. The watching brief shall be undertaken by a suitably qualified person, with any significant contamination discovered, reported immediately to the Local Planning Authority. The findings of the watching brief shall be reported in writing and submitted to the Local Planning Authority for approval, prior to first occupation of the development.

Reason: In order to safeguard the environment and human health against potential land contamination in accordance with the provisions of paragraphs 17, 120 and 121 of the NPPF and Policy SP14 of the Wyre Borough Local Plan 1999.

11. Prior to the commencement of any works or development on site, a tree protection plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) protected by Tree Preservation Order No: 009/2016/TPO. The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity in accordance with paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan. This plan must be agreed prior to the commencement of works on site in order to ensure that no works pursuant to the development damage any trees to be retained.

12. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

iii. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved) ;

iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing.

13. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses in the locations identified on the submitted Development Framework plan ref. 6903-L-03 Rev S and all the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- (a) site access junctions with Arthurs Lane
- (b) improvement scheme for the A588/Bull Park Lane roundabout
- (c) traffic calming / pedestrian improvements on Arthurs Lane
- (d) pedestrian footway improvements on Church Lane

For the purposes of this condition, it is recommended that these highway works are carried out as part of a Section 278 legal agreement with Lancashire County Council as the Local Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Local Highway Authority that the final details of the highway scheme and works are acceptable before work commences on site, in the interests of highway safety.

14. Prior to the commencement of the development, the developer shall submit in writing a detailed phasing / construction programme for the development that includes delivery and completion of all off-site highway works and delivery of the site accesses, for approval in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed programme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway works in the interests of highway safety.

15. the new estate road/access between the site and Arthurs Lane shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in the interests of highway safety.

16. Prior to the commencement of development, a Highway Condition Survey shall be undertaken by the developer to determine the condition of those routes used by the construction traffic (as part of the agreed routing plan) between the site access and the A588. The extent of the survey shall be first agreed in writing between the developer and the Local Planning Authority in conjunction with the Local Highways

Authority. A similar survey shall be carried out immediately prior to completion of the development (or in accordance with a timescale agreed in writing by the Local Planning Authority) and the developer shall make good any damage and return the highways to their pre-construction condition.

Reason: In order to ensure that the integrity of the local highway network is maintained in the interests of road safety.

17. Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:

- (a) the parking of vehicles of site operatives and visitors;
- (b) loading and unloading of plant and materials used in the construction of the development
- (c) storage of such plant and materials;
- (d) wheel washing facilities;
- (e) periods when plant and materials trips should not be made to and from the site
- (f) routes to be used by vehicles carrying plant and materials to and from the site and measures to be taken to ensure that drivers use these routes as far as is practicable
- (g) measures to be taken to ensure that construction and delivery vehicles do not impede access to adjoining and nearby properties.

For the purpose of this condition it is recommended that deliveries be made outside of peak hours but the developer should identify appropriate times.

The construction of the development shall be carried out in accordance with the approved CTMP.

Reason: In the interests of highway safety.

18. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of such external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Any external lighting shall then be provided in full accordance with this agreed scheme. All external lighting shall be screened and angled so as to prevent unnecessary illumination of hedgerows and vegetation to minimise any disturbance to bats.

Reason: In order to safeguard biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

19. Prior to the commencement of development, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority along with a timetable for implementation and the development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the scheme shall include details of the retention of ponds and hedgerows on site or the provision of compensatory features where their retention is not practicable.

Reason: In order to safeguard and enhance biodiversity and in the interests of the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

20. Prior to the commencement of development, a scheme for the provision of home-owner information packs and information/interpretation boards/signage on and off-site shall be submitted to and agreed in writing by the Local Planning Authority and the development then proceed in full accordance with these agreed details. For the purpose of this condition the information submitted shall include the following:

- the content of the home-owner information packs which must explain the conservation value of the nearby designated areas, the potential impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact;
- a methodology for the distribution of the home-owner packs including upon resale to the extent to which that is practicable;
- a plan showing the locations of information/interpretation boards/signage
- a mechanism for the installation of information/interpretation boards/signage in off-site locations
- details of the information to be included in the information/interpretation boards/signage
- a timetable for implementation.

Reason: In order to safeguard biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

21. Prior to the commencement of any construction on site, a scheme for the provision of 24 bat roosts within built features and 12 bat roosts on trees to be retained shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these agreed details.

Reason: In the interests of biodiversity safeguarding and enhancement in accordance with the provisions of paragraphs 17 and 118 of the NPPF and.

22. Prior to the commencement of development, a management and maintenance plan for the public open space and all communal areas within the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall cover features such as ponds, detention basins, hedgerows and grassland. The plan shall also detail how long-term management of the public open space will be resourced. The management and maintenance plan shall be implemented in accordance with the agreed details.

Reason: In order to ensure that communal areas of planting are managed in such a way as to safeguard their ecological benefits in the interests of biodiversity and the appearance of the site in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

23. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

24. The development hereby permitted shall not commence until a programme of archaeological trial trench excavation and recording has been submitted to and agreed in writing by the Local Planning Authority. The results of this recording shall be undertaken to the standards of the Institute of Field Archaeologists and the results shall be published and made publicly available via the Lancashire Historic Environment Record. The development shall then proceed in full accordance with this agreed programme.

Reason: To safeguard and record a site of known archaeological interest.

25. No trees shall be felled or vegetation cleared during the main bird nesting season (March to September inclusive) unless the absence of nesting birds has first been confirmed by a suitably qualified and experienced ecologist and agreed in writing by the Local Planning Authority.

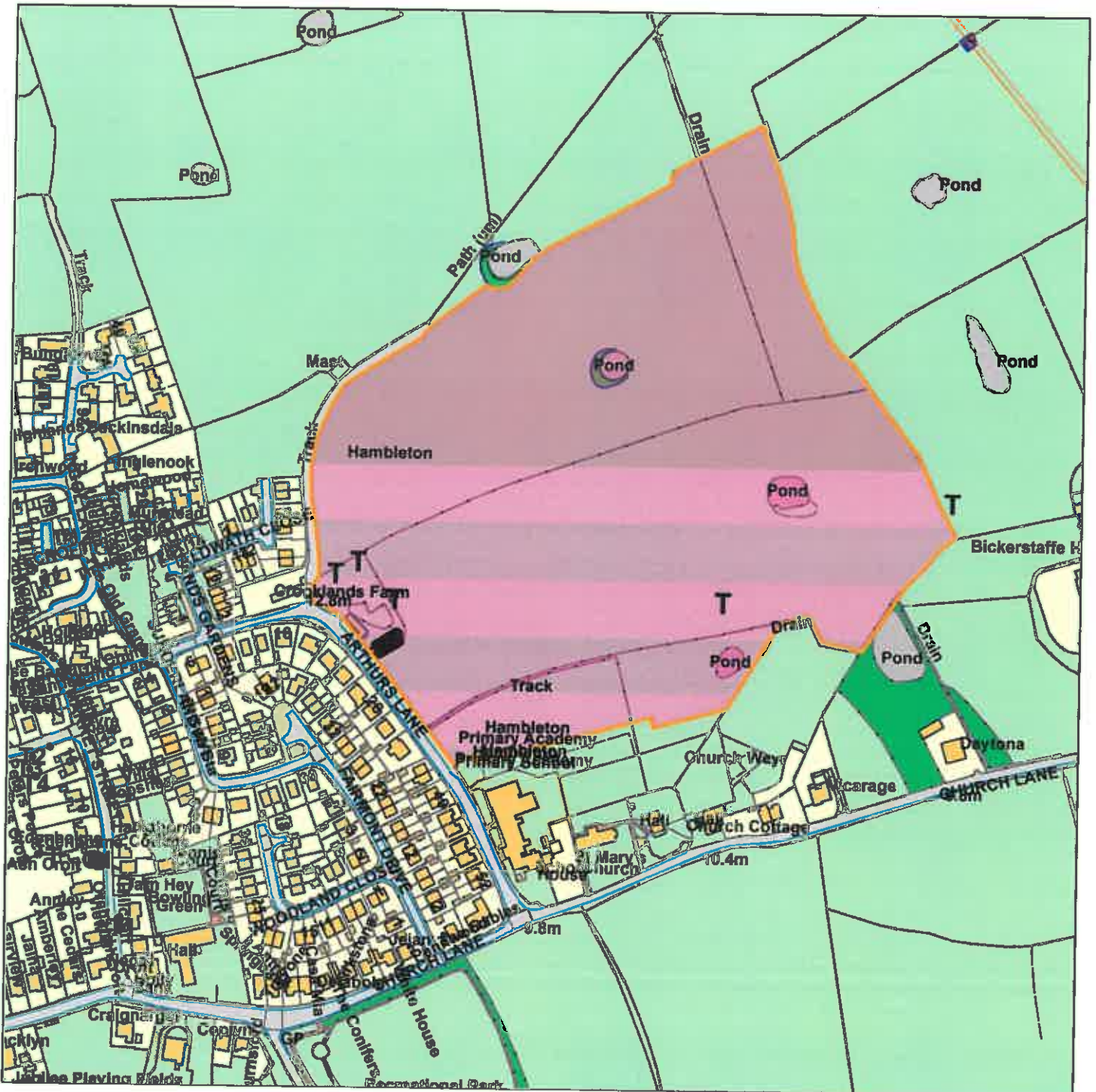
Reason: In the interests of safeguarding biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

Notes: -

1. This permission does not authorise any closure of the public right of way along the north-western boundary of the application site. This public right of way must be kept open and available for use by the general public at all times. In the event that works that would affect the public right of way are required, the developer should contact Lancashire County Council in the first instance for advice.

2. This grant of planning permission will require the applicant to enter into an appropriate legal agreement with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact Lancashire County Council in the first instance to ascertain the details of such an agreement and the information to be provided.

3. Whilst landscaping is a reserved matter, the applicant is advised that any future landscaping scheme/plan should include the provision of appropriate native species and a mix of planting that would deliver clear biodiversity benefits to mitigate for the loss of the site as an area of habitat.



Scale : 1:3814

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Organisation	Wyre Council
Department	Planning Department
Comments	Item 1
Date	16 February 2017
SLA Number	100018720

Committee Report**Date:01.03.2017**

Item Number	02
Application Number	16/00500/FUL
Proposal	Erection of a replacement dwelling (following the demolition of existing dwelling)
Location	Faulkners Fold Cottage Faulkners Lane Forton Preston Lancashire PR3 0AL
Applicant	Ms S England
Correspondence Address	c/o Graham Anthony Associates 2 Croston Villa High Street Garstang PR3 1EA
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

1.1 This application is before Members at the request of Councillor Wilson. A site visit is proposed to help Members understand the proposed development and how it sits within its surroundings and within the context of its rural setting, including the proximity to neighbouring properties.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The site which forms the subject of this application relates to Faulkners Fold Cottage which is located on the eastern side of Faulkners Lane approximately 280m north of the junction with Ratcliffe Wharf Lane in a rural and detached location south of the main settlement of Forton. The subject property is a small, 2 storey detached cottage constructed of random coursed stone under a steeply pitched slate roof with full stone window surrounds and decorative stone corner quoins. The dwelling has a small pitched slate roof porch to the front and a small lean-to extension to the rear. To the south of the main dwelling adjacent to the lane is a detached pitched roof outbuilding also constructed of natural stone. The dwelling sits on the eastern side of the lane with an area of hardstanding to the north which is currently used for parking and to the south on a slightly higher level is a small domestic garden area which comprises of a number of trees and mixed vegetation.

2.2 Directly opposite the site on the western side of Faulkners Lane is an irregular parcel of land approximately 0.083 hectares (0.204 acre) in area which is also considered to be associated domestic curtilage to the subject property. To the southern end of this land is an existing gated access and a large area of gravelled hardstanding. The boundaries are defined by a stock proof post fencing beyond which is a mature hedgerow of mixed species. There are also a number of mature

trees within the boundaries as well as sporadically located fruit trees within the site. There is an open water course adjacent to the northern and western boundary which then enters a culvert under Faulkners Lane.

2.3 The surrounding area is rural in character. To the north, east and west is open agricultural land. To the south is a traditional slobbered stone cottage which faces north overlooking the application site known as Faulkners Fold, south of which is a pair of semi-detached red brick dwellings. The application site is on land defined as 'Countryside Area' on the Local Plan Proposals Map and a Public Right of Way (PROW) Footpath number 8 runs along Faulkner's Lane and passes Faulkner's Fold Cottage to the west.

3.0 THE PROPOSAL

3.1 This application seeks full planning consent for the erection of a replacement dwelling and the demolition of the existing property. The replacement dwelling is to be sited on the western side of Faulkners Lane (opposite the existing property), centrally located within the parcel of land currently associated with Faulkners Fold Cottage. The existing gated access along the eastern boundary is to remain along with the vehicular access towards the southern boundary of the site. The proposed dwelling is shown on the submitted plans to measure approximately 11m in width x 7m in depth x 4.15m to the eaves and 7.65m to the ridge, a small pitched roof porch measuring 2.5m x 2m (2m to eaves and 3.5m to ridge) to the front is also proposed along with a pitched roof side extension measuring 2.3m x 3.3m (2m to the eaves and 4m to the ridge) which is shown to provide a utility room. To the rear of the dwelling a lean-to rear extension is proposed measuring 4m x 3.5m and to the front at first floor level are two small pitched roof wall dormers. The replacement dwelling is to be constructed from natural stone under a slate roof with decorative corner quoins.

3.2 Following the demolition of the existing dwelling the land on the eastern side of Faulkners Lane is to remain and be used as domestic curtilage and the existing stone garage and wood store are to remain in situ. Additional hedge planting and landscaping is also proposed along the western boundary.

4.0 RELEVANT PLANNING HISTORY

4.1 3/00165/FUL - Two storey side extension (amendment to approved 10/00934) - Permitted

4.2 10/00934/FUL - Two storey side extension to include rear balcony - Permitted

4.3 09/00405/OUT - Outline application with all matters reserved for one dwelling house and use of existing dwelling as a holiday cottage - Refused

4.4 94/0310 - Outline application for 1 detached dwelling - Refused

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1,1 The NPPF was published by the Department of Communities and Local Government on the 27th March 2012. It sets out the Government's planning policies

for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans.

5.1.2 The planning system should play an active role in guiding development to sustainable solutions. There is a need for the planning system to perform an economic, social and environmental role. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. Decision takers at every level should seek to approve applications for sustainable development where possible.

5.1.3 In decision making there should be 12 principles which include support sustainable economic development and responding positively to wider opportunities for growth and the needs of the business community should be taken into account. A high quality of design and amenity are needed. Support for the re use of existing buildings and promote mixed use developments.

5.1.4 Section 1 - Delivering sustainable development

Planning should operate to encourage and not act as an impediment to sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business. Local Planning Authorities should be proactive to meet the development needs of business.

5.1.5 Section 6 - Delivering a wide choice of high quality homes

There is a need to boost significantly the supply of housing. Provide five years' worth of housing with an additional 5%. Housing applications should be considered in the context of the presumption in favour of sustainable development. Deliver a wide choice of high quality homes and plan for a mixed housing base. In rural areas housing should be located where it will enhance or maintain the vitality of rural communities. In the countryside isolated dwellings should be avoided unless there are special circumstances.

5.1.6 Section 7 - Requiring Good Design

Paragraph 56 states that the Government attaches great importance to the design of the built environment and stresses that good design is a key aspect of sustainable development and is indivisible from good planning. To emphasise the importance of this statement paragraph 64 (under the design section) clearly states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality design and inclusive design goes beyond aesthetic considerations. Planning should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.1.7 Section 9 - Promoting Healthy Communities

Paragraph 69 indicates that the planning system plays a vital role in facilitating social interaction and creating healthy, inclusive communities. In relation to housing development, planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. Development proposals should contain clear and legible pedestrian routes and high quality public space in order to encourage active and continual use of public areas. In order to promote healthy communities the Framework also states that Local Planning

Authorities should take a proactive, positive and collaborative approach to meet education requirements (school places) to meet the needs of existing and new communities (paragraph 71).

5.1.8 Section 10 - Meeting the challenges of climate change, flooding and coastal change.

Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without flood risk elsewhere. Sequential and exception tests should be used.

5.1.9 Section 11 - Conserving and enhancing the natural environment - Requires the planning system to contribute to and enhance the natural and local environment. In particular, valued landscapes should be protected and enhanced and the impacts on biodiversity minimised. Paragraph 118 sets out a number of principles which should aim to preserve and enhance biodiversity. The guidance set out in paragraph 118 indicates that where development causes significant harm, with no adequate mitigation or compensation proposed and accepted as commensurate to the harm, that the development should be refused.

5.1.10 Section 12 - Conserving and enhancing the historic environment
Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise (Paragraph 129). The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (Paragraph 135)

5.2 ADOPTED WYRE BOROUGH LOCAL PLAN (SAVED POLICIES)

5.2.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.2.2 The following policies are considered to be of relevance to the determination of this application. The weight to be afforded to these policies is discussed within subsequent sections of this report:-

- Policy H7 - Replacement Dwellings
- Policy SP13 - Development in the Countryside
- Policy SP14 - Standards of Design and Amenity
- Policy ENV13 - Development and Flood Risk
- Policy ENV15 - Surface Water Run-off
- Policy CIS7 - Wastewater Management
- Policy TREC12 - Public Rights of Way

5.3 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

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

- Supplementary Planning Guidance 2 - Trees and Development

- Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17th of June and the 7th of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 Relevant policies in the emerging Local Plan include:

- Policy CS13 - Sustainable Development
- Policy CS14 - Quality of Design
- Policy CS16 - Transport, Accessibility and Movement
- Policy CS17 - Infrastructure and Community Facilities
- Policy CS18 - Green Infrastructure
- Policy CS19 - Biodiversity and Geodiversity
- Policy CS24 - The Countryside
- Policy CS25 - Flood Risk and Water Resources

6.0 CONSULTATION RESPONSES

6.1 ENVIRONMENT AGENCY - No observations to make

6.2 FORTON PARISH COUNCIL - No objections

6.3 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.3.1 No objections, initially advised that no ecological or bat survey was submitted and that prior to determination a full assessment should be undertaken and submitted. Following the submission of the survey it was concluded that a small bat roost was identified in the house to be demolished however the Ecologist advised that they were confident that a license will be obtained from Natural England. A relevantly worded condition has been recommended to ensure that an appropriate license is obtained prior to demolition or site activity. Advice has also been provided about how to apply Natural England's three derogation tests. The submitted survey also identified house sparrows nesting in the building and as such a condition to ensure the protection of nesting and breeding birds has been recommended. Additional conditions relating to the enhancement of the natural environment have also been recommended.

6.4 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE

6.4.1 No objections, advised that the subject building is shown on the 1847 mapping system and is considered to be of some historic interest. It would be preferable if the building could remain in situ however if consent should be granted it

is considered necessary that a formal building record is compiled before its demolition. An archaeological recording condition has been recommended.

6.5 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.5.1 No objections, advised that the Highways Development Control Section does not have any objections to the proposals and is of the opinion that the development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

6.6 LANCASHIRE COUNTY COUNCIL (PUBLIC RIGHTS OF WAY)

6.6.1 No objections, verbal response received advising that the proposal is unlikely to effect the public right of way (PROW) however an advice note is required to advise the applicant that the PROW should not be blocked off.

6.7 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.7.1 No objections in principle advised that full drainage plans shall be conditioned to be provided for approval prior to commencement of any works and any foul drainage discharging to the watercourse must first pass through a package treatment plan in accordance with the Environment Agency Guidance. Clarification has been sought on the discharge of surface water.

6.8 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATION)

6.8.1 No objections subject to a desk study being conditioned to be provided to assess the site for potential land contamination

6.9 WBC SERVICE DIRECTOR - PEOPLE AND PLACES (TREES)

6.9.1 No objections, A tree protection plan is required to indicate the type and position of protective barrier fencing to ensure that all elements of the construction of the dwelling is undertaken outside of a demarcated construction exclusion zone. Specifications are required for all new proposed trees and hedgerows. The loss of the small orchard trees which are positioned within the site is not a concern as they have a low retention value.

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there have been 10 letters of objection received. The primary reasons for opposition are listed below:

- Landownership concerns and incorrect red edged boundary
- Proposals fails to comply with Saved Policy H7 of the Local Plan
- Development out of character with the area
- Visually detrimental impact on historic integrity of neighbouring property
- Development out of keeping with the hamlet of Faulkners Lane
- Impacts upon visual, historical and archaeological qualities
- Materials should be re used
- Development bound by a stream which links with the River Cocker
- Concerns about the increase of localised flooding
- No mains drains in the area

- Stream breaks banks during heavy rainfall
- Site lies at a natural point within a drainage basin from surrounding fields
- Lower end of the lane is frequently subject to flash flooding
- Increase of flooding as a result of the development on neighbouring properties
- Dwelling is a replacement so no net housing gain
- Land in question is not seen to be domestic garden or brownfield land
- Existing dwelling is of significant historical interest
- Loss of ambiance of the hamlet
- Existing septic tank would not be adequate for a family sized house
- Road safety concerns, existing lane is a public footpath not a highway
- Concerns about parking if existing dwelling is not demolished
- Overbearing and intrusive impacts upon neighbouring amenity
- Impacts upon views
- Concerns regarding construction and demolition traffic road safety to residents and visitors
- Inaccuracies within the applicants submission relating to flood risk and water courses
- Surface and foul water impacts
- Replacement dwelling is not within the same domestic curtilage (Definition of Curtilage has been provided)
- Suggested conditions have been highlighted in the event of approval
- Impacts upon residential amenity and visual impacts upon the character of the area
- Loss of privacy

7.2 In conjunction with the neighbouring letters and the points highlighted above a selection of supporting documents (Including Land Registry Title Deeds) and photographic evidence have been provided. The images provided contain the following:

- Historic photographs of the site and the lane
- Photos of the subject property and neighbouring properties
- Image of vehicles passing down the lane
- Images of flooding within the lane
- Images of neighbouring properties flooded including the application property
- Images of neighbouring fields flooding
- Images of flooding from the nearby brook

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact was made with the agent during the initial stages after the application was submitted. Discrepancies with the application were highlighted as the application forms contradicted the submitted design and access statement which stated the application was for outline consent only. Amended forms, plans and design and access statement has since been submitted. An ecological appraisal was also requested and provided along with amended plans showing the new dwelling being constructed in natural stone and slate instead of red brick as initially submitted. A number of slight amendments to the design of the dwelling have also been made. The agent and applicant were requested to provide evidence that the area of land opposite the existing dwelling was and has been used as domestic curtilage in association with Faulkner's Fold Cottage. Further bat surveys were requested as a result of the findings within the initial ecological appraisal which identified a small

transitional bat roost within the roof space of the existing dwelling. Discussions between Officers and the applicant about the application and assessment of the three derogation tests set out within Natural England's guidance has been ongoing. An extension of time on the application has also been agreed until the 2nd March 2017.

9.0 ISSUES

- 9.1 The key considerations in the determination of this application are:
- The Principle of Development and Compliance with Planning Policy
 - Design and the visual impacts upon the landscape and the character of the area
 - Impacts upon Residential Amenity
 - Highway Safety, Parking and Public Right of Way
 - Flood Risk and Drainage
 - Ecological Impacts
 - Impacts upon Trees
 - Heritage Considerations

The Principle of Development and Compliance with Planning Policy

9.2 When considering this planning application reference should be made to Section 38(6) of the Planning and Compulsory Purchase Act which states "if regard is to be had to the development plan for purpose of any determination to be made under the planning acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise". The statutory development plan in this case comprises the saved policies of the Wyre Borough Local Plan (1999). The National Policy Framework (NPPF) is a significant material consideration whilst little weight can be afforded to the emerging Local Plan. In accordance with the NPPF 'due weight' should be given to the relevant saved policies of the Local Plan. The starting point for determining this application therefore remains with the saved policies of the Local Plan.

9.3 As the proposal seeks consent for a replacement dwelling the criteria and contents set out in Saved Policy H7 apply. This states the replacement of a dwelling in those areas outside settlements which are designated as open countryside will only be permitted where the proposal is sympathetic to the dwelling which is being replaced. In all cases a replacement dwelling will only be permitted provided that it:

- a) Is appropriate in character to the area
- b) Is developed using materials appropriate to the locality
- c) Involves a high standard of design which enhances the visual quality of the landscape and
- d) Meets the design and amenity requirements of Policy SP14

9.4 Policy H7 is considered to be the starting point in assessing the principle of the development. Concerns have been highlighted by neighbouring residents as to whether or not the land on the western side of Faulkner's Lane opposite the existing dwelling is actually defined or characterised as domestic curtilage associated with the subject dwelling. At the time of the Case Officer's site visit the land was overgrown and had a small number of sheep and chickens located within. Given the separation from the existing dwelling by the lane and the provision of a well maintained side

garden to the south of the existing dwelling the applicant advised that the land has been used as domestic garden prior to and ever since 2001. A letter was also submitted in evidence by the applicant which was sent from the Councils Planning Enforcement Officer on the 11th April 2001 which confirmed that the land had been identified as part of the domestic curtilage.

9.5 Despite the information and images provided by neighbouring residents, it is considered that the land is domestic curtilage to the subject property. In any event, the land is close to and associated with the application property and falls within the same site and in principle the siting of a replacement dwelling within is acceptable. It is appropriate to apply the criteria of Saved Policy H7. Policy H7 states that the replacement dwelling within the area designated as open countryside will only be permitted where the proposal is sympathetic to the size of the dwelling which is being replaced. Whilst the proposed dwelling in this instance is larger in scale and footprint than the existing dwelling, in terms of its design, materials and style it is seen to be sympathetic. The proposal seeks to use natural stone and where possible re-use the existing materials from the dwelling to be demolished which will ensure it is appropriate to the locality; in turn the proposal is seen to comply with the general provisions and Criteria A-E of Policy H7. Details of design and impacts upon the character of the area are discussed later on in this report. Within the observations received from neighbouring residents it is stated that the dwelling would not comply with Policy H7 as it will be materially larger than the dwelling it replaces and detailed calculations have been submitted. However Saved Policy H7 seeks to prevent larger replacement dwellings which are located within areas of Greenbelt and not within the designated Countryside Area which is where the application site lies. The principle of the proposal is considered to satisfy policy H7 and policy SP13 as being an appropriate form of development in the countryside.

9.6 At national policy level the National Planning Policy Framework (NPPF) is silent on replacement dwellings in the countryside. However this does not mean that all new applications for rural replacement dwellings are contrary to the NPPF or that such applications should be resisted on Policy alone. It is likely that most new replacement dwellings would in any case be built to a higher standard, more sustainable and would be more thermally efficient than the dwelling replaced. Whilst the NPPF does not specifically mention replacement dwellings as an example of an accepted form of sustainable development in rural area, neither does it specifically say that such forms of developments are not sustainable. Within the submitted Design and Access Statement the applicant advises that the new dwelling would be much more efficient than that of the existing dwelling. Furthermore in this instance there will be no increase or net gain in terms of housing numbers and as such the locality and disconnection from community services or facilities is not to be attributed any substantial weight within the determination of the application. In essence the proposed new dwelling would be no more isolated than the existing dwelling it is replacing. It is considered that given officers are now satisfied there is sufficient evidence to demonstrate the land is within the domestic curtilage of Faulkner's Fold Cottage the principle of the development would comply with both local and national planning policy. However all other matters such as impacts upon residential amenity and the visual impacts, highway safety, flood risk and ecological impacts (amongst other matters) are to be fully assessed as part of the overall planning balance. The assessment of these issues is set out below within this report.

Design and the visual impacts upon the landscape and the character of the area

9.7 The application site lies at the northern end of Faulkners Lane which when accessed from Ratcliffe Wharf Lane is narrow and windy in character with high-

level hedgerows either side of rolling agricultural fields. The application site lies in a detached location within a small group of traditional buildings which make up Faulkners Fold. Whilst these buildings are not listed they are considered to have important historic value and integrity, evidence of which has been documented within the neighbour responses and also within the comments submitted by Lancashire Archaeological Advisory service. Whilst it would be preferable for the existing cottage which is attractive in design to be retained on the same footprint in its existing form, a replacement dwelling on the opposite side of the lane is not seen to have significant visual impacts upon the character of the landscape or the small cluster of dwellings for which it is located within.

9.8 Turning to design, Section 7 of the NPPF (Paragraph 56) states that the Government attaches great importance to the design of the built environment and stresses that good design is a key aspect of sustainable development and is indivisible from good planning. At a local level Criteria B of Saved Policy SP14 states that new development should be acceptable in the local landscape in terms of scale, mass, siting and use of materials. The siting of the proposed dwelling is to be set in from the southern boundary by 17m leaving a sufficient visual break and spacing from the dwelling to the south. As stated above the scale of the dwelling is increasing in both footprint and height. The existing property is approximately 6.7m to the ridge whereas the replacement property is 7.6m to the ridge. Whilst there is a marginal increase in scale the proposed dwelling would not appear as incongruous or overbearing feature within the landscape and would comply with the provisions set out within policies H7 and SP14 of the Local Plan. Initially the proposal was for a red brick dwelling which was far less traditional in design however following concerns from the Case Officer this was amended and a revised scheme for a natural stone under slate dwelling was submitted. The applicant has confirmed that the materials used in the construction of the existing dwelling will be re-used in part for the replacement dwelling, this will ensure that the development will integrate into the rural setting and limit any visual impacts.

9.9 Following the demolition of the existing dwelling the land will be reinstated to grass land with the existing garage and wood store remaining in situ and the existing hardstanding removed. New hedgerow and tree planting is proposed along the western boundary, full details of which can be secured by appropriately worded conditions. In this instance it is seen to be reasonable and necessary to remove, via condition, Permitted Development Rights for the property to ensure the control of any domestic outbuildings within the curtilage of the site and to prevent the land where the existing dwelling is at present becoming over developed and out of keeping with the intrinsic rural character of the area.

Impacts upon Residential Amenity

9.10 Within the vicinity of the application site there are a number of residential dwellings, the closest being Faulkner's Fold which is approximately 23m south of the position of the replacement dwelling and faces north overlooking the application site. A number of concerns have been raised as a result of the neighbour consultation process; amongst other points, concerns about overbearing impacts and the loss of privacy have been raised. Supplementary Planning Guidance 4 (SPG4) stipulates minimum separation distances between new build residential properties (also adopted for assessing separation distances between new dwellings and existing dwellings). This document requires front-to-side separations for 2 storey dwellings to be 13m. In this instance whilst the concerns raised by the neighbouring residents is acknowledged there is approximately 23m from the front elevation of Faulkner's Fold and the southern gable elevation of the proposed dwelling. This separation far

exceeds the spacing guidance set out within SPG4 which is designed to prevent overbearing impacts. Furthermore there are no overlooking windows on the southern elevation which would result in any significant impacts upon the habitable rooms of this property. Whilst there are other dwellings further south of Faulkners Fold these dwellings are not seen to be affected by the development given the separation involved and the intervening structures. The proposal is therefore seen to comply with Saved Policy SP14 of the Local Plan and also the guidance set out within SPG4. With respect to impact on views, loss of view is not a material planning consideration.

Highway Safety, Parking and Public Right of Way (PROW)

9.11 The parking arrangements will not change significantly from that which is already in situ, the proposed site plan shows the existing parking to the south of the site is to remain, this area of hardstanding also provides sufficient room for vehicles to turn and leave in a forward gear. As the proposal is for a replacement dwelling there will be no net increase in vehicular movements within the lane, Lancashire County Highways have raised no objections to the proposal and as such the proposal raises no concerns in terms of highway safety. As Faulkners Lane is also an adopted PROW (FP number 8) Lancashire County Council PROW Officer has been consulted on the proposal. A verbal response has been provided advising that the relocation of the existing dwelling to the site opposite would not have any adverse impacts on the PROW or require a diversions however an advice note advising that the PROW should not be blocked off or impeded during construction phase has been requested.

Flood Risk and Drainage

9.12 The Environment Agency records identify the application site as being within Flood Zone 1 which is defined as within the National Planning Policy Guidance (NPPG) as being low risk. The site is assessed as having less than a 1 in 1,000 annual probability of river or sea flooding (0.1%). As the application site is less than 1 hectare and is not within an area at high risk of flooding (Flood Zones 2 or 3) then there is no requirement for a site specific Flood Risk Assessment. Furthermore the site or the proposal would not fall within the relevant statutory criteria for the Local Planning Authority to consult the Environment Agency on the development. There have been a number of public concerns raised in respect of surface water flooding and in support of these concerns numerous photographic images have been provided showing localised flooding in close proximity to the application site.

9.13 Saved Policy ENV15 of the Local Plan sets out that increased rates of surface water run-off will not be permitted where it would lead to adverse impacts. Paragraph 103 of the NPPF also requires local planning authorities when determining planning applications, to ensure flood risk is not increased elsewhere. In accordance with the NPPF and the NPPG it is stated that the site should be drained on a separate system with foul water draining to a public sewer and surface water draining in the most sustainable way. The NPPG outlines that the hierarchy to be investigated by the applicant when considering a surface water drainage strategy. Applicants are requested to consider the following drainage options in the following order of priority:

- 1 into the ground (Infiltration)
- 2 to a surface water body;
- 3 to a surface water sewer, highway drain, or another drainage system and then as a last option;
- 4 to a combined sewer.

9.14 The applicant has advised that they do not feel that the use of soakaways within the site would work in this location due to unacceptable ground conditions and as such they envisage that surface water would be connected to the nearby water course to the west of the site at an appropriately controlled discharge rate. This would represent the second most sustainable drainage option in accordance with the above hierarchy as set out within the NPPG. As there are no local foul sewers within the area then a new foul water treatment tank would be required to be installed. The Council's Drainage Engineer has been consulted on this application and has raised no objections in principle subject to full drainage plans to be submitted prior to the commencement of any works. These details can be secured via an appropriately worded condition. The observations received by local residents have been taken into consideration however as the proposal is for a replacement dwelling with similar means of drainage as existing and as the site falls outside of an area at high risk of flooding and with no objections from the Drainage Engineer then it is not anticipated that the proposal would be at risk of flooding or increase the risk of flooding elsewhere within the locality, in particular upon neighbouring properties.

Ecological Impacts

9.15 National planning policy seeks to ensure new development proposals contribute to conserving and enhancing the natural environment including biodiversity. As the application involves the demolition of the existing stone constructed dwelling which is sited in close proximity to open water courses and mixed vegetation an ecological appraisal was requested to be undertaken and provided. The submitted Phase 1 Ecological Survey submitted identified that there was a small transitional bat roost identified within the house to be demolished which was used by a single Soprano Pipistrelle Bat. The survey also recommends and sets out a number of mitigation measures within the report.

9.16 The Council's ecology consultant (GMEU) have advised that the proposed mitigation proposals contained within the ecology report assume that the new house will be built, and alternative bat roosting potential provided in the new build, before the demolition of the existing house commences. Given the status of the bat roosts present it is considered that it would be possible to provide temporary roosting provision for bats in the form of artificial boxes placed on nearby structures or trees before the new house, and the permanent new roosting provision, was available. It is recommended that a comprehensive Method Statement be prepared and conditioned giving full details of measures to be taken to mitigate harm to bats. Greater Manchester Ecological Unit have advised the Council that because the carrying out of this development would cause the disturbance of a protected species then a licence from Natural England would be required under Regulation 53 of the Conservation of Habitats and Species Regulations 2010 to authorise the development to go ahead. Regulation 9 (3) of the Habitats Regulations provides that a competent authority must have regard to the requirements of the Directive and consider the likelihood of a licence being granted. GMEU advise that it is likely that a licence will be obtained from Natural England. Supporting information submitted by the applicant from Natural England also appears to confirm the likelihood that a Licence would also be granted. However, in deciding on whether or not a Licence is likely to be granted and for the avoidance of doubt, Natural England's Guidance states that the Local Authority as a responsible authority must consider the three derogation tests under the Habitat Regulations. These tests are:

1. The proposed development must meet a purpose of "preserving public health or public safety or other imperative reasons of overriding public interest

including those of a social or economic nature and beneficial consequences of primary importance for the environment" Regulation 53(2)(e).

2. The competent authority must be satisfied "that there is no satisfactory alternative" Regulation 53(9)(a), and:

3. "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" Regulation 53(9)(b).

9.17 There are no accepted definitions of the above terminology and Natural England confirms that each case will be based on its own merits. The proposed development does not involve obvious elements which will preserve public health or public safety. However given the thrust of national planning policy to promote sustainable economic growth it is arguable that the development contains some social and economic benefits as part of an over-riding public interest e.g. the creation of employment opportunities during construction and the introduction of a new dwelling which the applicant advises would be much more thermally efficient than the existing dwelling which in turn would provide minimal but some environmental benefits.

9.18 The second test relates to there being no satisfactory alternatives. In the guidance it sets out that there are always going to be alternatives to a proposal and, in terms of licensing decisions, it is for Natural England to determine that a reasonable level of effort has been expended in the search for alternative means of achieving the development whilst minimising the impact on the Protected Species. In this case the replacement dwelling will allow the applicants to continue to live and remain in the locality whilst providing a more cost effective and thermally efficient dwelling. The applicant has stated that the current house is of poor construction and design and they wish to significantly improve their carbon footprint, reduce maintenance and provide additional space for the growing family. As such in this instance without moving away from Faulkner's Lane there are no satisfactory alternatives.

9.19 The third test sets out that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. The submitted bat survey states that the site is used by a singular Soprano pipistrelle bat as a transitional roost. Bats are likely to rely on a number of roost sites in buildings and trees in the local area. Greater Manchester Ecology Unit have stated that they are satisfied that the development can occur without causing a negative impact on the nature conservation of the bats as long as adequate mitigation is provided. Based on the supporting information by the applicant and the advice from Greater Manchester Ecology Unit, Officers are satisfied that the proposed replacement dwelling would satisfy the three tests.

9.20 Within the Ecology report House Sparrows were also identified as nesting in the building proposed for demolition. GMEU have advised that a condition preventing demolition between the 1st May and 31st August, unless a competent ecologist has undertaken a careful, detailed check of the building for active birds' nests immediately before works commence and has provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site, has been submitted to and agreed by the Local Planning Authority. On balance it is recommended that subject to mitigation

measures and suitable and relevantly worded conditions the proposal would not have any significant adverse impacts upon protected species.

Impacts upon Trees

9.21 The submitted proposed site plan indicates that with the exception of the orchard trees within the site all other trees and hedgerows are to be retained. The Councils Tree Officer has raised no objections to this and has stated the orchard trees are considered to be of low retention value. A condition requiring a tree protection plan and a new landscaping proposal is suggested to be attached. The suggested Landscaping condition will also satisfy the comments from GMEU who have advised that new planting could contribute to enhancing the natural environment and provide mitigation for the loss of bird nesting habitats as a result of the demolition of the existing dwelling.

Heritage Considerations

9.22 The application property is not a listed building and neither are the surrounding residential properties. However Section 12 of the NPPF (Conserving and enhancing the historic environment) states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. Comments have been received from neighbouring residents who have concerns about the new dwelling affecting the historic character of the lane and the setting of the small group of buildings. Lancashire Archaeological Advisory Service have highlighted the historic importance of the group and the lane and stated that the subject building is part of a row of structures shown on the east side of Faulkners Lane on the 1847 Ordnance Survey Mapping system but by 1892 most of these had been demolished leaving present Faulkners Cottage and the Outbuilding to the south. The Archaeologist has stated that whilst the building is considered to be of some historical interest it has undergone a number of changes and refurbishments. During the refurbishment it is noted that a porch has been added to its west front and the window surrounds on this side also appear to have been replaced. Whilst it would be preferable to retain the existing cottage, the scale and design of the replacement property directly opposite is not seen to significantly alter the character of the lane or have any significant visual impacts upon the setting of the small group of dwellings. The replacement property is to be constructed of stone used in the existing dwelling along with natural slate. These materials are all seen to be in keeping with the character of the surrounding properties. A condition has been request by Lancashire Archaeological Advisory Service requiring an archaeological recording and analysis of the existing dwelling. Should consent be granted then this condition should be attached along with full details and samples of all materials to be submitted and agreed prior to development.

Other Issues

9.23 Contamination - Environmental Health Pollution control have raised no objections to the proposal subject to a contaminated land desk top survey being conditioned.

10.0 CONCLUSION

10.1 The principle of the replacement dwelling is acceptable for the reasons set out within paragraphs 9.2-9.5 of this report. The reasons for objection by local residents to the development have been taken into consideration however the

demolition and rebuild of the dwelling directly opposite in the manner and form proposed is not seen to result in any significant adverse or detrimental impacts upon the character of the area or on the residential amenity of neighbouring properties. Subject to conditions other matters such as drainage and ecology are seen to be issues which can be suitably mitigated against with the requirement of further details to be provided prior to demolition/construction (by condition). It is considered that the proposal would comply with both Local and National Planning Policy and is therefore considered to be acceptable.

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 That Planning Permission be granted subject to conditions

Recommendation: Permit

Conditions: -

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 01/06/2016 including the following plans:
 - Proposed Site Plan Drawing Number GA3006-PSP-01-B
 - Proposed Elevation and Floor Plans (Revised) Drawing Number GA3006-002-D
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the replacement dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Such details shall make provision for the re-use of those materials used in the existing dwelling (Faulkners Fold Cottage) as far as is reasonably practicable. The development shall be carried out using the approved materials.
4. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

5. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development under Parts 1 and 2 of Schedule 2 to that Order shall be carried out without the express permission of the Local Planning Authority.

6. Notwithstanding the details submitted with the application, prior to commencement of the development hereby approved, a drainage scheme for all surface water and foul drainage associated with the development shall be submitted to and approved in writing by the Local Planning Authority in accordance with the sustainable drainage hierarchy outlined in the National Planning Policy Guidance. The development shall be implemented in accordance with the approved details, prior to first occupation of the development and thereafter maintained, managed and retained in accordance with this agreed detail.

7. No development, including site clearance/demolition, shall commence until a scheme for the protection of all trees/hedges being retained on and off site has been submitted to, and approved in writing by, the local planning authority. No development shall commence until the approved scheme of protection has been fully implemented. The protection measures shall be retained for the duration of the works, and only removed once the development is complete and all machinery and works material removed from the site.

8. No development shall take place until full details of both hard and soft landscape works (Landscape Plan) has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved prior to first occupation of the dwelling hereby approved. These details shall include hard surfacing materials; minor artefacts and structures (e.g furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme. Within the submitted landscape plan mitigation should also be provided for loss of bird nesting habitat, in particular house sparrow, through provision of artificial nesting opportunities.

9. Notwithstanding the details hereby approved the existing ground levels of the site shall not be altered or changed unless otherwise agreed in writing by the Local Planning Authority .

10. No demolition shall commence or works to trees or shrubs shall occur between 1st March and 31st August (inclusive) in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.

11. No development shall take place (including any demolition, ground works or site clearance) until a Method Statement describing measures to be taken for mitigating for potential harm to bats has been submitted to and approved in writing by the local planning authority. The content of the Method Statement shall include the:

a) Purpose and objectives for the proposed measures;

- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) Extent and location of proposed measures shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of demolition and construction;
- e) Persons responsible for implementing the measures described;
- f) Initial aftercare and long-term maintenance (where relevant);

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

12. No demolition, site clearance or construction shall commence until the Local Planning Authority has been provided in writing with either:

- a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 in respect of the likely harm to Soprano Pipistrelle Bats as a result of the demolition of the existing dwelling authorising the specified activity/development go ahead: or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a license.

13. Within three months of the first occupation of the replacement dwelling hereby approved the existing dwelling (Faulkners Fold Cottage) as shown on site plan (GA3006-PSP-01-B) shall be entirely demolished, the ground levelled and returned to grassed form and any leftover materials removed from the site.

14. No development including any demolition works shall take place until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological recording, analysis and reporting work. This must be carried out in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority.

15. No development shall commence until details of the means of enclosure of the site have been submitted to, and approved in writing by, the local planning authority. The development shall then be constructed in accordance with the approved details and all boundary treatments shall be maintained and retained (as approved) at all times thereafter.

Reasons: -

- 1. This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
- 3. To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

4. The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999) and Policy CORE 11 of the Wyre Borough Local Plan 2001 - 2016 (first deposit draft).
5. In the interest of the amenity and character of the Countryside Area
6. To ensure that the proposed development can be adequately drained; to prevent the increased risk of flooding, both on and off site resulting from the proposed development; and to ensure that water quality is not detrimentally impacted by the development proposal, in accordance with saved Local Plan policy ENV15 and the National Planning Policy Framework.
7. To prevent damage to trees resulting from the development including during construction works.
8. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
9. To ensure that the development has a satisfactory visual impact on the streetscene and a satisfactory impact on neighbouring residential amenity in accordance with Policies SP14 of the Adopted Wyre Borough Local Plan (July 1999).
10. In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.
11. In the interest and conservation of Protected Species and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
12. In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.
13. The retention of the existing dwelling would result in two dwellings at the site, contrary to Policy SP13 of the Adopted Wyre Borough Local Plan (July 1999)
14. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.
15. In the interest of visual amenity and so that the local planning authority shall be satisfied as to the details.

Notes: -

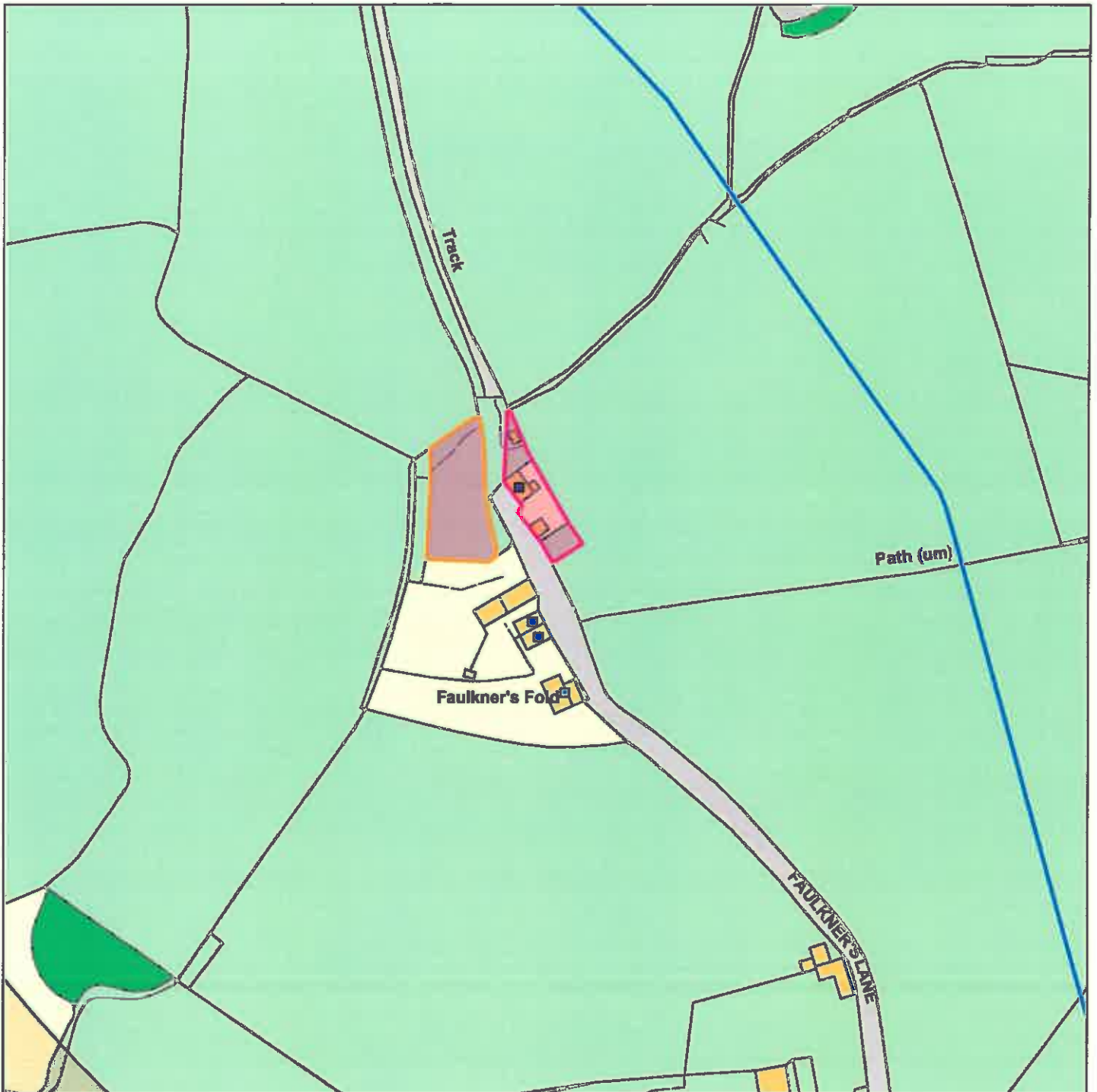
1. The programme of work should include the creation of a formal record of the building to be demolished. This should comprise a written and drawn record to Level 2 supplemented by a full photographic record, as set out in "Understanding Historic Buildings" (Historic England 2016). It should be undertaken by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net)

2. The grant of planning permission does not entitle a developer to obstruct a right of way, and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

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Planning Committee



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Organisation	Wyre Council
Department	Planning Department
Comments	Item 2
Date	16 February 2017
SLA Number	100018720